

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 17, 2025

Re: 2609 Wee Wynd– STR Conditional Use Permit (Case #318-2025)

Impacted Ward: Ward 4

Executive Summary

Approval of this request would grant a conditional use permit (CUP) to allow 2609 Wee Wynd to be used as a 210-night, maximum 6 guest short-term rental pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The subject R-1 (One-family Dwelling) site contains approximately 0.13-acres and is located on the north side of Wee Wynd approximately 125-feet southeast of its intersection with Thistledown Drive.

Discussion

A request by Lori Brockman (owner), seeking approval to allow 2609 Wee Wynd to be used as a 210-night, maximum 6 guest short-term rental (STR) pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code (UDC). The 0.13-acre subject site is zoned R-1 (One-family Dwelling), is located on the north side of Wee Wynd approximately 125-feet southeast of its intersection with Thistledown Drive, is not the applicant's principal residence, and **has not been** previously been used as an STR. The desired rental nights and guest occupancy are consistent with the limitations established by the STR regulations.

The subject dwelling is a 3-bedroom, 1 bath single-family home. The stated bedroom square footages appear to conform with the minimum areas necessary to support the desired 6 transient guests when evaluated against the most current city-adopted edition of the International Property Maintenance Code (IPMC). Compliance with the IPMC and authorized occupancy will be verified prior to the issuance of the STR Certificate of Compliance. The occupancy limitations as well as rental nights will be shown on the issued STR Certificate of Compliance and must appear on any website listing where the dwelling is offered for rental.

The applicant indicates that the owner will act as the "designated agent" to address regulatory issues when the dwelling is used as an STR. The owner is a local Boone County resident that lives 3 miles (20 minutes) from the property. Given the property is owned by an individual, approval of the CUP would constitute the individual's "one and only" STR license within the City's municipal limits.

Evaluation of typical listing platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder did not identify additional STR dwellings within 300-feet of the subject property. Within the 185-foot notification radius there are 16 parcels of which 10 appear to be used for rental purposes. The immediately adjacent properties are located in the R-1 zoning districts. The R-1 zoning designation would permit a maximum "long-term" rental occupancy of 3-

unrelated individuals. If the CUP is approved, the subject dwelling would be permitted to have double the number of occupants when compared to adjacent R-1 long-term rental properties. Given the subject dwelling has not been previously used as an STR, there is no basis to suggest that such usage would be more impactful than a long-term rental dwelling that similar usage characteristics.

The subject dwelling is consistent in size, style, and bedroom mix as those adjoining it. The property has a driveway capable of supporting 2 UDC-compliant on-site/off-street parking space necessary to meet the requirements of Sec. 29-3.3(vv). The single parking space within the attached 1-car garage will be required to be made available when the STR is in operation to support the requested 6 guests and meeting STR parking requirements.

Access to the dwelling is from Wee Wynd, a local residential street, that does permit on-street parking. There are no sidewalks installed along either side of Wee Wynd or on Thistledown Drive. The design of the site's access is consistent with other surrounding residential development and is believed sufficient to support future traffic generation without compromising public safety.

Given the lack of a code violation history, no presence of additional STRs within 300-feet, and the dwelling's general conformity to its surroundings, staff believes approval of the CUP to allow for the operation of an STR would not be incompatible with the adjoining neighborhood notwithstanding the potential increase in the number of un-related occupants when compared to adjacent long-term rental properties. Should impacts arise, the enacted STR regulations provide means by which to address potential negative impacts which include nightly usage restrictions, a violation reporting procedure, fines, and authority to revoke a STR Certificate of Compliance after **two** verified violations within a 12-month period.

Given the dwelling sought for licensure is not the applicant's "principal residence", a CUP is necessary to allow for its continued operation as an STR. The STR CUP process requires an analysis of the general and supplemental CUP criteria shown within Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. A full description of this analysis is found in the attached Planning and Zoning Commission staff report.

Should the CUP be granted, full regulatory compliance with the provisions of Chapter 22, Article 5 (Rental Unit Conservation Law), and Chapter 13 (Business Licensing) of the City Code will be required prior to issuance of a STR Certificate of Compliance and/or Business License. As part of the required Business License procedure, the owners will be required to remit accommodation taxes pursuant to the requirements of Chapter 26 (Taxation) of the City Code.

The Planning and Zoning Commission held a public hearing on this matter at their October 23, 2025 meeting. Staff gave its report and described their findings related to the **technical requirements** of what was shown within the STR application. The applicant spoke on the purpose of the request and was available to answer Commissioner questions. One member

of the public spoke, representing several adjacent owners, in opposition of this request stating that approval would negatively impact the quality of the neighborhood and referenced potential safety concerns. Additional members of the public, other STR applicants on the Commission's October 23 agenda, spoke in support of the owner offering reasons for how approval would create community benefits and tools available to address possible negative outcomes.

Following closure of the public hearing and limited Commission discussion, a motion to approve the requested CUP to permit 2609 Wee Wynd to be operated as a 210-night, maximum 6 guest STR was unanimously approved by a vote of (9-0).

A copy of the Planning and Zoning Commission staff report, locator maps, STR application, Supplemental "Conditional Accessory/Conditional Use Questions", public correspondence, and meeting minute excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None are anticipated.

Long-Term Impact: Usage of the dwelling as an STR will result in the collection of accommodation taxes which will assist the Convention and Visitor's Bureau in their marketing efforts relating to the City. While increases in public service demand is possible, such demands are not foreseen to be greater than a typical single-family home. Such increases may or may not be off-set by increased user-fees or property tax collection.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Economic Development

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve a conditional use permit to allow 2609 Wee Wynd to be operated as a 210-night, maximum 6 guest STR, subject to a condition that the parking space within the 1-car attached garage be made available to guests when the dwelling is used for STR purposes as recommended by the Planning and Zoning Commission.