



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 7, 2025

Re: 212 Park De Ville Drive – STR Conditional Use Permit (Case #127-2025)

## 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 eight transient guests. The dwelling unit proposed for STR purposes is not the applicant's principal residence and has been used as a short-term rental since 2023. The subject property is zoned R-1 (One-family Dwelling) and is addressed 212 Park De Ville Drive.

## Discussion

Marla Battles (agent), on behalf of Battles Holdings LLC (owner), seeks approval of a conditional use permit (CUP) to allow 212 Park De Ville Drive to be used as a short-term rental (STR) for a maximum of eight transient guests and up to 210-nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m) of the Unified Development Code (UDC). The 0.33-acre site is zoned R-1 (One-family Dwelling). The desired rental nights and guest occupancy are consistent with the limitations established by Sec. 29-3.3(vv) of the UDC.

The subject dwelling is a 4-bedroom, 3-bathroom single-family home with an attached 2-car garage. The provided bedroom floor areas appear to conform to the minimum areas needed to support the desired level of occupancy when evaluated against the adopted regulatory requirements of the International Property Maintenance Code (IPMC). Final verification of compliance with the IPMC and transient guest occupancy will be established following a dwelling unit-specific evaluation in accordance with the provisions of Chapter 22, Article 5 of the City Code. The maximum occupancy and authorized rental nights will be shown on the issued STR Certificate of Compliance and must appear on any website listing upon which the dwelling is offered for rental.

The subject dwelling has operated as an STR since 2023. There are no active code violations associated with this property. Evaluation of typical listing platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinder.com did not identify additional unregistered STR properties within a 300-foot radius of the subject property. The subject dwelling is consistent in size, style, and bedroom mix as those adjoining it.

There are 28 addresses and owners within 185 feet of the property, and two neighborhood associations within 1,000 feet. Of the 28 properties, 19 appear to be owner-occupied and 9 appear to be rental properties. The adjacent properties are located in the R-1 zoning district and given this zoning designation would be permitted a maximum "long-term" rental occupancy of 3-unrelated individuals.

Given the lack of code violation history, no presence of additional STRs within 300-feet, and the dwelling's general conformity to its surrounding, approval of the requested CUP is not



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believed incompatible with the adjoining neighborhood. The enacted STR regulations provide the City with options to address potential negative impacts that may be introduced into the neighborhood if the requested Conditional Use Permit were granted. The regulations restrict nightly usage and include other means for which violations can be reported which could result in enforcement action, up to and including, revocation of the STR Certificate of Compliance.

As part of staff's site-specific evaluation, it was observed that the property has a driveway capable of supporting two Unified Development Code-compliant on-site/off-street parking spaces. Therefore, the attached garage on the property must be kept available for future transient guests to park. Based on the desired occupancy of eight guests, this level of parking meets the requirements of Sec. 29-3.3(vv)(1)(ii)(B)(2) of the UDC if the attached garage is dedicated for guest parking.

Staff finds that the design of the site's access is consistent with other residential development within the surrounding neighborhood and believes such access is sufficient to support future traffic generation without compromising public safety. Park De Ville Drive is a residential street that possesses sidewalks and permits parking on both sides of the street north of the crosswalk by Mary Paxton Keeley Elementary, but not within 30 feet of the stop sign at the corner of the property.

A Conditional Use Permit is necessary to allow for the legal operation of the subject dwelling as a Short-term Rental given the dwelling is not the applicant's "principal residence". As such, an analysis of the general and supplemental CUP criteria shown within Sec. 29-6.4(m)(2)(i) and (iii) of the UDC was performed. A full description of this analysis is found in the attached Planning and Zoning Commission staff report. Following this analysis, staff has concluded that approval of the CUP would provide a means to "legalize" the present use of property and facilitate fulfillment of several policies, strategies, and actions of the City's adopted comprehensive plan.

Approval of the CUP would constitute the property owner's "one and only" STR license within the City's municipal limits. The submitted STR application indicates that a property manager will act as the owner's "designated agent" to address regulatory issues who is a Boone County resident. Use of the identified agent meets the requirements of Sec. 29-3.3(vv) of the UDC.

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 April 10, 2025 meeting. Staff provided a report and described their findings related to what was shown on the STR application. The applicant spoke on the purpose of the request and was



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available to answer Commissioner questions. One member of the public spoke concerning the request, stating they were originally opposed to the request, but changed their mind after they learned the property had been operating as an STR since 2023 without objection or violation. One written comment (attached) was submitted for Commission review. The comment was in opposition to the request.

Following the closure of the public hearing, commissioners made comment. There was consideration about whether or not approval of this CUP would be appropriate provided the property's proximity to Columbia Public Schools. Legal council noted this is not something listed as part of the CUP review criteria; therefore, should not be considered as a criteria for approval of the conditional use permit. A motion was to approve the requested CUP to permit 212 Park De Ville Drive to be operated as a 210-night STR with a maximum of 8 transient guests subject to the condition that the attached two-car garage be made available for future users of the site which was approved by a vote of (6-1).

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

Approve the issuance of a conditional use permit to allow 212 Park De Ville Drive to be operated as a 210-night short-term rental for a maximum of eight transient guests for STR purposes, with the condition that the attached two-car garage be made available for future users of the site as recommended by the Planning and Zoning Commission.