



TO: The Honorable Mayor and City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: February 22, 2022

SUBJECT: Petition of Joe Vining of JEG Properties LLC for a Special Use to allow short term rental on property located at 326 Park Avenue 05-05-05-120-019.

BACKGROUND:

The proposal here is for a Special Use to allow for a short-term rental at this property. The petitioner needs to come in for a One Stop prior to this meeting but that attendance is anticipated. The only condition recommended would be to make sure the use ceases with the current owner.

At their meeting, the ZBA 5-0 to recommend this Special Use, with the conditions the use ceases with the current owner and not more than 6 people be permitted to stay at one time.

RECOMMENDATION: Approval, with the conditions the use ceases with the current owner and not more than 6 people be permitted to stay at one time.

ORDINANCE NO. 4634

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 326 PARK AVENUE
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Joe Vining, on behalf of JEG Properties LLC (the "Petitioner"), has petitioned for a special use for a short-term rental use for the residential property zoned "R-2, One-Family Dwelling District" and located at 326 Park Avenue in East Peoria, as shown and described at "Exhibit A", attached hereto and incorporated herein by reference (which property as so described hereinafter is referred to as the "Property"); and

WHEREAS, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed Special Use subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. A Special Use to allow for a short-term rental on the Property is hereby approved.

Section 2. The establishment and continuation of the special use hereby authorized is contingent upon continual compliance with all applicable provisions of the City Code and the following special conditions:

1. No more than six (6) persons are permitted as over-night guests at one time on the Property.
2. Before permitting any short-term rentals on the Property pursuant to the special use granted by this Ordinance, Petitioner must attend a City One-Stop meeting and address any issues raised at the One-Stop meeting, including any life-safety issues regarding the rental guest facilities on the Property.
3. If deemed required at the One-Stop meeting to review life-safety improvements for the rental guest facilities on the Property, Petitioner shall allow a follow-up life-safety inspection of the short-term rental facilities and areas by the East Peoria Fire Department.
4. Before permitting any short-term rentals on the Property pursuant to the special use granted by this Ordinance, the Petitioner shall provide the City with a certificate regarding compliance with the hotel-motel tax provisions of Chapter 28 of Title 3 of the City Code, while thereafter

properly collecting and submitting all required hotel-motel taxes to the City for any short-terms rentals on the Property.

5. The Special Use granted by this Ordinance shall only remain in place for the Property while owned by Petitioner. Should the Property be sold to any party, the Special Use granted by this Ordinance shall immediately cease upon such transfer of title of the Property. As provided herein, the Petitioner's ownership of the Property shall include maintaining title of the Property in any legal entity in which Petitioner holds the majority ownership and controlling interest.

Upon the violation of or failure to comply with the foregoing conditions or with any provisions of the City Code applicable to the Property or its use, the City Council may, after providing reasonable notice and an opportunity for a hearing, terminate the Special Use hereby approved.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A
Map of Location of Special Use (326 Park Avenue)

Joe Vining
326 Park Ave
Case 22-SU-09

Exhibit "A"

Legal Description: 05-05-05-120-019

