



## Planning Commission Memorandum

**To:** Planning Commission

**From:** Justin Fortney, City Planner

**Date:** October 12, 2020

**Item:** Special Use Permit 2020-43 – Historic Apartment \ Parking Variance – 321 6<sup>th</sup> Street East – Mike and Amy Bauer

### **Planning Commission Action Requested:**

The Planning Commission is asked to hold a public hearing and review the SUP (Special Use Permit) request to convert a large building in the Old Hastings Historic District into an apartment. Related to the SUP, consider a request for a variance from the number of required parking spaces.

### **Background Information:**

The R-2 district typically allows residential uses of one and two units. The use of apartments in large historic properties was added as an allowable SUP last year. This was in an effort to allow the reuse of these unique buildings with a residential use, to complement their residential settings.

The structure was constructed in 1950 as a convent and later converted to a youth shelter in the 1990's. The property is listed as a noncontributing property in the Old Hastings Historic District, which makes it eligible for use as a historic apartment. It must also be reviewed by the HPC (Heritage Preservation Commission) as part of the SUP processes and for changes to the exterior appearance of the property. Noncontributing properties must be reviewed by the HPC for appearance changes that may affect the streetscape, rather than affects to the streetscape and their individual integrity.

### **Comprehensive Plan Classification**

The 2040 Comprehensive Plan designates the property as Medium Density Residential.

### **Zoning Classification**

The subject property is zoned R-2, Medium Density Residential. The proposed use is allowed with a SUP, as outlined below.

(J) Historic apartments – Historic Structures may be granted by SUP, a number of dwelling units above what is normally allowed within the zoning district upon adherence to the following provisions: (a) That the facility shall be part of a formally designated local, state, or national historic site or district; **(Old Hastings Historic District)**

(b) That all dwelling units shall be established within the principal structure; **(As Proposed)**

(c) That the number of units may be dependent on the amount of off-street parking as required by the Parking and Loading Requirements of §155.09; **(2/unit required) 17 proposed, this is one space less than required)**

(d) That the structure shall have a minimum size of 4,000 finished square feet; **(10,242 SF)**

(e) That the lot shall have a minimum of 9,000 square feet; **(18,480 SF)**

(f) That the SUP application be reviewed by the Heritage Preservation Commission as required by §30.10; **(October 13, 2020)**

(g) That necessary and approved changes are made to the structure with all applicable building permits, HPC review, and payment of applicable fees.

(h) Dwelling units shall be determined as follows:

1. One residential dwelling unit per 1,000 square feet of finished structure size shall be allowed. **(This would allow ten units, nine are proposed)**

2. An additional 1,800 square feet of lot area shall be required for each additional unit in excess of 5 units **(This would allow ten units, nine are proposed)**

(Ord. 2020-07, 3rd Series, passed 01-06-2020)

### **Adjacent Zoning and Land Use**

The following land uses abut the property:

<b>Direction</b>	<b>Existing Use</b>	<b>Zoning</b>	<b>Comp Plan</b>
North	Duplex/ Single-Fam	R-2	Medium & Low Density Residential
East	Triplex	R-2	Medium Density Residential
West	Single-Family	R-2	Low Density Residential
South	SEAS School	R-2	Institutional

### **Special Use Permit Review**

The purpose of reviewing Special Use Permits is to determine if any special conditions are necessary to assure the proposal fits with the general character of the area.

There are several large historic structures in Hastings that have been grandfathered as apartment buildings and there have been little or no issues with them affecting the character of the neighborhoods. Large historic buildings that would qualify for use as historic apartments have typically had a history of semi-intense uses in their past. Conversion to an apartment will allow these structures to be operated residentially.

### **Parking**

The zoning code requires two parking spaces for each residential unit. Applicants for some atypical apartment projects have stated this requirement produces more parking than would be necessary for their project. Some of these atypical projects have included a large number

of single and studio apartments or are geared towards a specific clientele that often have only one or no cars at all. Some of these projects have received a variance to the parking requirements.

Standard parking requirements will not be ideal for all situations. There is no exact formula that will produce perfectly sized parking lots for every use. Staff believes our current parking requirement of two spaces for every residential unit (single-family homes to all apartment units) may not be a reasonable requirement for the variety of residential uses. Staff is planning on addressing this with the Planning Commission this fall.

### **Access**

The Parking lot is proposed to be a one-way design to efficiently accommodate the number of parking spaces. One-way parking lots require less area and pavement with their reduced drive isle width. The traffic will enter from the alley and exist onto Tyler Street.

### **Building improvements**

Proposed building improvements include converting the many small boarding rooms into nine apartment units including as shown below along with some common spaces.

Studio apartments: 2

One-bedroom apartments: 2

Two-bedroom apartments: 4

Three-bedroom apartments: 1

### **Notice**

Notice was published and sent to property owners within 350-feet of the subject property. No comments have been received at this time.

### **Recommendation**

Staff recommends approval of the request as presented, subject to the following conditions:

- 1) Conformance with the information and plans submitted with the Planning Commission Staff Report dated October 12, 2020.
- 2) Building Safety Department review and approval of proposed improvements.
- 3) HPC review and approval of the proposed SUP and all exterior appearance changes.
- 4) If the use authorized has not been established within one year from approval by the Board of Adjustment and Appeals, the permit shall be null and void.
- 5) If the use authorized is discontinued for a period of three years or longer, the permit shall be null and void.

### **Variance Review**

Variances to the Zoning Code may be considered that are not contrary to the public interest where owing to special conditions, and where a literal enforcement of the provision of the City Code would result in practical difficulties. Variances may be granted providing the following has been satisfied:

- (1) Because of the particular physical surroundings, shape or topographic conditions of the land involved, a practical difficulty to the owner would result, as

distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;

***The size and shape of the land available for parking is set, as this is preexisting site that was developed 70-years ago for individuals with no need for parking. there is not enough space to provide adequate area for snow removal of parking spaces that are not needed for the design of the apartment conversion.***

(2) The conditions upon which the petition for a variance is based are unique to the tract of land for which the variance is sought and one not applicable, generally, to other property with the same zoning classification;

***The parking lot location is along an alley and roadway, which all have snow removal and storage needs, which creates a need for snow storage on this particular site, far beyond others.***

(3) The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land;

***The reduction of a parking space would likely lead to a small reduction in value and income potential for the applicant.***

(4) The granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity in which the tract of land is located;

***Having an inadequate space for snow storage would increase the risks to the public welfare, more so than one less parking space.***

(5) The proposed variance will not impair an adequate supply of light and air to property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the vicinity; (Prior Code, §11.08)

***The property will not impair light, air, congestion, fire danger, public safety, or property values within the vicinity.***

(6) The variance is in harmony with the purposes and intent of ordinance;

***The purposes and intent of ordinance is to assure there is a reasonable amount of parking on the site. Given the number of studio and one-bedroom apartments, the reduction of one space will still provide a reasonable amount of parking on the site.***

(7) The variance is consistent with the comprehensive plan;

***The proposed use is consistent with the Comprehensive Plan, in that it provides increased density in the core of the city and quality housing that is affordable.***

(8) The proposal puts the property to use in a reasonable manner;

***The proposed use is more similar to the immediate neighborhood than the past uses of the property.***

(9) There are practical difficulties in complying with the official control.

***Applying the minimum parking standard would result in the construction of an unnecessary parking space that will take away greenspace, stormwater infiltration, and snow storage space and add to the snow stockpile.***

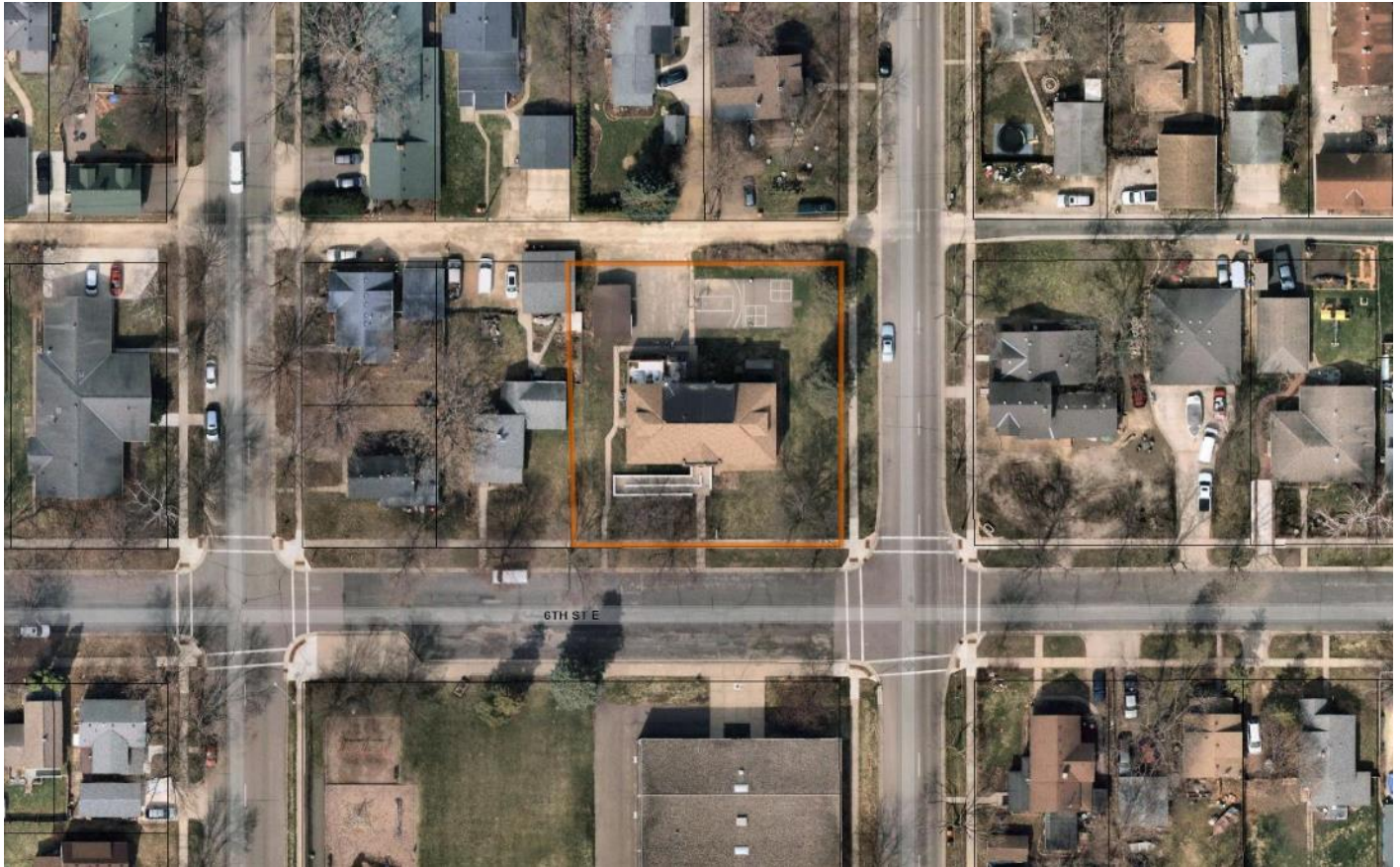
### **Recommendation**

Staff recommends approval of the request as presented, subject to the following conditions:

1. Conformance with the information and plans submitted with the Planning Commission Staff Report dated October 12, 2020.
2. The variance only applies to residential parking requirements for the site.

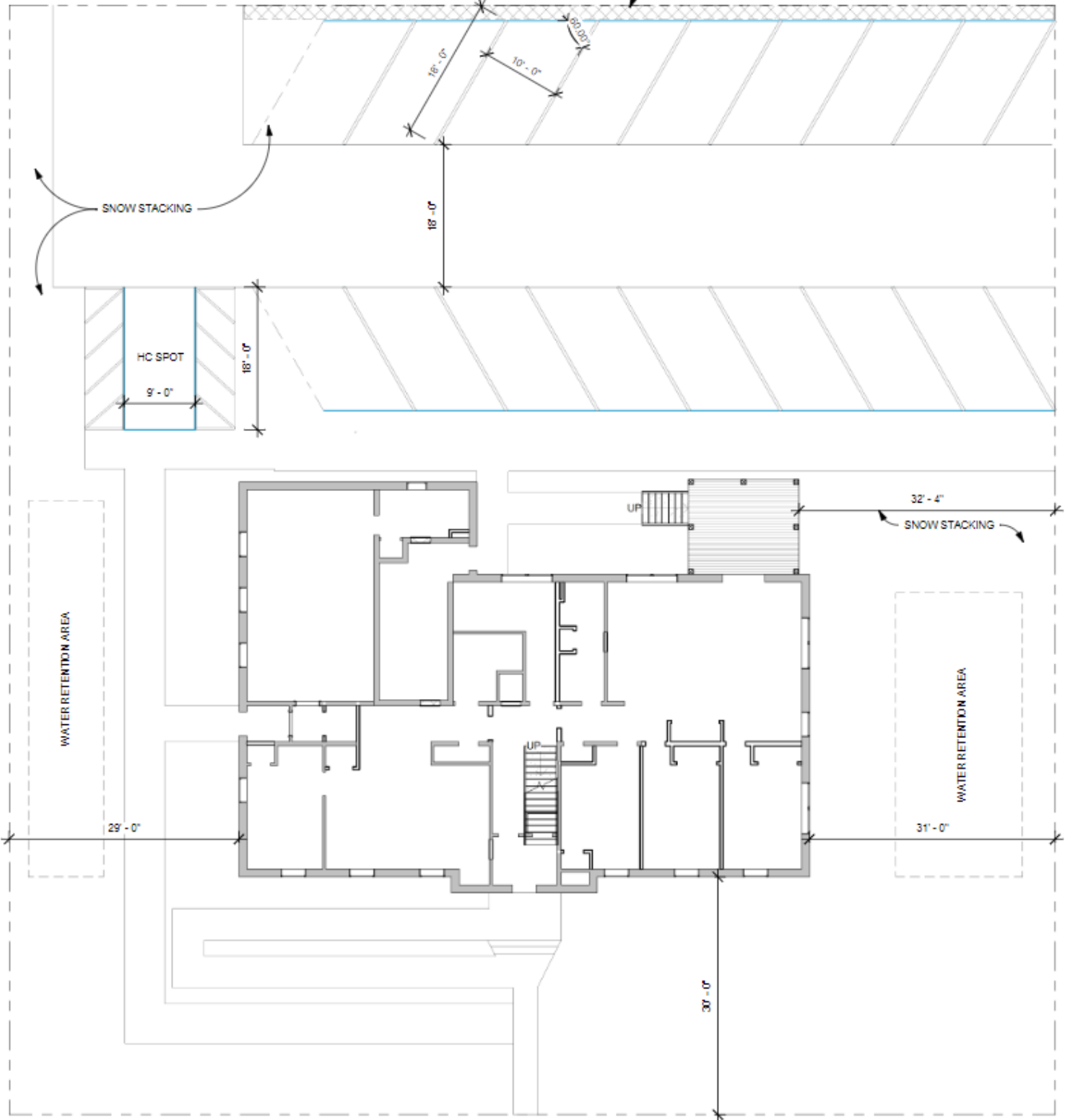
**Attachments:**

- Aerial Map
- Proposed plans
- Photographs



# Site Layout

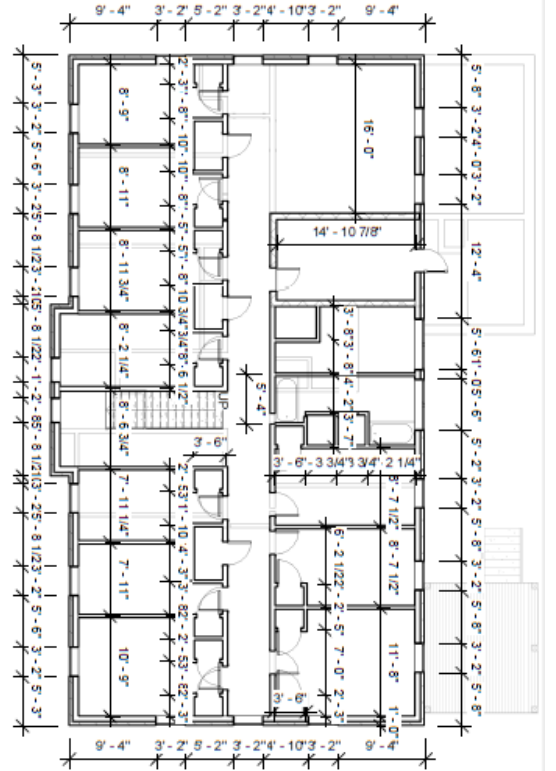
LANDSCAPE PLANTING AREA



# Existing floorplans

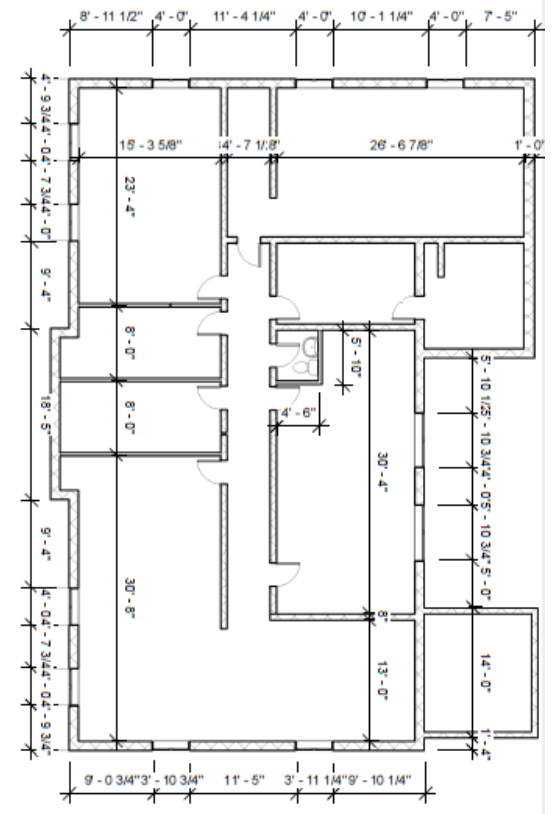
3

EXISTING 2ND FLOOR  
3/32" = 1'-0"



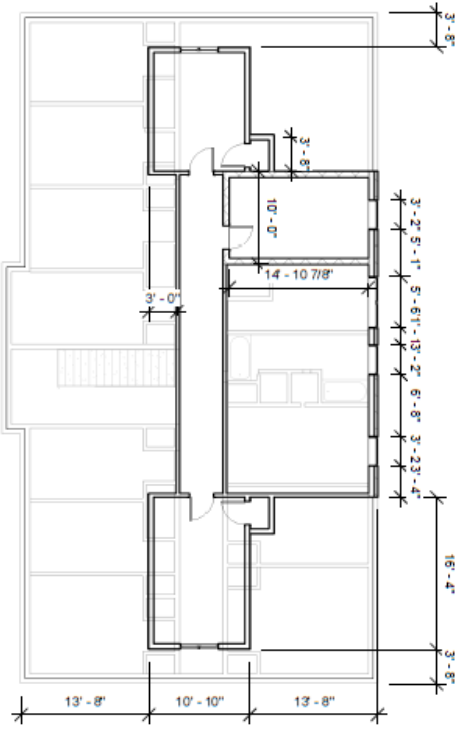
1

EXISTING LOWER FLOOR  
3/32" = 1'-0"



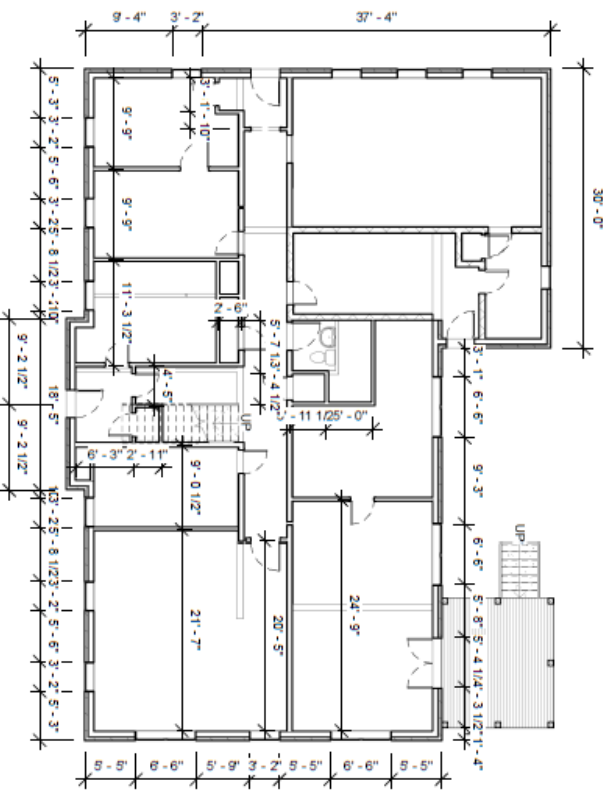
4

EXISTING 3RD FLOOR  
3/32" = 1'-0"

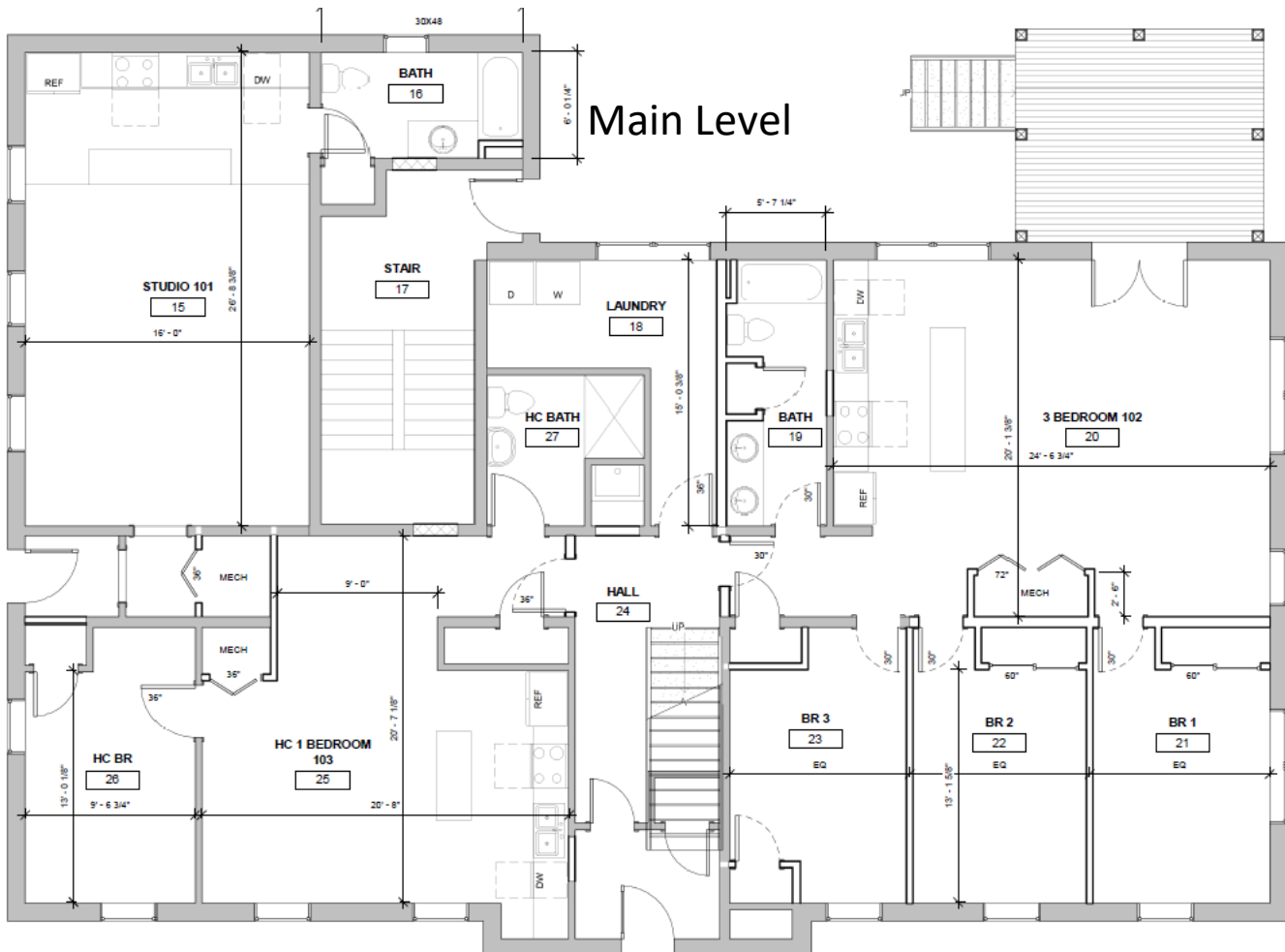
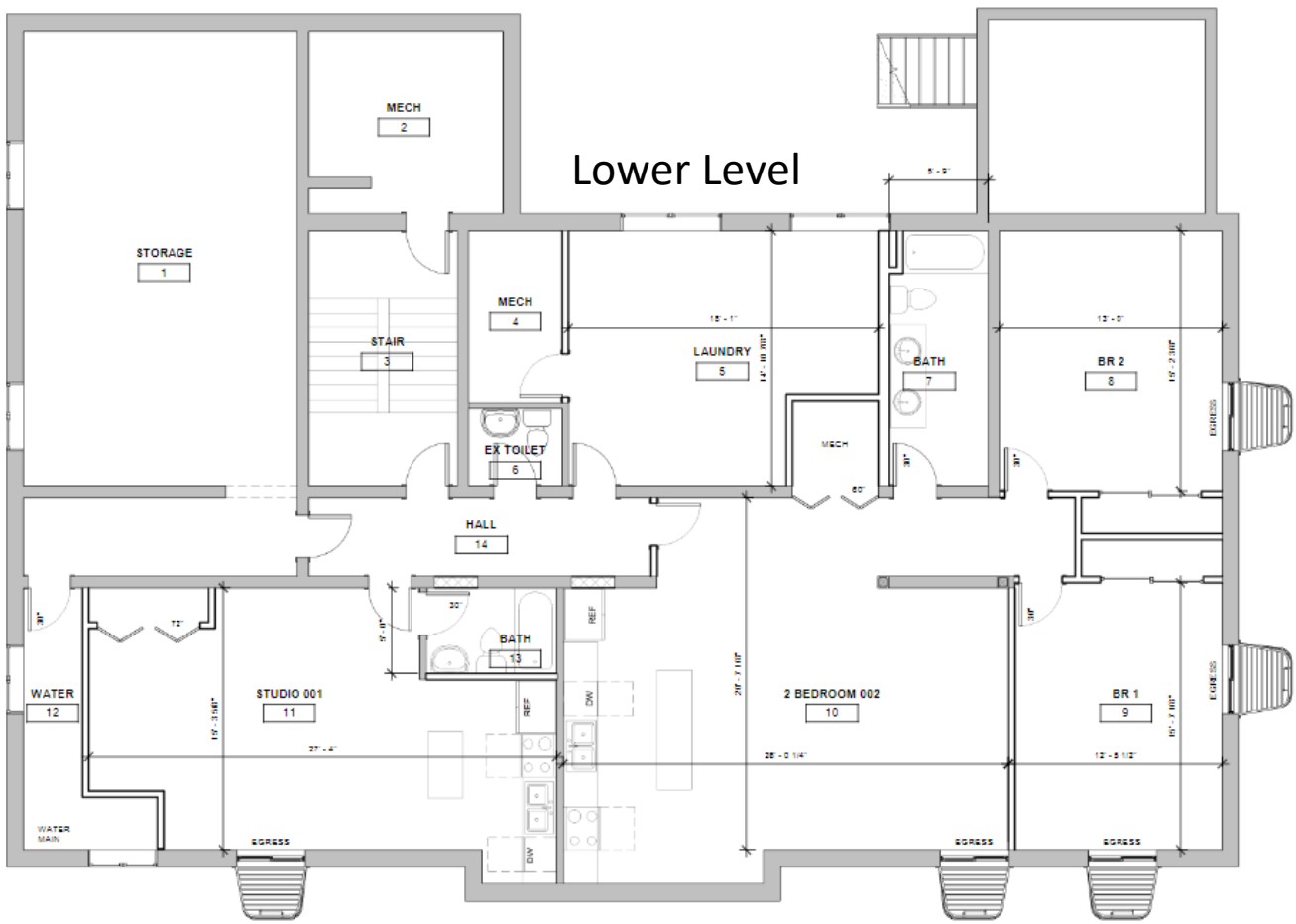


2

EXISTING MAIN FLOOR  
3/32" = 1'-0"

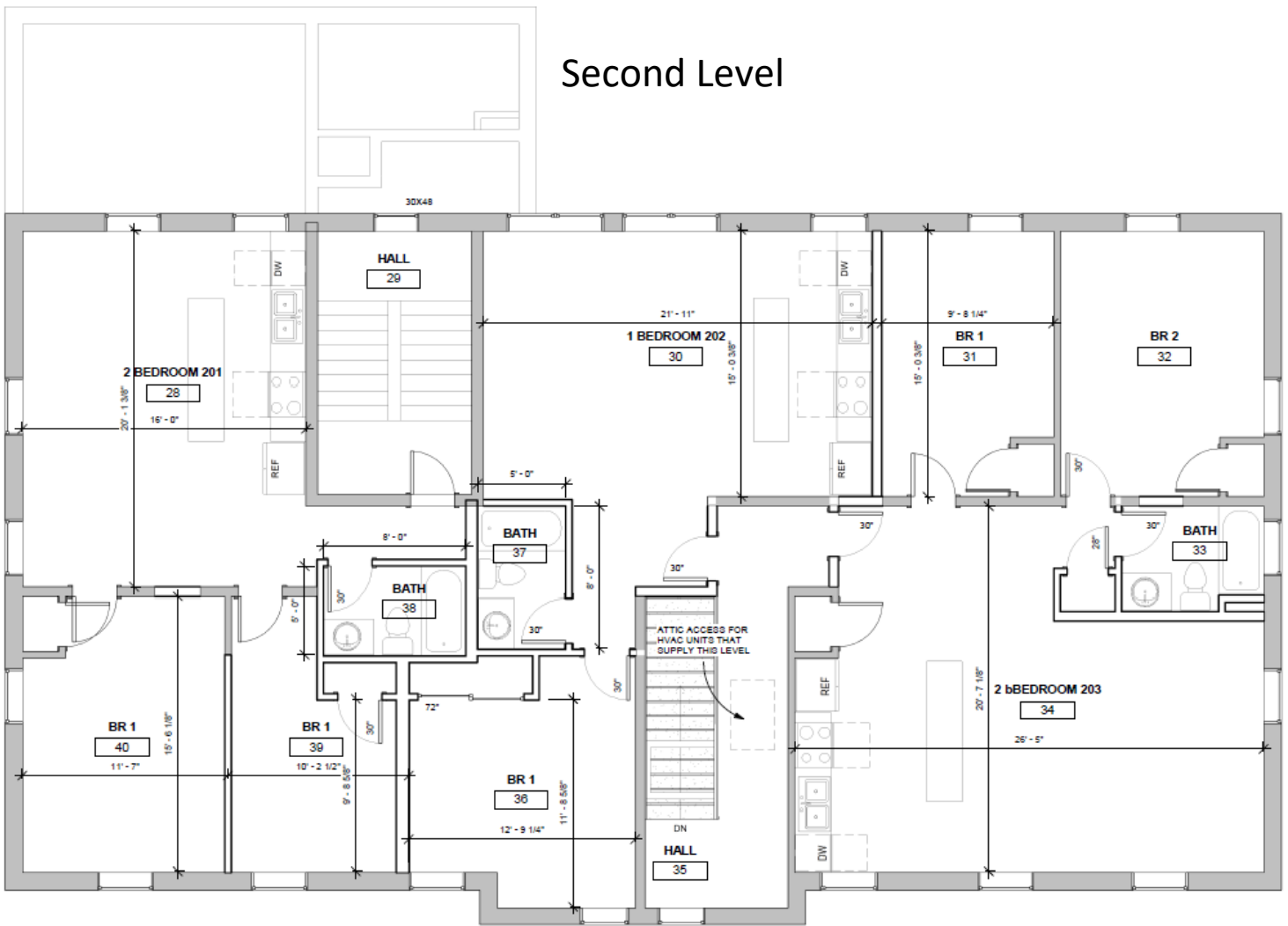








# Second Level



# Third Floor

