

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 344 Summit Boutique Hotel **FILE #** 14-316-432
 2. **APPLICANT:** John Rupp **HEARING DATE:** August 28, 2014
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 344 Summit Ave, between Western and Virginia
 5. **PIN & LEGAL DESCRIPTION:** 012823130056, Dayton And Irvines Addition Ex Part Of Vac Alley Bet Lots 21 & 22 Blk 69 Desc As Fol Beg At Nw Cor Of Alley Th Sely On WI Of Alley 202.13 Ft Th Nely At Ra 12.5ft Th Nwly Par With Sd WI To NI Of Alley Th Sw To Beg & Swly 35ft Of Lot 19 & All Of Lot 20 & Lo
 6. **PLANNING DISTRICT:** 8 **PRESENT ZONING:** R2/RT2
 7. **ZONING CODE REFERENCE:** § 65.132; § 61.501; § 61.502
 8. **STAFF REPORT DATE:** 8-21-2014, revised 8-28-14 **BY:** Hilary Holmes
 9. **DATE RECEIVED:** August 5, 2014 **60-DAY DEADLINE FOR ACTION:** October 4, 2014
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- A. **PURPOSE:** Conditional use permit for reuse of a large structure for a boutique hotel with modification of the condition in § 65.132(d) regarding parking
- B. **PARCEL SIZE:** 52,708 square feet, ~150 feet (Summit Ave, width) x ~345 feet (length)
- C. **EXISTING LAND USE:** N-College, now vacant
- D. **SURROUNDING LAND USE:**
 - North: 1-, 2-, and multi-family residential (RT2)
 - East: 1-, 2-, and multi-family residential (RT2)
 - South: Single- and multi-family residential (RT2, R2)
 - West: 1-, 2-, and multi-family residential (RT2)
- E. **ZONING CODE CITATION:** § 65.132 provides for conversion or reuse of large residential structures and structures such as churches and schools for uses that would otherwise be nonconforming in a residential zoning district subject to certain conditions; § 61.501 lists general conditions that must be met by all conditional uses; § 61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** The house at 344 Summit Avenue was constructed in 1915 as a single-family dwelling. In the 1950s the house was converted into a classroom building by Saint Paul College of Visual Art and used by the college for classroom space until 2013 when the college closed. The property is within the boundaries of the Historic Hill Heritage Preservation District. The applicant has met with Planning and Economic Development, Heritage Preservation Commission and Department of Safety and Inspections staff regarding zoning and licensing.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 8 Council recommended approval, subject to a condition.
- H. **FINDINGS:**
 1. The application is for a conditional use permit for reuse of a large structure as a boutique apartment hotel at 344 Summit Avenue. The applicant proposes to convert the 18,000 square foot building from the previous college classroom use into a 10-unit fully-furnished luxury boutique apartment hotel. Individual units will have kitchens and bathrooms. The hotel will have shared common areas including a living room, library, office, and kitchen. The side yard will be maintained as open space. The application states that there will be no banquet facility uses at this property, and that no exterior changes are proposed. The application also states that no more than four of the hotel rooms and/or suites would be rented for periods of more than one year.
 2. The applicant has applied for modification of the parking requirement in § 65.132(d).
 3. In addition to Planning Commission approval of the conditional use permit, building and fire code approvals through the Department of Safety and Inspections are required for the proposed use. Any exterior changes would require approval by the Heritage Preservation Commission.

4. § 65.132 provides for conversion or reuse of residential structures of over 9,000 square feet gross floor area and structures such as churches and schools for uses that would otherwise be nonconforming in a residential zoning district subject to the following standards and conditions:

a) *The planning commission shall find that the structure cannot reasonably be used for a conforming use.* The building is approximately 18,000 square feet. Conforming uses in the RT2 residential district include up to four dwelling units, religious and educational institutions, and specified congregate living uses.

Within the last decade three nearby large historic houses have been converted to a conforming number of dwelling units as follows:

Address	Previous # units	Current # units	Square footage per unit	Off-street parking spaces
318 Summit	10	2	~5,244 sf; 2,000 sf	4
322-324 Summit	12	3	5,110 sf; 3,408 sf; 2,686 sf	6
340 Summit	9	2	~ 8,110 sf; 2,000 sf	5

It appears that an existing garage at the rear of the house might accommodate one or two cars, and that three to four parking spaces could be reasonably accommodated in the area of the existing garage if the garage were substantially restructured or removed. Adding parking in the side yard would be undesirable and probably unrealistic because it would compromise the gardens and historic ruins from an original house there and there are associated grading issues. Any of these exterior changes would require Heritage Preservation Commission approval.

The house is so large that reuse for only one to two dwelling units is unreasonable. It is also unreasonable to expect that converting the building into three or four condo units of 4,000 – 6,000 square feet each, or converting it for other conforming uses, would be marketable with the limited off-street parking that is reasonably possible on the site. This condition is met.

b) *The planning commission shall find that the proposed use and plans are consistent with the comprehensive plan.* The proposed use is consistent with Comprehensive Plan Heritage Preservation Chapter Strategy 4 to preserve and protect historic resources and Strategy 5 to use historic preservation to further economic development. The Comprehensive Plan Land Use Chapter (LU-B) describes and identifies “Established Neighborhoods” as predominately residential areas with neighborhood-serving commercial areas at the intersections of arterial or collector streets. The property is located on Summit Avenue, a collector street, one block east of Western Avenue, a collector street, but not right at the intersection two collector streets. Western Avenue is identified as a “Residential Corridor” in LU-B while Summit Avenue east of Western to Dayton/Old Kellogg Boulevard is identified as Established Neighborhood. The proposed boutique apartment hotel, with individual units that have kitchens and bathrooms, is fairly similar to multi-family dwellings that are permitted in the RT2 district except that they would be rented for shorter periods and would not be a permanent residence for those who rent the units. The shared common areas including a living room, library, office, and kitchen in the hotel are also not unlike shared spaces in many apartment buildings. However, a hotel is classified as a commercial use, and thus may not be consistent with the description of Established Neighborhood in the Land Use Plan for this particular location. This condition is not met.

c) *The planning commission shall find that the proposed use and structural alterations or additions are compatible with the surrounding neighborhood and land uses.* The applicant is not proposing any exterior alterations or additions. The proposed 10-unit hotel will be a less intensive use than the previous institutional use as a classroom building of Saint Paul College of Visual Art. This condition is met.

- d) *Parking for the new use shall be provided in accordance with the requirements of section 63.200 for new structures.* The off-street parking requirement for the hotel use is three spaces (one space per three occupancy units). The applicant plans to maintain the side yard as open space and gardens. It would be challenging to add parking to the side yard due to grading and issues associated with ruins from an original house in the side yard. It appears that three to four parking spaces could be reasonably accommodated in the area of the existing garage at the rear of the house if the garage were substantially restructured or removed, and that this condition can be met subject to the condition that such parking is provided. This is contingent on application to and approval by the Heritage Preservation Commission.
 - e) *Applications for conversion or reuse shall include a notarized petition of two-thirds (2/3) of the property owners within one hundred (100) feet of the property proposed for the reuse, site plans, building elevations, and landscaping plans, and other information which the planning commission may request.* This finding is met. The petition was found sufficient on August 5, 2014: 15 parcels eligible; 10 parcels required; 11 parcels signed. After August 5, 2014 three additional parcels were submitted as signed.
5. §61.501 lists five standards that all conditional uses must satisfy:
- a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* The proposal is consistent with Heritage Preservation Chapter Strategy 4 to preserve a designated historic resource resources and Strategy 5 to use historic preservation to further economic development. The Land Use Chapter of the Comprehensive Plan (LU 1.5, LU-B) shows this site in an "Established Neighborhood," a land use category it describes as predominately residential areas with a range of housing types, smaller scale scattered multi-family housing, and scattered neighborhood-serving commercial, service, and institutional uses. Summit Avenue east of Western Avenue is characterized by very large historic houses that are a mix of institutional, commercial and residential uses. The proposed use is less intensive than the previous institutional use of the house. The proposed boutique apartment hotel, with individual units that have kitchens and bathrooms, is fairly similar to multi-family dwellings that are permitted in the RT2 district except that they would be rented for shorter periods and would not be a permanent residence for those who rent the units. The shared common areas, including a living room, library, office, and kitchen in the hotel are also not unlike shared spaces in many apartment buildings. However, a hotel is classified as a commercial use, and thus may not be consistent with the description of Established Neighborhood in the Land Use Plan for this particular location. This condition is not met.
 - b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* The proposed use will produce less traffic and demand for on-street parking than the previous institutional use as a Saint Paul College of Visual Art classroom building. Given the current layout of the property, vehicles using the driveway need to back out onto Summit Avenue, which could be difficult with the volume of cars driving and parking on Summit Avenue. While it may be possible to provide for vehicles using the driveway to turn around so that they would be traveling forward as they enter Summit Avenue, with the current layout this condition is not met.
 - c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* While there is a mix of institutional, commercial, and residential uses along Summit Avenue, between Western Avenue and Dayton/Old Kellogg Boulevard the large historic homes are predominately residential in use. Changing the use of the house from the previous college use to the proposed hotel use is less intensive than the previous institutional use. The proposed boutique apartment hotel, with individual units that have kitchens and bathrooms, is fairly similar to multi-family dwellings that are permitted in the RT2 district except that they would be rented for shorter periods and would not be a permanent residence for those who rent the

units. The shared common areas, including a living room, library, office, and kitchen in the hotel are also not unlike shared spaces in many apartment buildings. This condition is met.

- d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* There are no exterior changes proposed for the property. The impact of the hotel use will be less than the previous use as a college classroom building. This condition is met.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met.

6. §61.502 provides for modification of special conditions:

- a) *The planning commission, after public hearing, may modify any or all special conditions, when strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* The off-street parking requirement for the hotel use is three spaces (one space per three occupancy units). The applicant plans to maintain the side yard as open space and gardens. It would be challenging to add parking to the side yard due to grading and issues associated with ruins from an original house in the side yard. It appears that three to four parking spaces could be reasonably accommodated in the area of the existing garage at the rear of the house if the garage were substantially restructured or removed. Therefore, strict application of the special conditions related to required off-street parking would not reasonably limit or prevent otherwise lawful use of the property or the existing structure. Providing the required off-street parking would not result in exceptional undue hardship. Modification of the off-street parking requirement would impair the intent and purpose of the special condition. The standards for modification of the special condition for off-street parking are not met.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends denial of a conditional use permit for reuse of a large structure for a boutique hotel, and denial of modification of the special condition in § 65.132(d) regarding parking.