From: The Mall
To: Council Clerk; Kevin Rider; Carolyn Riggle; Anna Kelsey; Sandra Pereira
Subject: 163 North Franklin Conditional Use Permit
Date: Monday, August 31, 2026 8:07:06 PM

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Members of the Planning Commission and City Cousel,

Thank you for allowing us the opportunity to put in writing the proposed boutique hotel and the requested zoning relief.

We want to begin by saying that we are not opposed to responsible development, nor are we opposed to new businesses coming to Delaware. We understand that communities grow and change. However, we also believe that zoning exists for an important reason: to protect the character, stability, and reasonable expectations of established neighborhoods.

Our concern is whether a boutique hotel is an appropriate use for this particular residential neighborhood and whether granting a zoning exception will ultimately benefit the people who already live here.

A hotel is fundamentally different from a residence. It brings a continually changing population of guests, additional vehicle traffic, parking needs, deliveries, trash collection, increased activity at different hours of the day and evening, and potentially additional noise and lighting. These impacts deserve careful consideration when a commercial lodging operation is proposed within an established neighborhood.

We would respectfully ask the Commission to consider not simply whether this project can physically operate at this location, but whether it will preserve the essential character of the neighborhood and whether the requested zoning relief is truly necessary.

We also believe the need for additional lodging should be considered in context. Delaware already has a significant and growing number of short-term rentals. Ohio Wesleyan University also provides lodging options for visiting families, including its guest facilities and, at certain times, dormitory accommodations.

We operated a bed and breakfast in Delaware for nearly twenty years. During that time, we watched the lodging market change dramatically with the growth of short-term rentals. Ultimately, those changes were among the factors that led us to retire from the bed-and-breakfast business earlier than we had originally anticipated.

We share that experience not because we believe government should protect one lodging business from another, but because it raises an important question: What demonstrated public or community need justifies granting a zoning exception to introduce another transient lodging use into this particular neighborhood?

We are also concerned that the requested zoning relief is being sought before the prospective operator has completed ownership of the property. We respectfully ask the Commission to clarify what legal interest the applicant currently has in the property and whether the requested variance is necessary because of a unique hardship associated with the property itself, rather than because it is necessary to accommodate a particular business plan.

Most importantly, we ask the Commission to consider the precedent this decision may establish. Zoning decisions affect more than one property. Once exceptions are granted that allow commercial lodging operations within residential areas, it becomes increasingly difficult for neighboring property owners to rely upon the protections and expectations established by existing zoning.

The question before the Commission should not simply be, “Could a boutique hotel be attractive or successful?”

The more important questions are:

Is this use appropriate for this location?

Does it preserve the essential residential character of the neighborhood?

Has the applicant demonstrated that the requested zoning relief is truly necessary?

And will granting this request serve the long-term interests of the neighborhood and the community as a whole?

At this time, we do not believe those questions have been satisfactorily answered.

We respectfully ask the Planning Commission to carefully consider whether the proposed boutique hotel at 163 North Franklin Street, PC 26-8, satisfies the City’s requirements for approval of a conditional use in this residential neighborhood.

We are not opposed to development, tourism, or new businesses in Delaware. Our concern is much more specific: Is a commercial transient-lodging operation appropriate at this particular location, and has sufficient evidence been presented to demonstrate that it will not negatively affect the surrounding residential neighborhood?

The City’s own zoning ordinance provides important standards for answering that question.

1. Compatibility With the Character of the Neighborhood

Section 1105.21 requires the Commission to find adequate evidence that a conditional use will be harmonious and appropriate with the existing or intended character of the vicinity and will not essentially change the character of the area.

The property is located in an R-NT Residential-Neighborhood Transition district.

A boutique hotel creates a fundamentally different pattern of activity than a residence: continually changing occupants, regular arrivals and departures, guest vehicles, employees, deliveries, trash collection, rideshare activity and activity occurring at varying hours.

We respectfully ask whether this type and intensity of commercial activity is truly harmonious with the residential character surrounding this property.

2. Effect on Neighboring Properties

The City's criteria also require consideration of whether the proposed use will be detrimental to property values or adversely affect the existing use of adjacent properties.

Residents purchased and maintained their homes with reasonable expectations about the character of their neighborhood.

Before approving this application, we believe the Commission should require clear evidence demonstrating that a hotel operation will not negatively affect neighboring residential properties or residents' ability to peacefully enjoy their homes.

3. Parking, Traffic and Guest Turnover

This proposed hotel would occupy a parcel of only 0.366 acres.

We believe the Commission should carefully examine whether this site can realistically accommodate all guest vehicles, employee vehicles, deliveries, loading and unloading, trash service and other activity generated by a hotel without shifting those impacts onto surrounding streets and residential properties.

We respectfully ask:

Where will guests and employees park when the hotel is at full occupancy?

The City's conditional-use criteria specifically require adequate measures for ingress and egress that minimize traffic congestion and maximize public safety.

4. Intensity and Method of Operation

Before approval, we believe the neighborhood deserves clear answers regarding:

Maximum number of hotel rooms and guests
Number of employees
Hours of operation and guest check-in
On-site and overflow parking
Deliveries and trash collection
Exterior lighting
Signage
Outdoor gathering areas
Events or private functions
Food or beverage service
Alcohol service, if contemplated
Procedures for addressing noise or disturbances

If approval is granted, we respectfully request that these representations become specific enforceable conditions of the conditional-use approval, rather than simply intentions of the current applicant.

5. The Cumulative Effect of Transient Lodging

Delaware's lodging environment has changed substantially with the proliferation of short-term

rentals.

We have personal experience with this change. After operating a successful bed and breakfast in Delaware for nearly twenty years, we watched the lodging market change significantly as short-term rentals became increasingly common. Those changes were among the factors that ultimately contributed to our decision to retire from the bed-and-breakfast business earlier than we originally anticipated.

We do not mention this because existing businesses should be protected from competition.

We mention it because it raises an important land-use question:

Given the lodging options already available in and around Delaware, what compelling community benefit justifies introducing another transient lodging operation into this particular residential location?

A hotel may be an asset to Delaware while still being inappropriate for a particular residential property.

6. Protecting the Residential Nature of R-NT

The City's zoning code describes the Residential-Neighborhood Transition district as primarily providing land for one- and two-family residential uses on smaller lots, enabling residential development similar in character to Delaware's walkable historic neighborhoods.

That purpose deserves significant consideration.

Residents should be able to rely upon zoning to provide some reasonable predictability regarding the future character of their neighborhoods.

7. Setting a Precedent

We also respectfully ask the Commission to consider the precedent created by this decision.

If a commercial boutique hotel is found compatible with a residentially zoned property in this neighborhood, what standard will be applied when similar applications are made for other residential properties?

Conditional uses should remain exceptions that receive careful, site-specific scrutiny—not become a pathway through which the residential character of a neighborhood gradually changes property by property.

Our Request

For these reasons, we respectfully ask the Planning Commission to deny PC 26-8 unless the applicant provides adequate evidence demonstrating that every applicable conditional-use criterion has been satisfied and that the proposed hotel will not adversely change the character, safety, parking, traffic conditions, property interests and quality of life of the surrounding residential neighborhood.

If the Commission believes approval is warranted, we alternatively ask that strict, enforceable conditions be imposed regarding occupancy, parking, employees, events, outdoor activity, lighting, signage, deliveries, trash collection, noise and hours of operation.

We welcome thoughtful development in Delaware.

But good development is not simply about whether a proposed business is attractive or economically viable.

It is also about putting the right use in the right location.

We respectfully believe the applicant has the burden of demonstrating that a boutique hotel at 163 North Franklin Street is the right use for this residential location.

For those reasons, we respectfully ask the Commission to deny the requested zoning relief unless and until the applicant can demonstrate that the proposal will not adversely affect the character, stability, safety, parking, traffic, and quality of life of the surrounding neighborhood.

Thank you for listening to the concerns of the residents who live here and who will experience the effects of this decision long after the hearing is over.

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