

Everything You Need!

Phone 309-761-1013
Fax 309-856-6001

June 17, 2022

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

RE: Report from Plan Commission for June 17, 2022, Meeting.

The Plan Commission convened on June 16, 2022, in the Council Chambers at Kewanee City Hall, commission members Edleman and Mirocha were absent. For business, there was one case to be heard.

Case Number 1:

Parcel 25-32-327-005 Located at 1412 W. Prospect St., Special Use Permit to use the existing building and property as a Short-Term Rental.

Property Owner: Michael & Kathryn Mulcahy, 611 Midland Dr., Kewanee, IL. 61443.

Applicant: Michael & Kathryn Mulcahy, 611 Midland Dr., Kewanee, IL. 61443

Address: 1412 W. Prospect St.

Legal Description: LOT 32 SHADY SIDE ADD CITY OF KEWANEE LANDS INCORP CITY OF KEWANEE, Henry County, Illinois.

Location: On the North side of the 1400 block of W. Prospect St. across from Chautauqua Park.

Dimensions: 50 feet East to West, 142.6 feet North to South

Area: 7130 Square feet, approximately.

Existing buildings or uses: Single family dwelling and garage.

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

Surrounding Zoning: R-1 One-Family Dwelling District.

Existing Land Use: Low density residential.

Proposed Land Use Map: Low density residential.

Background Information:

In late April of this year, it was brought to the attention of City Manager Gary Bradley that there is an "Airbnb" in the City of Kewanee.

I contacted Michael Mulcahy who owns the property located at 1412 W. Prospect St. Mulcahy stated that he spoke with someone with the City several years ago to see if a property can be used as an Airbnb and was told that it would be ok. Mulcahy wasn't sure who he spoke with but thought it was me (Keith Edwards). I told Mulcahy that I didn't remember the conversation, but it very well could have been me. We discussed the property and the use, and I told Mulcahy that I would get back in touch once I figure out what should be done, if anything. It should be noted that Mulcahy stated he has had conversations with the neighbors and has had no issues or complaints. The City has not received any complaints concerning the subject property.

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After researching Airbnb, I've learned that Airbnb is a company/brand that markets Short-term rentals of single-family dwellings for a period of 29 days or less.

Bradley and I discussed the usage and agreed that Short-term Rental is a use that should be in our Zoning Codes as an allowed Special Use in Residential Zoning.

I called Mulcahy and advised that we felt there should be an amendment to the current allowed Special Uses to allow Short-term rentals. Mulcahy was understanding and stated he would comply with whatever would be required to keep the property in compliance with the City Ordinances.

At the May 9, 2022 City Council meeting, the Council and Mayor all agreed that Short-term rentals/Airbnb would be a good option for our visitors. Mulcahy attended this meeting.

Attached to this packet is a copy of the ordinance that was written and passed, with no objections, by the City Council at the May 9, 2022 meeting.

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 typical stipulations that might be placed on a Special Use Permit for a Short-term rental:

1. The Special Use Permit to allow a short-term rental is granted to Michael & Kathryn Mulcahy only and is not transferable to any future owners or operators on the site.
2. All activities associated with this Special Use Permit for a short-term rental shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.
3. The dwelling and property shall be maintained in compliance with the International Residential Code and the International Property Maintenance Code as adopted by the City of Kewanee.
4. 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.

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 Public Hearing:

At 7:00 p.m. on June 16, 2022, the hearing for a Special Use Permit to use the existing building and property as a Short-Term Rental was held. Kathryn Mulcahy was present to represent the petition.

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- Edwards read the background information.
- Mulcahy described how an Airbnb works to the commission members.
- Morrison inquired about the International Reference Code (IRC) and International Property Maintenance Code (IPMC) that was mentioned in the stipulations. Morrison stated he was under the impression that the City was still utilizing BOCA. Edwards advised that the International Code Council (ICC) has taken the place of BOCA (Building Officials and Code Administrators International) and the IRC is the Building Code for Residential structures and IPMC is the code that is used to enforce maintenance of buildings and property. Edwards said that the ICC codes are adopted by the city by ordinance.

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 for a Special Use Permit to use the existing building and property as a Short-Term Rental be granted.

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 short-term rental is granted to Michael & Kathryn Mulcahy only and is not transferable to any future owners or operators on the site.
2. All activities associated with this Special Use Permit for a short-term rental shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.
3. The dwelling and property shall be maintained in compliance with the International Residential Code and the International Property Maintenance Code as adopted by the City of Kewanee.
4. 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.

There being no further business, the meeting adjourned at 7:15 p.m.

Respectfully yours,

Steve Morrison *By: [Signature]*

Steve Morrison, Chairman

