



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 7, 2025

Re: 3407 Goldenwood Drive– STR Conditional Use Permit (Case #194-2025)

## Executive Summary

Approval of this request would grant a conditional use permit (CUP) for the operation of a 210-night short-term rental (STR) with a maximum of six transient guests. The dwelling unit is not the applicant's principal residence and has been previously used as a short-term rental. The subject property is zoned R-1 (One-family Dwelling) and is addressed 3407 Goldenwood Drive.

## Discussion

Anne Caverte (owner) seeks approval to allow 3407 Goldenwood Drive to be used as a short-term rental (STR) for a maximum of six transient guests and up to 210-nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code (UDC). The 0.21-acre subject site is zoned R-1 (One-family Dwelling).

The subject dwelling is a 3-bedroom, 2-bathroom single-family home with an attached 2-car garage. The dwelling is not the owner's principal residence and has previously been used as a short-term rental. The application's stated bedroom square footages appear to conform to the minimum areas necessary to support the desired level of occupancy when evaluated against the city-adopted International Property Maintenance Code (IPMC). Final compliance with these provisions will be verified prior to issuance of the STR Certificate of Compliance. The approved occupancy and authorized rental nights will be shown on the issued STR Certificate of Compliance and must appear on any website where the dwelling is listed for rental.

The applicant indicates they will use a designated agent, who is a Boone County resident, to address regulatory issues when the dwelling is used as an STR. Approval of the CUP would constitute the owner's "one and only" STR license within the City's municipal limits. An evaluation of typical listing platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder identified one additional licensed STR within a 300-foot radius of the subject property addressed 3411 Goldenwood Drive

There are 18 parcels within 185-feet of which eight appear to be used for rental purposes and 10 appear to be owner-occupied. The adjacent properties are zoned R-1. An R-1 zoning designation would permit a maximum "long-term" rental occupancy of 3-unrelated individuals.

The subject dwelling is consistent in size, style, and bedroom mix as those adjoining it. The property has a driveway capable of supporting two UDC-compliant on-site/off-street parking



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spaces and an attached 2-car garage. To ensure parking compliance to support the desired six transient guests, one parking space within the garage will need to be available when the dwelling is used as an STR in addition to the driveway spaces.

The dwelling is accessed from Goldenwood Drive, a local residential street that permits on-street parking. Sidewalks are installed on both sides of Goldenwood Drive. The design of the site's access is consistent with other surrounding residential development and is sufficient to support future traffic generation without compromising public safety.

With zero outstanding violations associated with this property and the dwelling's general conformity to its surroundings, staff believes approval of the CUP would not be incompatible with the adjoining neighborhood. The enacted STR regulations provide the City with options to address potential negative impacts, such as nightly usage limitations and a means for which violations can be reported and acted upon. Violations and reports can be subject to fines and possible revocation of the STR Certificate of Compliance after two verified violations within a 12-month period.

Given the dwelling sought for licensure is not the applicant's "principal residence", a CUP is necessary to allow for its continued operation as an STR. The STR CUP process requires an analysis of the general and supplemental CUP criteria shown within Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. A full description of this analysis is found in the attached Planning and Zoning Commission staff report.

Should the CUP be granted, the owner and the dwelling will be required to obtain full regulatory compliance with the provisions of Chapter 22, Article 5 (Rental Unit Conservation Law), and Chapter 13 (Business Licensing) of the City Code. As part of the required Business License, the owner will be required to remit accommodation taxes pursuant to the requirements of Chapter 26 (Taxation) of the City Code.

The Planning and Zoning Commission held a public hearing on this matter at their June 5, 2025 meeting. Staff provided a report and described their findings related to what was shown within the STR application. The applicant spoke on the purpose of the request and was available to answer Commissioner questions. One member of the public spoke in opposition to this request. A total of four written comments (attached) have been submitted in opposition of the request. The written letters of opposition stated a concern for a decrease in quality of life within the neighborhood and pointed out a violation of the Neighborhood Associations restrictions.

Following the closure of the public hearing, a motion to approve the requested CUP to permit 3407 Goldenwood Drive to be operated as a 210-night STR with a maximum of six transient guests subject to a single garage parking space being made available when the home was in use as an STR which resulted in a (3-6) vote of denial.



A copy of the Planning and Zoning Commission staff report, locator maps, STR application and Supplemental "Conditional Accessory/Conditional Use Questions", public correspondence, and meeting minute excerpts are attached for review.

## Fiscal Impact

Short-Term Impact: None are anticipated.

Long-Term Impact: Usage of the dwelling as an STR will result in the collection of accommodation taxes which will assist the Convention and Visitor's Bureau in their marketing efforts relating to the City. While increases in public service demand is possible, such demands are not foreseen to be greater than a typical single-family home. Such increases may or may not be off-set by increased user-fees or property tax collection.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Economic Development

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Deny the conditional use permit to allow 3407 Goldenwood Drive to be operated as a 210-night short-term rental for a maximum of 6 transient guests subject to the condition that one parking space within the attached 2-car garage be made available while the dwelling is in STR use as recommended by the Planning and Zoning Commission.