

**EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER**

701 EAST BROADWAY, COLUMBIA, MO

April 9, 2026

Case Number 106-2026

A request by Lori Cook (agent), on behalf of the Cook Family Revocable Living Trust (owner), to allow 2208 Concordia Drive to be used as a 210-night, maximum eight-guest short-term rental pursuant to Section 29-3.3(vv) and Section 29-6.4.(m)(2) of the Unified Development Code. The 0.32-acre subject site is located southeast of the intersection of Concordia Drive and Loch Lane.

MR. STANTON: May I have a staff report, please?

Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow the dwelling at 2208 Concordia Drive to be operated as a STR subject to:

1. The maximum occupancy of six transient guests;
2. A maximum of 210 nights of annual rental usage;
3. A maximum of eight transient guests subject to the installation of one additional on-site/off-street UDC-compliant parking space is added to the property.

MR. STANTON: Before we get to that, I would like to ask my colleagues if you have any ex parte information relating to this case that you would like to share with us so that we would all have that information? Anybody? Okay. Staff questions? Mr. Darr?

MR. DARR: Are you aware of any conversations from the applicant on how the parking would look or the layout, or have they provided anything?

MR. HALLIGAN: No. That has not been previously discussed, though they would not be able to exceed 30 percent of their front yard to be paved, so that would be the one little caveat to -- in addition of parking.

MR. DARR: Thank you.

MR. STANTON: Questions for staff? I'm going to open this up for public hearing.

PUBLIC HEARING OPENED

MR. STANTON: If you are talking as a group, you have six minutes, or the -- oh, yeah. One at a time, please.

MS. COOK: I'm just -- we're -- okay. I'm Lori Cook, and this is my husband, Kent.

MR. STANTON: Okay. Yeah. One is going to talk and the other has to sit down.

MR. COOK: Yeah. Okay.

MR. STANTON: If you're talking as the owner or a group, you've got six minutes. If you're talking as an individual, you have three.

MR. COOK: Okay. I'm --

MR. STANTON: Please state your name and address for our recorder, please.

MR. COOK: Okay. My name is Kent Cook, and that was my wife, Lori. The property is at 2208. We currently live at 4001 South Nebo Cemetery, Columbia. We've lived in the Columbia area since the 1980s. First off, I want to thank the committee for considering our application, and ask your patience as this is the first time I've been up here, so bear with me. We've owned the property since 2015. It's been a long-term rental for most of that time. We recently, last May, converted to a furnished rental, targeting mid- to long-term rentals. Our desire to get approval for the short-term rental is to have an available option to use as a gap between the mid-term leases. That's our intention. We don't intend to use it as a primary short-term rental. We currently have it listed on Furnished Finders for mid-terms, and for the short-term rental, we would use the platform the -- Airbnb, which has a lot of rating functions in it that helps qualify people that would be renting there. Since we've owned it for over ten years we've had a -- we've got a good stable maintenance group that we use that respond quickly, and I personally take care of the lawn care and the outside exterior maintenance of the property, so I'm on site pretty -- pretty regularly. We did make an effort to reach out to some of the neighbors and talked with a few. The remainders, we dropped off a letter stating our intentions and contact numbers in case there was any questions or issues that may arise.

MR. STANTON: Questions for this speaker? Mr. Darr?

MR. DARR: It looks like you're requesting for eight transient guests upon installation of one additional site parking, so have you looked at how that would lay out, and have you spoken to anybody that --

MR. COOK: Yeah. I think since we first started that process, I think we decided that we're just going to stay with the six and leave the parking the way it is, just --

MR. DARR: But you're okay with the recommendation for just the six?

MR. COOK: Yeah. We're -- we're okay with that.

MR. DARR: Thank you.

MR. STANTON: Any other questions for this speaker? Thank you, sir.

MR. COOK: Thank you.

MR. STANTON: Next?

MS. COOK: I don't really have anything to add, but if you have any further questions.

MR. STANTON: Okay. I'm sorry, ma'am. We have a process, and we have to get your name, your address, and so our recorder so we keep this in public record.

MS. COOK: I'm Lori Cook, and my address --

MS. ORTIZ: Into the microphone, please.

MS. COOK: I'm Lori Cook, and our address is 4001 South Nebo Cemetery Road, Columbia, 65203.

MR. STANTON: Okay.

MS. COOK: Thank you.

MR. STANTON: Any other speakers on this case? Going once -- do you want to come up and speak on this case, you come up to the mic. State your name and your address into the microphone so our recorder can hear you.

MS. HITT: Hello, Committee. My name is Maria Hitt; I live at 2207 Concordia Drive. I am in opposition of this proposed change in permanent structure. I have lived in the neighborhood across -- literally across the street for more than ten years. The letter I received from this family indicated that the short-term rental would be an in-between medium and long-term rentals. I feel his communication was simply to pacify any public outcry or opposition. I've never known this property to stand empty for any length of time beyond repairs executed between tenants. The neighborhood is quiet, made up of equal parts homeowners and long-term renters. I have concerns about the impact on our community if short-term rentals occur. There are limited housing options for families in good school districts, which this house provides. I am worried about affordable housing in my community disappearing or being inaccessible to the members of my community. There are also many children in our neighborhood. I worry about an increase in traffic, including the proximity to an intersection at the corner of Loch and Concordia, which already sees many rolling stops. We have had speed vouchers from the police set up. We've had increased patrols sometimes because we were having so many traffic violations at this intersection. I fear for a possible increase in traffic accidents and possible child injury. Those are my main concerns. Thank you for hearing me.

MR. STANTON: Do you have any questions for this speaker? Mr. Darr?

MR. DARR: Have you experienced any parking problems on the road at that location?

MS. HITT: Oh, yes. So it's not a very long street. It's three houses on one side and two houses on the other. Especially if the weather is bad at all, we have a lot of difficulty getting our road maintained. It's got a slight angle, people coming around the corner really fast, vehicles have been hit in front of houses. Even in my own home, we had a drunk driver, like, drive up over the sidewalk and into our driveway and hit a vehicle one time. So I -- even though it's very little and there is -- there have been many traffic accidents right in this area.

MR. DARR: Thank you.

MS. HITT: Yeah.

MR. STANTON: I have a question. So -- but you can't attribute that directly to this mid-term or long-term rental --

MS. HITT: No. The locale is simply --

MR. STANTON: -- in general?

MS. HITT: -- poorly designed as a pre-existing thing, but obviously increased traffic, people unfamiliar, I do worry about incidents of occurrence.

MR. STANTON: So at this point, they're using it as a mid -- mid-term, long-term rental as we speak?

MS. HITT: No one is living in the house currently.

MR. STANTON: All right.

MS. HITT: Somebody just moved out, and then my understanding is so that they could petition the community zoning board to change it to a short-term rental.

MR. STANTON: But have you had any problems with the renters before now?

MS. HITT: No. No. The people who just moved out, they were there for, like, maybe eight months. Just a family with children, no issues. The people who lived there before that were there for four years. They were very nice. We had a relationship. I saw them regularly. They had children who went to school in our community.

MR. STANTON: Thank you. Any other questions for this speaker? Thank you, ma'am.

MS. HITT: Thank you.

MR. STANTON: State your name and your address.

MS. CAMPBELL: My name is Brenda Campbell; I live at 2709 Jonquil Place in Valleyview, Columbia, Missouri. My mother, JoAnn Bell, has lived in that corner house at 2211 Concordia for 64 years. She is an original owner and she has been in that neighborhood for that long. She has never had to confront any problems with any of the homes being rented in that area because most of the time it was a long-term rental. So my brother, my sister, my mother, and I are totally against a short-term rental right across the street from her on a very short street, and our reasons are, first of all, the traffic will be a problem. My mom and dad put in a half-driveway so that the six of us kids could actually park on an on-site driveway without interfering with the cars going through on the street, and there's six of us. So when my mother has an event, six of us park there with -- and with our husband and spouses. Secondly, I don't know what survey they took about the neighbors being in favor of this, but their answer on their form is totally incorrect unless they've done a survey, because most of the people that we talked to are totally against it. I'm also concerned about the noise. From some people that we have talked to when they have the short-term rentals, they have people that party until 2:00 a.m. in the morning. My mother is 92 years old, and lives directly across from this house, and her bedroom happens to be on the Concordia side of the street. And I do not want her sleep disturbed on whatever nights these parties are occurring. And, of course, we don't know that for sure, but experience has shown that that happens. I will say that if it is approved, I will not hesitate to call the police department and check the noise and the traffic and whatever else is going over -- going on in that house. And I realize that with two violations, the City is supposed to do a fine or cancel the permission for them to have a short-term rental there. I've also talked to a lady this evening and she has reported that at another short-term rental, and nothing has been done -- nothing. So what my question is, why do you even have the rule if you're not going to follow the rules that you make. And I don't want to have to have a problem where I have to get a lawyer involved or whatever it takes for my mother to live peacefully in her house for the rest of her life that she has -- the little bit of life that she has left. Thank you.

MR. STANTON: Any questions for this speaker?

MR. WALTERS: Well, I think regarding this -- what you reported from someone else who has

experienced difficulties with an STR and --

MS. CAMPBELL: She is going to speak.

MR. WALTERS: Okay. Well, we'll talk with them because we don't -- we would not be a party to that, but that is the mechanism to keep this from happening again is for these complaints to be -- and typically not directed towards the police department. There's an enforcement number or a contact person that they should contact. But anyway, when she speaks, we'll bring -- we'll talk about that further.

MS. CAMPBELL: Well, Ross Halligan -- and I don't know which one of you is him -- told us our options were to call the police or to call the agent.

MR. ZENNER: Noise violations are addressed by the police department, they are not addressed by the Neighborhood Services Department, which deals with the enforcement component. Our Neighborhood Services Department deals with the reported violations as it is associated with other STR related issues such as potential over-occupancy, over -- excessive parking offsite from the actual dwelling unit itself. But there are limitations as to and limitations within the municipal code as to who addresses what infractions, and all infractions must be verified before action can be taken upon them. And so without supporting collaborative evidence of a particular violation, it is possible that a simply report of just an event occurring cannot be acted upon. And that is, unfortunately, the way that the enforcement process has worked for most of our violations within the city of Columbia. And this particular activity is one that is unique because of its nature. It's short-term, and often when a report is made, by the time -- if there is not collaboration or corroboration with the violation, the ability to enforce upon something that cannot be experienced or evidenced exists. And so the City is not out at midnight on a Friday night. The police department would be, so what Mr. Halligan has indicated is is that report would either need to be made if it is a noise violation or some other type of traffic infraction, that is a police department related matter generally. The designated agent is the individual that is responsible to react to any violation, and that designated agent would need to be -- they have to be within Boone County, they have to be responsive, and that is part of the way that our ordinances are set up. So the information as it relates to the designated agent in this application is Cooks. It would be our suggestion that should this item be approved or recommended for approval by this body that you coordinate with the Cooks to get their contact telephone numbers and that you be contacting them directly when you see an issue occurring that they need to take care of because that is their regulatory obligation. But if it is something that warrants calling the police, such as a noise or a parking violation, the police do need to be called. That is how the -- the legal process is established. If the Cooks do not approach, do not come out to address that, that is something then that needs to be cited as a violation reported, and it does need to have corroboration in order for it to be a verified complaint. And that would potentially take a couple of different avenues. It could be a signature of an affidavit that this is in fact a factual complaint submitted to our Office of Neighborhood Services. And those are the types of complaints that when there are two, there is the option by which the director of our Housing and Neighborhood Services Division is empowered by the ordinance to seek revocation of the license -- the certificate of short-term rental licensure, and then there

is also a business license that potentially would be revoked accordingly. That does not mean, though, that the long-term rental license that may exist on this property, if it is duly registered, would be revoked. There is a separate violations procedure and an enforcement procedure for long-term rentals. So there are slightly different provisions that would apply to a long-term rental having recurring violations which, from the testimony that I've heard this evening, apparently it's not a problem with long-term tenants, it is a concern that you all believe that will arise just because of the short-term usage, which has not occurred yet, and so we can't -- it's speculative that that is what will happen. The Cooks are hearing your concerns, and hopefully, they would react accordingly to ensure that they do not become facts.

MS. CAMPBELL: Haven't had -- my mother has not had a problem with long-term.

MR. ZENNER: Uh-huh.

MS. ORTIZ: Sorry. Can you speak into the microphone? Thank you.

MS. CAMPBELL: Oh, I'm sorry. I'm saying my mother has not had a problem with long-term rental at that house ever. There was a house in the neighborhood that my father did report because of drug activity, and the police came out and took care of it. So we know that if there is a good reason, our police department, or, in that case, the DEA showed up and took care of the problem. Okay. Thank you.

MR. STANTON: Questions? Thank you, ma'am. State your name and your address into the mike, so our recorder can hear us.

MS. EDHOLM: Absolutely. My name is Christina Edholm; I live at 2237 Concordia Drive, so I am on the opposite direction of this specific requested property. I will also state I am also in disagreement with allowing this to go forward. And some of the reasons I would be in disagreement, I was one of the three who called the Neighborhood office and asked about the specific. There are already -- there is one licensed STR already in our neighborhood. It is more than the 300 feet. It is actually 600 feet. However, if you go by your own rules, as the crow flies, it is within a reasonable distance. That is the only licensed one. There are four others that are currently unlicensed, and I provided information to Leigh regarding those other four, and that will be up to them to be able to attend to that particular report. I also want to point out just in your own report that on -- in C alone, there are 19 family -- single-family homes in this neighborhood. Of those 11 that are directly in that neighborhood, if you go the opposite direction around the corner, all of those are short -- those are all single-family homes, as well, as I have lived in mine for 20 years. As pointed out, the traffic pattern -- that particular house is on a corner. It has a very large lot to the right-hand side of it. On prior occasions, other renters have had parties in that, including college parties and other such where footballs, basketballs and other events spilled over into the street on more than one occasion. So I want to make sure that that is aware that that particular intersection, it could become dangerous even more than it already is. I'm also going to look at, as noted in your file, that the owner lives 18 minutes away. The owner I've never met. They do not live in our neighborhood, and they do not know the culture of the neighborhood, the people who walk their dogs, the seniors who walk our streets, and all of us who hop in and say hi and know a lot of us by name. I will say that there is an informal neighborhood association in that area. We've held block parties. We've learned to take care of

each other, and adding someone who is repeatedly in and out of that residence would not be beneficial to our neighborhood. So in concluding of all of that, I would say I am not in agreement, and I hope you would vote against doing such.

MR. STANTON: Questions for the speaker? I have one question. Do you support STRs in general, or just not in your neighborhood?

MS. EDHOLM: There is -- the STR that is closest to the -- Stadium, Rollins, they are very quiet when they come in and out. The one that's next -- the informal one, the illegal one next door to me, for the most part, they've been fairly nice, but again, the parties at 2:00 in the morning, the increased traffic, the unknown people who are wandering through our neighborhood, the 30-people backyard barbecues that are occurring, those become detrimental to the rest of us, especially the traffic because our street is a 25-mile-per-hour, and I will tell you there is no way they're going 25 miles per hour. So I am not in disagreement overall to answer your question, Mr. Stanton.

MR. STANTON: Thank you. Any questions for this speaker? Thank you, ma'am.

MS. EDHOLM: Thank you.

MR. STANTON: Anybody else like to speak on this case? State your name and your address in the microphone so our recorder can get you.

MS. ENGLISH: My name is Sarah English; I live on 410 Loch Lane. I, too, am opposed to the short-term rental for this place. I will say the renters that have been there for the long term, we have never experienced problems with them. The short-term turning into Airbnb with our proximity to Mizzou campus, especially with football and basketball all starting back up, I am concerned that the partying will be held at that place. Just -- we are not even three miles from campus. With that, the amount of cars that will be -- let's say it's six people -- if they all have a guest, that's 12 cars. Where are we parking 12 cars on this street? There's not even 12 cars that live on that street. And then again, just the noise ordinance is truly my concerns.

MR. STANTON: Okay. Any questions for this speaker? Thank you. Dr. Gray, you know I'm blind. Dr. Gray?

DR. GRAY: Thank you so much. In this hypothetical scenario where there are 12 cars, I don't know if you heard there are provisions around parking, so that would be a violation. Are you aware of how you would report that?

MS. ENGLISH: No. I was just simply saying, like, if -- if it has six people that are allowed there and they all have a guest, just the influx of cars is where my thought was.

DR. GRAY: Yeah. They wouldn't be allowed to have that many cars.

MS. ENGLISH: So it would be, like, six is the only that could be there?

DR. GRAY: Mr. Zenner, can you remind me of the number of parking spaces that are on site?

MR. ZENNER: There are three parking spaces on site. The requirements within the Code are one on-site parking space for every two transient guests. And so that is derived, in essence, from our general parking standards. So if six individuals came individually and three of them were parking on the

street utilizing that short-term rental, that would be considered probably a violation, but that is also something that the operator needs to inform their guests of that all vehicles must be parked on site. And so it creates a different set of enforcement issues if they're going to park all six vehicles if they were all to come individually. They would be parking in the front yard or on grass, which is an illegal -- it's a violation of our municipal code. Again, there are a variety of different scenarios that can play out with every single permeation of short-term rental. If this were a standard residential home and one chose to have a large gathering, you could have the exact same number of vehicles with six of your friends that came in three different vehicles and parked on the street, and three that parked in the driveway. We have risen the bar of enforcement and regulatory rules with short-term rentals to address many of these questions, and that is -- that is something that, unfortunately, has not been -- it has not yet to this point been adequately, I think, communicated to the community, and those that are concerned about this type of activity, how they go about reporting and what it takes to have a verified complaint. And that will ultimately, hopefully, be addressed as we continue to move through the rollout of this overall regulatory process that we are in.

MR. CRAIG: And if I may, Mr. Vice Chair, I think it would be an opportune moment to remind both the public and the Commission, Number 29-3.33(vv) use specific standard, subsection 8, dwelling usage, dwellings licensed for short-term rental usage shall not be used for special events, such as weddings, corporate events, commercial functions, large parties (greater than eight persons), and other similar events or activities otherwise prohibited by this Code.

MR. STANTON: Thank you, counsel.

MR. CRAIG: Yeah.

MR. STANTON: So what I'm hearing, the STR is set to a tighter standard than any of you are as a resident.

MS. ENGLISH: Right.

MR. STANTON: Any other questions for this speaker? Thank you, ma'am.

MS. ENGLISH: Thank you.

MR. STANTON: Anyone else like to speak on this case? State your name, address into the microphone so that our recorder can have it.

MR. HOPKINS: Hi. My name is Nathan Hopkins; I live at 2209 Concordia Drive, so directly across the street. I think that most of my concerns have been voiced by my neighbors, so I mostly want to reiterate most of those concerns. I've been living at 2209 for approaching four years with my wife and two children. I agree with the assessment of my neighbors that the long-term renters have never been a problem, and the previous couple that was there and with their children before were, I would say, good neighbors. I have concerns that I share with my neighbors which include concerns about safety and noise, as well as sort of the neighborhood culture. I think that almost everyone would agree that a neighborhood is most desirable when it's both safe and populated by residents that are invested in that neighborhood which I fear the transient renters would not be. Of course, the owners should be, and I believe that they may. I have no -- I have not interacted with them previously. I also think that there are

two other items that I have some concerns about. One, is the availability of affordable housing in Columbia, which the City has addressed in recent years with reports and investigations as sort of a study, to assess that. I worry about the rise of short-term rentals in residential neighborhoods in Columbia and how that might preclude affordable housing to those in Columbia who would like to own their own home, and this neighborhood is both reasonably affordable compared to some aspects of Columbia, as well as a -- a fairly nice, generally pretty family oriented community with very good schools. And the last thing I want to raise which I don't know if this is true, but I have some concerns about material impact to neighboring homeowners and how the rise -- the presence of a short-term rental within close proximity could affect potential property values, and so I have some concerns regarding that. Those are sort of the quick highlights of my thoughts.

MR. STANTON: Questions for this speaker? Thank you, sir. Anyone else on this case? Going once, going twice. Sure? Closing public hearing.

PUBLIC HEARING CLOSED

MR. STANTON: Commission, let's talk about it. Mr. Secretary?

MR. BRODSKY: I just had a quick question for staff. I know to the northwest of this site, we had the one on Wee Wynd that we recommended approval, I believe City Council voted down. And then there is the approved short-term rental, I believe it's closer to Rollins. Do you recall where that's located? One of the speakers said it was, I think, 600 feet?

MR. ZENNER: So there's -- if I am not incorrect, there is an admit -- there's an admin on Bourn, and then there is an actual ST -- there is actual CUP also on Bourn, but further to the north. Ross, do you have the actual address of the Admin, because that would have been --

MR. HALLIGAN: No. Just the Admin is to the south, and the CUP is to the north, both located on Bourn within, like -- the one to the north is about 600 feet. I believe the one to the south is around 400.

MR. BRODSKY: Okay. Thank you.

MR. ZENNER: I believe it's 210 Bourn is the short-term rental CUP, that backs to Stadium, and I believe the admit also backs to Stadium. And just for the public's benefit to understand, there is a differentiation between the permitting processes for short-term rentals. And owner-occupied short-term rental is limited to 120 nights of annual rental, and it has -- it does not require -- it's administratively approved because of the lesser number of nights so that it is the residence -- principal residence. However, it does not require that the resident be present when it is being rented. And the short-term rental that requires the CUP for which we are here this evening applies to all investment-related properties that are owned by somebody that is not the primary resident, and also a primary resident seeking to have greater than 210 -- 120 nights of rental to a maximum of 210. So this particular request does seek the 200-and, A, it's not occupied by the primary owner or resident, and it is capped at the 210 nights, so that is why this is a CUP. The concerns that have been reported to our Office of Neighborhood Services of operating, but unregistered short-term rentals, just so I can make sure that we understand how the enforcement process works as it relates to those particular types of operations, there is a very

deliberate notification process that is sent out to those operators and they are provided a window of time for compliance to be achieved or to beginning compliance. With the way that the ordinance is structured, if there is another short-term rental within 300 feet of this particular property that would be seeking a CUP, there is criteria within the review standards and in the purview of both our Planning Commission and our City Council, to where that 300-foot spacing could result in that secondary short-term rental not being approved. Presently, at this time, with the way that the ordinance is written, if it were an owner-occupied short-term rental, an owner-occupied property being used as a short-term rental, which would have to be verified, it would be capped at 120 nights, but the presence of being within 300 feet of another short-term rental does not apply. It doesn't apply because it is the -- the basis of this ordinance was derived from the fact that if an owner occupies the property for greater than two-thirds of the year and is using it for roughly a third of the year, the impact was not perceived to be as great. There is an impact, but it is perceived to not be as great because the owner of that property would still be part of your neighborhood. So those are -- I just want to make clear that that's the -- that's the landscape of the process. The two other dwellings that are off of Bourn, yes, are legal. We did process those. And then the others that are in the neighborhood, we will continue to work toward gaining compliance if not taking appropriate enforcement action in order to have them cease in operation. It does take a period of time, though, to be able to -- to mount that case and to be able to process the requests. So I can tell you I have received any additional applications along Concordia or any other streets within this area for licensure, and if we did receive one, we would be identifying to those applicants that this is the scope of what you're going to experience. You've got another one that's already been licensed, and they will then be left with a choice, either put it back into maybe a long-term rental, a long-term, mid-term rental, or cease operating the short-term rental entirely and executing a different option for the property.

MR. BRODSKY: Thank you very much. A quick follow-up question just to make sure I understand correctly. So if this applicant wanted to do under 120 nights, they could get it approved administratively, and it would still trigger the 300-foot --

MR. ZENNER: No.

MR. BRODSKY: -- or it would not?

MR. ZENNER: They would -- they could self-restrict to 120 nights, but because this is not their primary residence --

MR. BRODSKY: Right.

MR. ZENNER: -- they have to go through the conditional use process.

MR. BRODSKY: Okay. Okay.

MR. ZENNER: Anyone that is not the principal residents of the property must go through the CUP and it automatically attaches 210 nights.

MR. BRODSKY: Okay. Thank you. So just -- thank you for the clarification, Mr. Zenner. Just to get to my comments, when I came in tonight, I was generally going to be supportive of this one. I looked back at the Wee Wynd example. I don't think I was here for the -- for the one on Bourn, but we all voted

unanimously for the one on Wee Wynd, and then City Council denied that request, which was fairly similar. You know, there is -- I don't think the site itself had anything that made it less attractive for an STR, but there was a lot of neighborhood opposition. So I'm not sure where I'm going to land on this one, but just wanted to call that out.

MR. STANTON: Any other Commissioner comments? Dr. Gray?

DR. GRAY: Sorry. This is a question for Mr. Zenner. Given what we heard about the -- the parking spaces, could we modify this or apply a condition to say the six transient guests, rather than subject to an additional parking space?

MR. ZENNER: So with the three on-site parking spaces that presently exist, that is the max. And if I understood what the -- what the applicant indicated, the first speaker you heard from this evening, is they have reconsidered their desire to seek the extra two guests, and therefore, the last bullet on the slide could be eliminated provided we understood the applicant correctly, and you probably would like to confirm that by reopening the hearing, that they are no longer seeking eight subject to the addition of the parking space. And if they are only going to be allowed what their parking capacity is, that's the way the two bullets at the top would be what would be appropriate to make motion on it.

DR. GRAY: Great. Thank you.

MR. STANTON: Dr. Gray, I heard the same, but do you want me to open up the public hearing so we can tell you again or what?

DR. GRAY: I would appreciate it.

MR. STANTON: Open up public hearing.

PUBLIC HEARING REOPENED

MR. STANTON: State your name and address again, sir.

MR. COOK: Kent Cook, 4001 South Nebo Cemetery Road. And yes, we -- we would just -- we will not change the parking. Six guests would be the maximum that we would accept there.

DR. GRAY: Great. Thank you.

MR. COOK: Yeah.

MR. WALTERS: Can I ask an unrelated question --

MR. STANTON: Excuse me, sir.

MR. WALTERS: -- unrelated to that?

MR. STANTON: But this case. Right?

MR. WALTERS: Yes.

MR. STANTON: Yes, sir.

MR. WALTERS: I should have asked this earlier. If -- if your major intent is to have the option of having rentals in between long-term rentals, why go for 210 nights?

MR. COOK: I thought it was the only option we had given that we don't live there. I think that was my understanding.

MR. WALTERS: Well, here's a question because I'm newer to the -- and I should know more

than this, but can we -- if we recommended approval up to, like, 120 nights, would that hypothetically be acceptable to you?

MR. COOK: Yes. Yes. Our true intention is not to have this as a full-time Airbnb.

MR. WALTERS: Okay. Thank you.

MR. COOK: They're -- just the way the mid-terms go, there are -- there are times when it could be a two or three. We've had it open, I think last May it was open for two months.

MR. WALTERS: Okay.

MR. COOK: So we're just trying to look for gap in between.

MR. WALTERS: Okay. Thank you.

MR. STANTON: Any other questions for this speaker? Thank you, sir.

MR. BRODSKY: While we've got you here --

MR. COOK: Sure.

MR. BRODSKY: -- so if we were to limit it to 120 nights, you guys would be okay with that?

MR. COOK: We would be okay with that.

MR. BRODSKY: Perfect. Thank you.

MR. STANTON: Any other questions for this speaker? Going once. Going twice. Thank you, sir.

MR. COOK: Yeah.

MR. STANTON: I'm closing public hearing.

PUBLIC HEARING RECLOSED

MR. STANTON: I'm going to weigh in on this. So the automatic trigger because he doesn't live in the house is basically treated like a commercial business, so that's why it's 210 and we had talked about this -- of this shooting for the max because the paces that we were coming in and, you know, they were, like, just shooting for the stars anyway, so that's why we made that distinction between the 120 or -- is it 120, Mr. -- 120, your house, you're staying there. You're just renting it whenever you're not there versus someone that's got investment property that doesn't live there, we just made that -- because 90 percent of the cases, everybody was shooting for the stars, so that's why we did that. I disagree with changing the number of days. I think that just muddies the water up. The process is he's -- he doesn't live in the house. It automatically shoots for 210. If he doesn't hit 210, that's great. I don't think that really -- to me, solves any other issues that the residents have personally. I just think it kind of just muddies this up a little bit. That's just my point of view.

MR. WALTERS: Well, I was trying to think of myself as a neighbor. I would feel, even if I was opposed to if this period, I would feel more comfortable knowing there's only 120 nights of possible usage as opposed to 210. I mean, it's four months versus seven months. Anyway, that's just the reason I brought it up.

MR. STANTON: Commission? Ms. Ortiz?

MS. ORTIZ: I also would not support limiting it to 120 days. I think that's just messy and will be

confusing to hand to City Council. And I think if the neighbors are opposed to it now, they're going to be opposed in the future. But that's how I feel.

MR. STANTON: Mr. Darr?

MR. DARR: I would be in favor of the reduction because, I mean, if -- if he's trying to sell it as a self-restriction, let's hold him to it, you know, and -- I think that's the purpose of this. We have the discretion to, you know, approve less guests, approve less nights. If it's what the -- if it's what the applicant is willing to restrict themselves to, and like Commissioner Walters said, I think it limits the impact to the neighbors, which is a good thing because they were all opposed to it. I would be in favor of doing that restriction.

MR. STANTON: Ms. Ortiz?

MS. ORTIZ: Just to clarify, we don't have the authority to approve anything. We make a recommendation to give to Council.

MR. DARR: Thank you for that clarification.

MR. STANTON: I'm going to respond to that, Mr. Darr. From a business negotiating point of view, he's already gave up the eight for the six. Did work on making eight. He's seen kind of the -- (inaudible) -- he's willing to -- he's already compromised for six. But now we're just taking more lunch money. I mean, it's kind of -- I'm feeling like we just keep -- I think he's already compromised for six. It kind of quiets the parking issue down, which came up. I don't think 210 versus 120 is going to fix any of the other problems. Anybody else, Commission? I don't have any -- oh, sorry.

MR. DARR: Just to see if we have support, I would make a motion to amend the recommendation. Like, how does that work, where I just make a motion to --

MR. STANTON: Just like you want it. Yeah.

MR. DARR: I would make a motion to amend the -- the recommendation from staff to be a maximum of 120 nights of annual rental for us to consider. Is there a second?

MR. WALTERS: Well, I would second that, but I don't know if that's -- is this a proper way to do that?

MR. CRAIG: Yes. That's a proper way to make an amendment.

MR. WALTERS: We can amend it before we actually vote?

MR. CRAIG: Well, we haven't yet -- the motion hasn't been made, so we can make --

MR. WALTERS: We're not amending the motion, we're just making --

MR. CRAIG: Yeah.

MR. WALTERS: Okay.

MR. STANTON: Would it be -- okay. I was going to say why doesn't he just make a motion like he just stated, and we vote it up or down.

MR. CRAIG: That would be fine, yeah. But it's technically not amending -- we've got a recommendation from staff. There is no motion on the table, so it's not amending any sort of motion. But, I mean, if we -- we could -- there could be a motion to take a vote, see the Commission's appetite for --

for amending the amount of days. So he -- yeah. We can proceed with that. Sure.

MR. WALTERS: So I second.

MR. STANTON: It's been moved and properly seconded.

MR. CRAIG: Well, let's restate that motion. Let's clean that up. Let's -- if we could withdraw the previous motion and restate the motion in a cleaner way.

MR. DARR: I withdraw the previous and hope for some better guidance from Counsel.

MR. CRAIG: Yeah. Yeah. You could phrase the motion into -- just simply to limit the maximum nights for the annual STR usage to 120, and then proceed from there.

MR. DARR: I make a motion to limit the maximum number of nights from 210 nights to 120 nights of annual rental usage.

MR. BRODSKY: With a maximum of six transient guests?

MS. ORTIZ: We're not voting on the --

MR. STANTON: Yeah. He's just dealing with the numbers.,

MR. WALTERS: And I second that.

MR. STANTON: Moved and properly seconded. All those in favor of the amended -- amended recommendation --

MR. CRAIG: The motion --

MR. STANTON: The motion on the table?

MR. CRAIG: Yes. Yeah. And let's do a roll call with that, too, rather than a thumbs up, please.

MR. STANTON: Yeah. Roll call, Mr. Secretary?

MR. BRODSKY: We are -- this motion is just to change the nights from 210 to 120?

MR. STANTON: Yes.

MR. BRODSKY: Okay.

Roll Call Vote (Voting "yes" is to recommend approval). Voting Yes: Mr. Walters, Mr. Brodsky, Mr. Darr, Dr. Gray. Voting No: Ms. Ortiz, Mr. Stanton. The motion carries 4-2.

MR. BRODSKY: The motion carries 4 to 2.

MR. WALTERS: Now are we ready to make a motion on the --

MR. DARR: I'll go for it. Regarding Case Number 106-2026, 2208 Concordia Drive, STR Conditional Use Permit, I would make a motion to recommend approval of the requested STR CUP subject to maximum occupancy of six transient guests and a maximum of 120 nights of annual rental usage.

DR. GRAY: Second.

MR. STANTON: It's been moved and properly seconded. Mr. Secretary?

MS. ORTIZ: Can we do a comment?

MR. STANTON: Yeah.

MS. ORTIZ: I think this is really messy. I just -- I just want to put that out there. I think City Council already has shown that in this neighborhood, there's been push-back before, and I think by

amending it, we're making it even messier. So I just want that to be on the record.

MR. BRODSKY: Are we ready for a roll call?

MR. STANTON: We are, Mr. Secretary.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz,
Mr. Stanton, Mr. Walters, Mr. Brodsky, Mr. Darr, Dr. Gray. The motion carries 6-0.**

MR. BRODSKY: The motion carries.

MR. STANTON: That recommendation will be forwarded to City Council.