


# City of Lee's Summit

## Department of Planning & Codes Administration

October 7, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director   
RE: **PUBLIC HEARING – Appl. #PL2016-157 – SPECIAL USE PERMIT for a bed & breakfast homestay – 200 SW Madison St.; Patricia Stiefferman, applicant**

### Commentary

The applicant requests a special use permit to operate a bed & breakfast homestay on property located at 200 SW Madison St. The property is developed with a 4-bedroom, 2-story single-family residence. Three (3) bedrooms will be available for guests. The fourth bedroom will serve as living quarters for Ms. Stiefferman, the owner. The applicant requests a 15 year time period for the special use permit. Staff recommends a 10 year time period to be consistent with a previous recommendation for a recent similar use.

### Recommendation

Staff recommends **APPROVAL** of the special use permit, subject to the following:

1. The special use permit shall be granted for a period of 10 years.

### Project Information

**Proposed Use:** bed & breakfast homestay

**Land Area:** 0.37 acres (15,915.4 square feet)

**Building Area:** 2,000 square feet

**Location:** 200 SW Madison Street

**Zoning:** RP-2 (Planned Two-family Residential)

**Surrounding zoning and use:**

**North (across SW 2<sup>nd</sup> St.):** R-1 (Single-Family Residential) and RP-2 — single-family residences

**South:** RP-2 — single-family residences

**East (across SW Madison St.):** RP-2 — single-family residences

**West:** RP-2 — single-family residences

### Background

- May 5, 1905 – The property was annexed into the City of Lee's Summit.
- June 5, 1909 – The final plat (Appl. #1909-002) *Butterfield's Addition* was recorded with the Jackson County Recorder of Deeds office.
- Circa 1925 – The 2-story home with concrete foundation, clapboard and brick wall treatment, a pyramidal roof and a full-length, two-story, gable-front, open porch was constructed.

- January 12, 1954 – The Board of Aldermen adopted the Zoning Ordinance of the City of Lee’s Summit, which established zoning for the city, by Ordinance No. 421. The subject property was zoned District A (Residential Dwelling and Multiple Dwelling House).
- February 14, 1957 – The Board of Aldermen adopted an amended Zoning Ordinance of the City of Lee’s Summit, which established new zoning district classifications, by Ordinance No. 507. The subject property was rezoned from District A to District R-1 (Residential Dwelling and Multiple Dwelling House).
- March 27, 1962 – The Board of Aldermen adopted an amended Zoning Ordinance of the City of Lee’s Summit, which established new zoning district classifications, by Ordinance No. 715. The subject property was rezoned from District R-1 to District R-2 (Second Dwelling House).
- April 11, 2000 – A building permit (#B97701546) for a 30’ x 24’ detached garage was finalized.
- November 1, 2001 – The Unified Development Ordinance (UDO) was established by Ordinance No. 5209 and changed the zoning from District R-2 to District RP-2 (Planned Two-Family).

**Analysis of the Special Use Permit**

The UDO has two use classifications for bed & breakfasts: a bed & breakfast homestay and a bed & breakfast inn. The table below illustrates the characteristics that differentiate the two use classifications.

	<b>Bed &amp; Breakfast Homestay</b>	<b>Bed &amp; Breakfast Inn</b>
<b>Staffing</b>	Resident owner-operator only	Resident owner-operator; Resident manager; or Resident employee
<b>Number of Guest Rooms</b>	1-3	4-12
<b>Zoning</b>	AG, RDR, RLL, R-1, RP-1, RP-2, RP-3, RP-4, PRO, NFO, TNZ, CP-1, CBD	AG, RDR, RLL, RP-3, RP-4, TNZ, CP-1, CP-2; CBD

The operation model for the proposed bed & breakfast is for the owner to reside in the house and run the day-to-day onsite operations. The number of guest rooms and the fact that the applicant will be resident owner-operator is what classifies the proposed bed & breakfast as a homestay versus an inn.

**Ordinance Requirement.** Under the Unified Development Ordinance (UDO), a special use permit is required for a bed & breakfast homestay. Section 10.160 of the UDO lists the following conditions that apply to a bed & breakfast homestay:

1. **If located in an existing residence, the exterior residential appearance of the dwelling unit shall not be changed. If an addition is to be made to an existing residence or new structure is to be constructed, building elevations shall be submitted for approval, and a residential appearance shall be maintained.** The existing exterior appearance of the residence will not be changed.

2. **The maximum number of rooms shall be three (3).** The maximum number of guestrooms will be three (3). A fourth bedroom will be occupied by the resident owner-operator.
3. **Parking areas shall be located on the side or rear of the property and shall be screened from adjacent residential properties by a solid screen fence or wall.** Parking is located on the side and rear of the property. Parking is screened with an existing garage, solid wood fence, and mature trees.
4. **Food service may be provided to guest rooms. No cooking or food preparation will be allowed in guest rooms. Approval must be received from the Jackson County Health Department.** The applicant will be working with the County Health Department to obtain the necessary approvals and permits for food service. Plans are for staff to prepare all food in the kitchen and food to be served in either the dining room, porches, or delivered to a guest's room.
5. **The residence shall comply with all requirements of the Building Code and the Fire Department that bring about compliance with significant safety requirements of the Uniform Building Code, Uniform Fire Code and Life Safety Code.** The applicant will comply with applicable building and fire codes.
6. **The Fire Department and other City departments shall be permitted to perform inspections as in any other business.** The applicant will comply with required property inspections.
7. **A bed & breakfast shall be subject to the landscaping requirements of Article 14.** The property has existing landscaping consistent with a residential use. The property also has a solid privacy fence along the side and rear property lines.
8. **No person shall be an occupant of a bed & breakfast homestay for more than fourteen (14) consecutive days.** No guests are allowed to stay beyond the 14 day limit. In fact, the applicant states that a typical stay is 1-2 days and no one will be booked for more than 2 weeks.

**Ordinance Criteria.** The criteria enumerated in Article 10 were considered in analyzing this request.

- The proposed use is not expected to change the character of the neighborhood. The RP-2 allows for the continued use of the property as a single-family residence, but also allows for the use of the property as a bed & breakfast homestay.
- The proposed operation of a bed & breakfast homestay is compatible with the surrounding zoning and land uses. The existing zoning surrounding the subject property is composed of R-1 and RP-2 zoning. The existing land uses surrounding the subject property are composed of single-family residences.
- The subject property is suitable for a bed & breakfast under the existing RP-2 zoning. More specifically, a bed & breakfast homestay may be permitted with a special use permit in the RP-2 zoning district.
- The proposed use is not expected to negatively impact the aesthetics or use of the subject property or the neighboring properties.
- The proposed use is not expected to negatively impact the values of the subject property or neighboring properties.

In considering all the criteria and regulations, and taking into considerations the facts above, staff finds the use to be appropriate and recommends the approval of the special use permit.

**Time Period.** The applicant requests a special use permit for a period of 15 years. A bed & breakfast inn for 202 SW 3<sup>rd</sup> Street was on the September 27, 2016, Planning Commission agenda and will be heard by City Council on October 13, 2016. That bed & breakfast requested a 10 year time period. Ten (10) years is consistent with special use permits granted for uses operating from existing developed sites. Staff recommends a 10 year time period to be consistent with our recent recommendation on a similar application for a bed & breakfast inn.

RGM/cs

**Attachments:**

1. Aerial with Parking, received August 19, 2016
2. Floor Plans, date stamped August 19, 2016 – 2 pages
3. Applicant Special Use Permit Explanation, date stamped August 19, 2016 – 1 page
4. Applicant Response to Bed & Breakfast Conditions, date stamped September 23, 2016 – 1 page
5. Applicant Response to SUP Criteria, date stamped August 19, 2016 – 1 page
6. Google Map Images of Subject and Abutting Property, Screened Parking Area – 2 pages
7. Photos of Surrounding Properties, date stamped August 19, 2016 – 3 pages
8. Location Map