

STAFF REPORT (REVISED)

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: May 10, 2023

SUBJECT: Special Use Permit Request for Property at 603 North Henderson Avenue

A special use permit application has been submitted for the property at 603 North Henderson Avenue, which is zoned R-4 (Medium Density Multifamily Residential) and H (Historic Overlay). The property is located in the Boulevard Local Historic District. The Himmelberger House, built in 1921, is located on the property. The applicant is proposing to convert the house to a boutique hotel containing seven guest rooms. A special use permit is required for a boutique hotel in the R-4 district. Refer to the application for more information about the proposed use.

The Zoning Code (Chapter 30 of the City's Code of Ordinances) authorizes the City Council to grant special use permits in accordance with Section 30-104. In order for a special use permit to be granted, the Planning and Zoning Commission and the City Council must consider and make findings of fact with regard to certain criteria (for special use permit applications in the Historic Overlay, the Historic Preservation Commission also conducts a review). Staff has reviewed the application according to the criteria and made the following findings:

Criterion #1: The proposed special use will not substantially increase traffic hazards or congestion.

Finding: The proposed boutique hotel is small (seven guest rooms); therefore, it will not generate a high level of traffic. Nine parking spaces will be provided on-site, which will allow each guest room to have one parking space, with two additional spaces available for employees.

Criterion #2: The proposed special use will not substantially increase fire hazards.

Finding: The proposed boutique hotel will comply with the City's construction and life safety codes, including the installation of fire suppression system. This will reduce fire hazards rather than increase them.



Criterion #3: The proposed special use will not adversely affect the character of the neighborhood.

Finding: The proposed boutique hotel will maintain the historic character of the Himmelberger House. The City's bufferyard requirements will apply to the north and west sides of the property, which will mitigate the impact of the parking lot on the adjacent properties.

Criterion #4: The proposed special use will not adversely affect the general welfare of the community.

Finding: The proposed boutique hotel will repurpose a vacant historic property and provide a unique lodging experience without adversely affecting the neighborhood or the community.

Criterion #5: The proposed special use will not overtax public utilities.

Finding: The proposed boutique hotel is small; thus, it will not result in utility demand beyond the capacity available.

In reviewing the application materials, it appears that an exception may be necessary for reduced parking space and/or aisle dimensions due to the site constraints. Staff supports such an exception with a condition that the final design of the parking lot shall be subject to approval by the City staff.

The application states that the exterior of the building is going to be kept in its original state and refurbished. However, plans showing the specific scope of work for the exterior were not submitted. For this reason, staff was unable to review the scope of work according to the Historic Overlay design criteria and the Boulevard Local Historic District design guidelines. Once plans showing the scope of work are submitted, staff will review them. Any exterior changes to the building, and any signs, that are not consistent with the Historic Overlay design criteria and the Boulevard Local Historic District design guidelines shall require a Certificate of Appropriateness from the Historic Preservation Commission.

Based on the above findings, staff recommends approval of the special use permit request, subject to the following conditions:

1. Except as provided for herein, the special use authorized by this permit shall comply with all applicable laws and regulations.
2. Except as provided for herein, major modifications to said special use (including, but not limited to, the site plan) shall require the approval of the City Council.



3. This permit shall automatically expire twelve (12) months from the date of issuance if the building permit for said special use has not been issued. If the building permit is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of the building permit.
4. This permit is not transferable without the approval of the City Council.
5. Bufferyards shall be provided along the north and west property lines in accordance with Section 25-224.
6. The final design of the dumpster enclosure, the retaining wall, and the bufferyards (including any privacy fences) shall be subject to approval by the City staff.
7. An exception is granted for reduced parking space and/or aisle dimensions. The final design of the parking lot shall be subject to approval by the City staff.
8. Any exterior changes to the building, and any signs, that are not consistent with the Historic Overlay design criteria and the Boulevard Local Historic District design guidelines shall require a Certificate of Appropriateness from the Historic Preservation Commission.

