
MEETING DATE: September 27, 2022

STAFF: Brian Harker, Planner

PROJECT NAME: The Loft - AirBNB

CASE NUMBER/REQUEST: Case 22-200-10 – **Special Use Permit – 910 E. Manor Road** – A request by Beth Hoberg for a Special Use Permit to operate a Bed and Breakfast.

APPLICANT/OWNER: Beth A. Hoberg

PROPERTY ADDRESS: 910 E. Manor Road

SURROUNDING ZONING/LAND USE:

NSEW: R-6 (Single-Family Residential)...Single-Family residences

PUBLIC NOTICE:

- Letters to adjoining property owners – September 1, 2022
- Public notice published in the Independence Examiner – September 10, 2022
- Sign posted on property – September 9, 2022

FURTHER ACTION:

Following action by the Planning Commission, this Special Use Permit request is scheduled for first reading by the City Council on October 17, 2022 and the public hearing/second reading on November 7, 2022.

RECOMMENDATION

Staff recommends **APPROVAL** of this application with the following conditions:

1. The Bed and Breakfast shall obtain a business license in accordance with all City Code and comply with Section 5.01.004 (Article 1, Chapter 5) of the City Code. The business license number shall be listed on all advertisements and online platforms.
2. The business must comply with all safety and other standards required by Section 14-420 of the City Code.
3. The BnB will be limited to only two guests at a time, with one car and no street parking.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

Beth A. Hoberg seeks approval to operate a Bed and Breakfast at 910 E. Manor Road.

Current Zoning: R-6

Current Use: Residence

Former Zoning: Prior to 1980 – R-1

Prior to 2009 – R-1b

Proposed Use: Bed and Breakfast

Building Square Feet: 729-square feet

PROPERTY HISTORY

The applicant's property is in Golden Acres, a subdivision developed by Kroh Brothers in 1931. The applicant's home was constructed 1935. The two-car accessory garage with an art studio loft was constructed in 1984. It has since been slowly transformed into living space. Now the applicant wish to convert the property into an AirBNB.

PHYSICAL CHARACTERISTICS OF PROPERTY

The garage and loft set to the north of the residence, accessed by a paved drive passing west of the house. A stairway to the living quarters is attached to the building's east side. Upon entering the loft is found a large open space with a queen bed tucked in a corner, a small stove, refrigerator and a sink, a small bathroom with a shower.

CHARACTERISTICS OF THE AREA

Golden Acres is a well-maintained, cohesive neighborhood with a diversity of architectural styles and designs. The neighborhood itself, and those surrounding, are pre-dominantly single-family in nature.

THE PROPOSAL:

The loft will accommodate two adult guests. Children, pets, illegal drugs and smoking will not be permitted. AirBNB runs a basic identity verification and a method of communicating with guests before accepting their requests for reservations.

Because the applicant's will be living in the main house, they will be able to monitor the loft. If guests become unruly or annoying to the neighbors, and cannot be dealt with easily, the applicant's son, who is an IPD detective, can help de-escalate issues.

ANALYSIS

Consistency with *Independence for All, Strategic Plan:*

This proposed use could help support the economic prosperity of the nearby Noland Road corridor and Independence Square area by giving tourists and visitors a place to reside while in the area.

Comprehensive Plan Guiding Land Use Principles:

The City Comprehensive Plan recommends Residential Established Neighborhood uses for this site. This Guiding Land Use Principle most relevant to this particular situation would be, "(p)reserve the integrity of existing neighborhoods and the historic nature of older neighborhoods."

Historic and Archeological Sites:

While in an increasingly historic neighborhood, there are no apparent historic/archeological issues with this property.

Public Utilities:

All utilities are present on the site and operational.

Parking:

The property has a single-car wide driveway accessing the two-car garage. Parking for two guests will not be an issue.

Inspections:

The property will need to meet all applicable permitting and meets the Fire and Life Safety Inspection requirements.

Trash Collection:

The applicants indicated they will add the guests to their own AAA Trash Service.

REVIEW CRITERIA

Recommendations and decisions on special use permit applications must be based on consideration of all of the following criteria:

1. Compatibility of the proposed use with the character of the neighborhood.

This is a residential neighborhood comprised primarily of single-family dwellings. The use of this accessory garage, as a Bed and Breakfast with a maximum of two guests, should be compatible with this established neighborhood.

2. The extent to which the proposed use is compatible with the adjacent zoning and uses.

A Bed and Breakfast should have minimal impact on the area.

3. The impact of the proposed use on public facilities.

All public facilities are in place here and this proposed use is not a significant consumer of water, sanitary sewer and electrical services.

4. The suitability of the property for the permitted uses to which it has been restricted under the applicable zoning district regulations.

This Special Use Permit would allow an additional land use not already permitted in this R-6 residential district.

5. The extent to which the proposed use may injure or detrimentally affect the use of enjoyment of property in the area.

A Bed and Breakfast is not expected to affect any of these issues.

6. The extent to which the proposed use will create excessive stormwater runoff, air pollution, noise pollution or other environmental harm.

As this is a developed site, these concerns should not be an issue.

7. The extent to which there is a need for the use in the community.

With the home's accessibility via Noland Road to the Independence Square and the other historic assets in the community, there appears to be a need for this type of business.

8. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this article.

If approved with a Special Use Permit, the application appears to satisfy the requirements Section 14-416 of the Unified Development Ordinance.

9. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.

This is an long existing property, all public facilities in place and operational.

10. Conformance of the proposed use to the comprehensive plan and other adopted plans and polices.

The City's Comprehensive Plan envisions Residential Established Neighborhood uses for this site.

11. The extent to which the use will impact sustainability or revitalization of a given area.

As mentioned previously, this Special Use Permit would allow utilizatoin of the accesory building in a manner that is in keeping with the character of the neighborhood.

EXHIBITS

1. Applicant Letter
2. Application
3. Notification Letter
4. Address List
5. Affidavit
6. Photo
7. Plot Plan
8. Nearest Short Term Rental Map
9. Comp Plan Map
10. Zoning map
11. Inspection Report