

# Memorandum

## City of Lawrence/Douglas County

### Planning and Development Services

**TO:** Planning Commission

**FROM:** Jeff Crick, AICP, Planner II

**CC:** Scott McCullough, Planning and Development Services Director

**Date:** For January 26, 2015 Meeting

**RE:** Six Month Review (June-December 2014) for Runaway Pony Bed & Breakfast, 603 Tennessee Street (SUP-14-00049)

As recommended by Planning Commission, the City Commission on June 24<sup>th</sup>, 2014 approved the special use permit for Runaway Pony Bed & Breakfast operating at 603 Tennessee Street, subject to the following conditions:

1. *The Special Use Permit is granted for an owner-occupied bed and breakfast, with a resident manager/employees prohibited.*
2. *Establishment of a formal monitoring process to occur every 6 months for two years. Process will include:*
  - a. *Staff inspections of the interior and exterior of the premises.*
  - b. *Submittal by the applicant of guest logs every six months.*
  - c. *Staff will monitor booking and other similar websites for evidence of volunteers/employees and compliance with the conditions of the Special Use Permit.*
  - d. *Provision of a signed affidavit by the applicant that states the applicant is in compliance with the conditions of the approved Special Use Permit, and that 603 Tennessee Street is the applicant's primary residence.*
  - e. *Provision of a written report to the Planning Commission regarding compliance.*
3. *A Special Use Permit renewal granted for up to three (3) guest rooms per approved site plan. Use of additional guest rooms shall require a new Special Use Permit application.*

4. *A Special Use Permit is granted for five (5) years. A new Special Use Permit shall be required to continue the bed & breakfast use.*

**Inspection**

Staff conducted the required inspection of the premises' interior and exterior on December 17, 2014, finding that the interior programming was identical to the approved Site Plan. Staff also did not observe any code violations to the exterior of the house or site.

**Guest Logs**

Guest logs were submitted to staff on December 17, 2014 showing that occupancy was compliant with the requirements of the Special Use Permit and approved Site Plan.

**Online Information**

As required, staff conducted web searches and found no posts or reviews that would indicate the conditions of the Special Use Permit have been infringed during this reporting period.

**Affidavit**

Ms. Hearn provided the required signed affidavit on September 17, 2014 stating that 603 Tennessee Street was her primary residence.

**Complaints**

During this reporting period, one anonymous complaint was submitted to Code Enforcement via the internet alleging that the Bed & Breakfast use were being conducted without the owner residing on-site. Staff spoke with Ms. Hearn about the complaint on September 9, 2014, and determined that additional follow-up was not required regarding this item.

At this time, Staff finds that Runaway Pony Bed & Breakfast, 603 Tennessee Street, is compliant with SUP-14-00049.