

City of Lawrence  
Planning Commission minutes  
August 24, 2009

MEMBERS PRESENT: Blaser, Carter, Chaney, Finkeldei, Harris, Hird, Moore, Rasmussen, Student Commissioner Shelton

MEMBERS ABSENT: Dominguez, Singleton

STAFF PRESENT: McCullough, Stogsdill, Day, Finger, J. Miller, Zollner, Ewert

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PC Minutes 8/24/09 **DRAFT**

**ITEM NO. 1 SPECIAL USE PERMIT FOR A BED & BREAKFAST; 603 TENNESSEE ST (LBZ)**

**SUP-4-3-09:** Consider an amended Special Use Permit application, repealing the Adaptive Reuse of a Historic Property element of the application, for property located at 603 Tennessee Street for a Bed & Breakfast. Submitted by Rainbow Works LLC, property owner of record. *Deferred from the 7/20/09 Planning Commission meeting.*

**STAFF PRESENTATION**

Ms. Lynne Braddock Zollner presented the item.

Commissioner Harris inquired about ownership and asked who is considered the owner occupant with a corporation.

Ms. Zollner said the chief executive officer or someone the corporation designates.

**APPLICANT PRESENTATION**

Mr. Tony Backus, said the house has been for sale for a long time and they have had people request that they turn it into a bed and breakfast. He said there has been lots of positive response for a bed and breakfast in the community.

No ex parte communications by the Commissioners

**PUBLIC HEARING**

No public comment.

**COMMISSION DISCUSSION**

Commissioner Harris asked if this Special Use Permit would need to be revisited if it changed ownership.

Mr. McCullough said that has not been recommended as a condition for this permit.

### **ACTION TAKEN**

Motioned by Commissioner Finkeldei, seconded by Commissioner Chaney, to approve SUP-4-3-09, a Special Use Permit for a Bed and Breakfast located at 603 Tennessee Street based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Publication of an ordinance per Section 20-1306(j).
3. Final Inspection and approval by the Fire Department before occupancy as a Bed and Breakfast.
4. Applicant shall provide a revised site plan to show the following changes:
  - a. existing fencing
  - b. site summary table
  - c. existing building elevations
  - d. correct the following text on the face of the site plan:
    1. remove "with On-Site Manager" from Occupancy – Proposed
    2. remove Employees – (1)
    3. add DR-7-88-09 under Historic Resources Commission
    4. removed "Caretaker's Suite" under Floor Areas and Uses. Identify as 'Owners Suite"
5. Applicant shall provide a revised site plan to include the following notes:
  - a. "SUP is granted approval for 5 years. A new SUP shall be required before July 2014 to continue the Bed and Breakfast use."
  - b. "SUP is granted for up to three guest rooms. Use of additional guest rooms shall require a new public hearing."
6. Any signage associated with the bed and breakfast must be reviewed and approved by the Historic Resources Administrator prior to installation.

Unanimously approved 8-0, with Student Commissioner Shelton voting in favor.