



Legislation Text

File #: 19-0810R, **Version:** 1

RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO DENY A SPECIAL USE PERMIT FOR A FIVE-UNIT HOTEL AT 8721 W SKYLINE PARKWAY.

CITY PROPOSAL:

RESOLVED, that the city council finds as follows:

(a) On August 20, 2019, Skyline Parkway Properties LLC (the "Applicant") submitted an application (Planning Commission File No. "PL 19-128," staff report attached as Attachment A) for a special use permit to allow a five-unit hotel at 8721 W Skyline Parkway;

(b) Based on the current Mixed Use Neighborhood (MU-N) zone district and the special use permit criteria, staff recommended approval of the special use permit with four conditions noted in the staff report;

(c) The planning commission considered the application at its October 8, 2019 regular meeting and a motion to approve the application failed based on the findings of the commission that the proposed use is inconsistent with the comprehensive plan future land use category, which is a requirement for approval of a special use permit;

(d) On October 14, 2019, the city received an appeal from Bill and Lisa Dupuis, a copy of which is attached hereto as Attachment B, requesting the city council reverse the planning commission's decision to deny the special use permit;

(e) The city council heard the appeal at its November 25, 2019 meeting;

FURTHER RESOLVED, that the decision of the planning commission to deny the special use permit is affirmed on the grounds that the application is inconsistent with the comprehensive plan future land use category of low density residential.

STATEMENT OF PURPOSE: The resolution affirms the planning commission's decision to deny the special use permit for a five-unit hotel at 8721 W Skyline Parkway.

The proposed hotel is on property zoned Mixed Use Neighborhood (MU-N), which allows a hotel with a special use permit. The proposed development would pair four small, detached cabins to with existing building, and meets the general UDC requirement for a hotel, which states:

Hotel or motel: a building or series of buildings operated as a commercial establishment providing accommodations to the transient traveling public in habitable units for compensation, and including both short-stay and extended stay facilities, and that may offer customarily incidental services. A hotel must have a minimum of five separate habitable units, and must have a reception desk staffed at all times.

The comprehensive plan land use map shows the property's future land use as Low-density Neighborhood. Because of this, the area will likely be recommended for rezoning in the near future to a zone district that would not allow a hotel. If rezoned, a hotel would be considered a legal nonconformity, which would be allowed to be maintained, but not expanded.

On October 8, 2019, the item was reviewed by planning commission. A motion to approve the application failed to pass on a 3-3 vote by the commission.

Bill and Lisa Dupuis, property owners, have appealed that decision.

City Council Appeal Received: October 14, 2019
Complete Application Received: August 20, 2019
Action Deadline for Application: December 18, 2019