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Fax 309-856-6001

February 24, 2023

Honorable Mayor and City Council  
Kewanee City Hall  
401 E. Third Street  
Kewanee, Illinois 61443-2365

RE: Report from Plan Commission for February 23, 2023 Meeting.

The Plan Commission convened on February 23, 2023 in the Council Chambers at Kewanee City Hall, commission members Mirocha and Sayers were absent. For business, there were four cases to be heard.

**Case Number 1:**

**Parcel 20-27-352-015 Located at the Northeast corner of North East St. and East Seventh St., Requesting Special Use Permit for the placement of an Off Premises Sign in a B-3 Business Service & Wholesale District.**

**Property Owner:** Dzelil (Tommy) Osmani, 607 N Main St., Kewanee, IL. 61443.

**Applicant:** Dzelil (Tommy) Osmani, 607 N Main St., Kewanee, IL. 61443

**Address:** N. East St.

**Legal Description:** W89 LOT 6 OF 1 GUNTHERS SUB & S1/2 VAC ALLEY N & ADJ CITY OF KEWANEE [EZ], Henry County, Illinois.

**Location:** Northeast corner of North East St. and East Seventh St.

**Dimensions:** Approximately 89 East to West, 60 feet North to South. Parcel is irregular in shape.

**Area:** 6969.6 Square feet, approximately.

**Existing buildings or uses:** None.

**Current Zoning District:** B-3 Business Service & Wholesale District.

**Surrounding Zoning:** R-1 One-Family Dwelling District to the and East, Northeast and Southeast. B-3 Business Service & Wholesale District to the South.

**Existing Land Use:** Commercial.

**Proposed Land Use Map:** Commercial.

**Background Information:**

Dzelil (Tommy) Osmani installed an off-premises sign on the subject property earlier this year and removed it after receiving notice from my office. Osmani was advised that he must have a Special Use Permit to place an off-premises sign on the property as well as a permit from the

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State of Illinois since the property is located along a State Highway. The sign will also require an approved building permit.

After being advised of the requirements, Osmani submitted all paperwork required to apply for a Special Use Permit to install an Off-Premises sign on the subject property.

I do not see any items of concern with this Special Use Permit request. At the end of this section are the three criteria that have to be satisfied prior to recommending a Special Use Permit granted. Directly below is a set of stipulations that might be placed on a Special Use Permit for the installation of an off-premises sign:

1. The Special Use Permit to install an off-premises sign is granted to Dzelil Osmani and is not transferable to any future owners or operators on the site.
2. Dzelil Osmani must provide proof of approval from the Illinois Department of Transportation for the installation of an off-premises sign on property that exists along a State Highway.
3. Dzelil Osmani must apply for and receive an approved Building Permit through the City of Kewanee Department of Community Development.
4. Dzelil Osmani must follow all inspection procedures required by the Department of Community Development during the sign installation.

#### Special Use Permit Criteria (155.157 C)

- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

The City has no argument against the requested Special Use Permit as filed.

#### **The Public Hearing:**

At 7:00 p.m. on February 23, 2023, the hearing for the placement of an Off Premises Sign in a B-3 Business Service & Wholesale District. None were present to represent the petition.

- Edwards read the background information to the Plan Commission.
- Morrison clarified that Osmani owns the subject property.

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- Costenson asked for clarification on the type of sign. Edwards stated it would resemble a small billboard and was probably not much larger than a sheet of plywood.
- Morrison asked about the proof of approval from IDOT. Edwards advised that Osmani has to obtain approval by the City to show IDOT. Osmani will then bring the City proof of IDOT approval and at that point a building permit may be issued.
- Morrison asked Edwards about the inspection process for the installation of the sign. Edwards stated there's generally two inspections for signs: one being a setback inspection to verify placement of the sign, the other being a footing inspection for the support posts of the sign.

There were no others present in support of the petition.  
There were no objectors.

**Recommendation:**

After discussing the facts and testimony presented, the Plan Commission, by a vote of seven in favor, none opposed, two absent, that the special use permit for the placement of an Off Premises Sign in a B-3 Business Service & Wholesale District.

Additionally, the Plan Commission recommends by a vote of seven in favor, none opposed, two absent that the following stipulations be placed on the Special Use Permit.

1. The Special Use Permit to install an off-premises sign is granted to Dzelil Osmani and is not transferable to any future owners or operators on the site.
2. Dzelil Osmani must provide proof of approval from the Illinois Department of Transportation for the installation of an off-premises sign on property that exists along a State Highway.
3. Dzelil Osmani must apply for and receive an approved Building Permit through the City of Kewanee Department of Community Development.
4. Dzelil Osmani must follow all inspection procedures required by the Department of Community Development during the sign installation.

**Case Number 2:**

**Parcel 20-33-407-026 Located in the 100 block of East Prospect St. on the North side of the street., Requesting Special Use Permit for a Massage Therapy/Salon in a R-5 Multiple Family Dwelling District.**

**Property Owner:** Amy Segura, 124 E. Prospect St., Kewanee, IL. 61443.

**Applicant:** Amy Segura, 124 E. Prospect St., Kewanee, IL. 61443

**Address:** 124 E. Prospect St.

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**Legal Description:** E60 OF S150 LOT 28 REES ADD CITY OF KEWANEE, Henry County, Illinois.

**Location:** 100 block of East Prospect St. on the North side of the street.

**Dimensions:** Approximately 60 East to West, 150 feet North to South.

**Area:** 9000 Square feet.

**Existing buildings or uses:** Single family dwelling.

**Current Zoning District:** R-5 Multiple Family Dwelling District.

**Surrounding Zoning:** R-5 Multiple Family Dwelling District the North and East. R-4 Two-Family Dwelling District to the South. B-2 Business District, General Retail to the West.

**Existing Land Use:** High Density Residential.

**Proposed Land Use Map:** High Density Residential.

### **Background Information:**

Amy Segura contacted me at City Hall in reference to placing a Massage Therapy/Salon in the residence at 124 E. Prospect St. I advised Segura of the Plan Commission and Special Use Permit process. Segura stated that she understood the process and filed a petition for the Special Use Permit for a Massage Therapy/Salon.

I do not see any items of concern with this Special Use Permit request. At the end of this section are the three criteria that must be satisfied prior to recommending a Special Use Permit granted. Directly below is a set of stipulations that might be placed on a Special Use Permit for a Massage Therapy/Salon:

1. The Special Use Permit to allow a Massage Therapy/Salon is granted to Amy Segura only and is not transferable to any future owners or operators on the site.
2. Amy Segura shall maintain primary residency in the house at 124 E. Prospect St. throughout the life of the Special Use Permit.
3. No persons other than Amy Segura shall be employed in the Massage Therapy/Salon at 124 E. Prospect St.
4. Hours of operation shall not extend beyond 7:30 a.m. to 7:00 p.m. daily.
5. One parking space shall be provided and maintained while the Massage Therapy/Salon is in operation.
6. A sign advertising the Massage Therapy/Salon, maximum size of one square foot in area, may be posted on the premises.
7. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan commission and City Council.
8. All activities associated with this Special Use Permit for a Massage Therapy/Salon shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.

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- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

The City has no argument against the requested Special Use Permit as filed.

**The Public Hearing:**

At 7:12 p.m. on February 23, 2023, the hearing for the Special Use Permit for a Massage Therapy/Salon in a R-5 Multiple Family Dwelling District was held. None were present to represent the petition.

- Edwards read the background information to the Plan Commission.
- Edwards reminded the Commission that there was a similar request approximately one year ago, near Page St. and Windmont Rd., and that Edwards has heard no complaints from the neighborhood in which it exists.
- Hayden Youngren of 121 E. Prospect St. expressed concerns of increased traffic in the neighborhood. Morrison advised that Segura would have to supply one off street parking place for her customers and that the stipulations are written to control the hours of operation and number of employees.

There were no others present in support of the petition.

**Recommendation:**

After discussing the facts and testimony presented, the Plan Commission, by a vote of seven in favor, none opposed, two absent, that the special use permit for a Massage Therapy/Salon in a R-5 Multiple Family Dwelling District be granted to Amy Segura for the property located at 124 E. Prospect St.

Additionally, the Plan Commission recommends by a vote of seven in favor, none opposed, two absent that the following stipulations be placed on the Special Use Permit.

1. The Special Use Permit to allow a Massage Therapy/Salon is granted to Amy Segura only and is not transferable to any future owners or operators on the site.

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2. Amy Segura shall maintain primary residency in the house at 124 E. Prospect St. throughout the life of the Special Use Permit.
3. No persons other than Amy Segura shall be employed in the Massage Therapy/Salon at 124 E. Prospect St.
4. Hours of operation shall not extend beyond 7:30 a.m. to 7:00 p.m. daily.
5. One parking space shall be provided and maintained while the Massage Therapy/Salon is in operation.
6. A sign advertising the Massage Therapy/Salon, maximum size of one square foot in area, may be posted on the premises.
7. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan commission and City Council.
8. All activities associated with this Special Use Permit for a Massage Therapy/Salon shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.

**Case Number 3:**

**Parcel 25-04-351-003 Located in the 700 block of West South St. on the North side of the street., Requesting the parcel to be Rezoned from R-1 One-Family Dwelling District to M-2 Manufacturing District, General AND A Special Use Permit for a Ground Mounted Solar Array.**

***Property Owner:*** Anthony Donato, 707 Osterman Ave Unit 1546, Deerfield, IL. 60015

***Applicant:*** Anthony Donato, 707 Osterman Ave Unit 1546, Deerfield, IL. 60015

***Address:*** 700 W. South St.

***Legal Description:*** SW SW, EX SE COR & EX HWY, SEC 4 T14N R5E LANDS INCORP CITY OF KEWANEE, Henry County, Illinois.

***Location:*** 700 block of West South St. on the North side of the street.

***Dimensions:*** Approximately 1299 East to West, 1270 feet North to South.

***Area:*** 1,649,617 Square feet 37.87 acres.

***Existing buildings or uses:*** Agricultural.

***Current Zoning District:*** R-1 One-Family Dwelling District.

***Surrounding Zoning:*** R-1 One-Family Dwelling District to the East and West. R-2 One-Family Dwelling District to the North. M-2 Manufacturing District further (approximately ¼ mile) to the West.

***Existing Land Use:*** Not indicated.

***Proposed Land Use Map:*** Institutional.

**Background Information:**

Anthony Donato recently purchased the subject property and contacted me reference to building a storage unit facility and the placement of a solar array. Donato was advised that the

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property would need to be rezoned for the storage unit to be allowed and a Special Use Permit would be required for the ground mounted solar array. The zoning district options were discussed.

The rezoning must be discussed and voted on first since the large ground mounted solar array special use permit is only allowed in Manufacturing Districts by ordinance.

If the rezoning is granted, directly below is a set of stipulations that might be placed on a Special Use Permit for a large ground mounted solar array:

1. The Special Use Permit to allow a large ground mounted solar array is granted for the parcel #25-04-351-003 located in the 700 block of West South St. These stipulations will transfer to all future owners of the parcel and shall be enforceable for as long as the solar array exists.
2. The owner of the property shall apply for all permits required by the City and shall submit all required engineering documents with the application.
3. The owner of the property shall cause a fence to be installed around the perimeter of the solar array in compliance with the City's solar ordinance.
4. The owner of the property shall keep the property in compliance with all building codes and property maintenance codes adopted by the City.
5. If the array becomes inoperable for a period of 6 months, the owner shall remove the array in its entirety.
6. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan commission and City Council.
7. All activities associated with this Special Use Permit shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.

#### Special Use Permit Criteria (155.157 C)

- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

The City has concern with the rezoning request as this parcel is not directly adjacent to the M-2 zoning to the west and would leave an island of residential zoning between the two M-2 districts. However, should the rezoning be granted, the city has no concerns about the special use permit being granted as filed.

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**The Public Hearing (Rezoning):**

At 7:19 p.m. on February 23, 2023, the hearing to rezone the subject parcel from R-1 One-Family Dwelling District to M-2 Manufacturing District, General, was held. Anthony Donato and Tony Grilo were present to represent the petition.

- Edwards read the background information to the Plan Commission.

There was much discussion on this case and several residents that showed up with many different concerns. The Plan Commission voted to table this case and directed Edwards to seek legal advise from the City Attorney. The minutes from this hearing on the case will be included in the memorandum and minutes for the next Plan Commission meeting in March.

**Recommendation:**

Case tabled until the March meeting.

**The Public Hearing (Special Use Permit):**

Case tabled until the March meeting.

**Case Number 4:**

**Parcel 20-33-278-003 Located in the 400 block of East Second St. on the South side of the street., Requesting the parcel to be Rezoned from R-5 Multiple Family Dwelling District to B-3 Business Service and Wholesale District.**

***Property Owner:*** Beck Oil Co. Of Illinois, 850 East Thompson St, Princeton, IL. 61356

***Applicant:*** Beck Oil Co. Of Illinois, 850 East Thompson St, Princeton, IL. 61356

***Address:*** 417 East Second St.

***Legal Description:*** W45 OF N1/2 LOT 1 BLK 16 BLISHS ADD CITY OF KEWANEE, Henry County, Illinois.

***Location:*** 400 block of East Second St. on the South side of the street.

***Dimensions:*** Approximately 45 East to West, 115.5 feet North to South.

***Area:*** 5197.5 Square feet.

***Existing buildings or uses:*** Vacant.

***Current Zoning District:*** R-5 Multiple Family Dwelling District.

***Surrounding Zoning:*** R-5 Multiple Family Dwelling District to the East and South. B-3 Business Service and Wholesale District to the West.

***Existing Land Use:*** High Density Residential.

***Proposed Land Use Map:*** High Density Residential.



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In early 2021, Beck Oil applied for, and was granted, a demolition permit for the dwelling at 417 E. Second St. Beck Oil expressed interest in developing the land with potential enhancements to the existing Beck Oil establishment adjacent to the subject property. Conversation with Beck Oil personnel was had pertaining to the fill of the land after the removal of the dwelling and the zoning for the subject property. Beck personnel were made aware of rezoning procedures.

The City has no argument against the rezoning request as filed.

**The Public Hearing:**

At 8:56 p.m. on February 23, 2023, the hearing to rezone 417 E. 2<sup>nd</sup> St. from R-5 Multiple Family Dwelling District to B-3 Business Service and Wholesale District was held. None were present to represent the petition.

- Edwards read the background information to the Plan Commission.
- There was discussion verifying the location of the Beck's station and the subject property which is directly adjacent to the East property line of the existing Beck's station.

There were no others present in support of the petition.

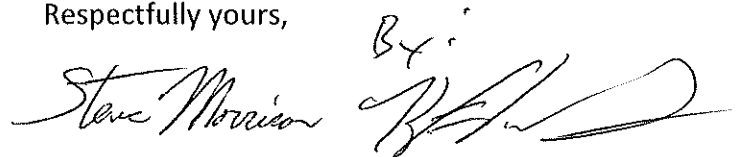
There were no objectors.

**Recommendation:**

After discussing the facts and testimony presented, the Plan Commission, by a vote of seven in favor, none opposed, two absent, that the request to rezone 417 E. 2nd St. from R-5 Multiple Family Dwelling District to B-3 Business Service and Wholesale District be granted.

There being no further business, the meeting adjourned at 9:05 p.m.

Respectfully yours,

By: 

Steve Morrison, Chairman

PLAN COMMISSION

Date

2/23/2023

Zoning

Case 3 Tabled

Case 2 STIPs

Case 2

Case 1 STIPs

Attendance

COSTENSON 2/18/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
EDLEMAN 2/22/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HEMPHILL 2/23/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
SELLERS 2/23/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MIROCHA	X	yes abstain	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MORRISON 2/23/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HODGE 2/23/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
SAYERS	X	yes abstain	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MILROY 2/23/23	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
	TR 2A	TY	TY	TY	TY	TY	TY	TY	TY	TY

M - Table

2<sup>nd</sup>

2<sup>nd</sup>

PLAN COMMISSION

Date

2/23/2023

Attendance

Case 3 S.U.  
~~S.F.P.~~

Case 3 S.F.P.

Case 4

	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
COSTENSON	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
EDLEMAN	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HEMPHILL	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
SELLERS	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MIROCHA	X	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MORRISON	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HODGE	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
SAYERS	X	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MILROY	✓	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent

Tabled

7x On.