

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL
701 EAST BROADWAY, COLUMBIA, MO
APRIL 24, 2025

COMMISSIONERS PRESENT

Ms. Sharon Geuea Jones
Ms. Sara Loe
Ms. Shannon Wilson
Mr. Anthony Stanton
Ms. Peggy Placier
Mr. Robert Walters
Mr. David Brodsky
Ms. McKenzie Ortiz

COMMISSIONERS ABSENT

Mr. Thomas Williams

STAFF

Mr. Pat Zenner
Mr. Ross Halligan
Mr. Kirtis Orendorff
Mr. David Kunz
Mr. Jesse Craig

I. CALL TO ORDER

MS. GEUEA JONES: I will now call the Thursday, April 24th, 2025 meeting of the Planning and Zoning Commission to order.

II. INTRODUCTIONS

MS. GEUEA JONES: Commissioner Stanton, may we please have a roll call?

MR. STANTON: Yes, Madam Chair. Commissioner Brodsky?

MR. BRODSKY: Here.

MR. STANTON: Commissioner Ortiz?

MS. ORTIZ: Here.

MR. STANTON: Commissioner Placier?

MS. PLACIER: Here.

MR. STANTON: I am here. Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MR. STANTON: Commissioner Williams? Commissioner Loe?

MS. LOE: Here.

MR. STANTON: Commissioner Wilson?

MS. WILSON: Here.

MR. STANTON: Commissioner Walters?

MR. WALTERS: Here.

MR. STANTON: We have eight, Madam Chair; we have a quorum.

MS. GEUEA JONES: Excellent.

III. APPROVAL OF AGENDA

MS. GEUEA JONES: Are there any changes or adjustments to the agenda, Mr. Zenner?

MR. ZENNER: No, there are not, ma'am.

MS. GEUEA JONES: Thank you. Is there a motion to approve the agenda -- a motion to approve the agenda?

MS. LOE: Move to approve the agenda.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner Ortiz.

Thumbs up approval of the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous.

IV. APPROVAL OF MINUTES

MS. GEUEA JONES: We all received a copy of the April 10th, 2025 regular meeting minutes.

Is there a motion to -- or are there any changes or adjustments to the minutes? Seeing none. Is there a motion to approve?

MS. LOE: Move to approve the minutes.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Ms. Ortiz. Could I get a thumbs up approval?

(Six votes for approval; two abstentions.)

MS. GEUEA JONES: We have got unanimous with two abstentions; Commissioners Brodsky and Geuea Jones. Thank you all very much.

v. TABLING REQUESTS

Case Number 154-2025

A request by Crockett Engineering (agent), on behalf of Donna Jean Armstrong 2016 Unitrust (owner), for approval to rezone the southern 2.56 acres of 6.80 acres from M-N (Mixed Use - Neighborhood) to the M-C (Mixed Use - Corridor) to allow more intense commercial use on a portion of the property closest to I-70. The subject site is located west of St. Charles Road and Clark Lane, and includes the address 5320 Clark Lane. (A request has been received to table this matter to the May 8, 2025 Planning Commission meeting.)

MS. GEUEA JONES: Can we please have a staff report?

MR. ZENNER: Yes. This item has been requested to be tabled to the May 8th meeting. There

was a technical issue associated with the corresponding preliminary plat that will be presented at the same time as discussing the requested rezoning. So in order to ensure that the two of them maintain the same trajectory through the Commission, as well as into Council, we wanted -- we requested that both this and the subdivision action be tabled. We are supportive of it, and we do have the issues at this point in the process of being reviewed, so being able to make the May 8th agenda is not going to be an issue.

MS. GEUEA JONES: Was it advertised?

MR. ZENNER: Yes, it was advertised, ma'am.

MS. GEUEA JONES: Thank you. Thank you very much for that report. Are there any questions for staff about the tabling motion? Seeing none. Seeing as it was advertised, we usually allow any members of the public to speak on the tabling motion. If you have arrived to speak on this case, we will not be discussing the merits of this tonight.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Did any members of the public come to speak on this case? Seeing none. We will close -- close public comment and go to Commissioner comment.

CLOSE PUBLIC HEARING

MS. GEUEA JONES: Is there any comment on the tabling request? Commissioner Loe?

MS. LOE: Seeing no comments on the case, I'm happy to make a motion in the Case of 154-2025, move to approve the request to table the case to the May 8th, 2025 date certain.

MS. PLACIER: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner Placier. Is there any discussion on the motion? Seeing none. May we have a roll call, please, Commissioner Stanton?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 8-0.

MR. STANTON: Eight yeses, Madam Chair.

MS. GEUEA JONES: Thank you. That request will be honored and will be tabled till May 8th. Next is also a tabling motion.

Case Number 158-2025.

A request by Crockett Engineering (agent), on behalf of Discovery Business Park 1 LLC, 4900 Artemis LLC, and P1316 LLC (owners), for approval of an amendment to Lot 5 of Discovery Business Park PD plan and its associated statement of intent to permit 11 single-bedroom apartments as an allowable use on a proposed second floor within the existing building on Lot 5. The proposed revision will impact Lot 5 of the overall PD plan located at the intersection of Artemis Drive and Nocona Parkway and includes the address 5000 Artemis Drive. (A request has been received to table this matter to the June 5, 2025 Planning Commission meeting.)

MS. GEUEA JONES: Is there a staff report?

MR. ZENNER: This request has been tabled due to some technical issues that were encountered as a part of the proposed amendments to the existing structure that you see underneath the highlighted cross hatched box. That particular building is proposed to be converted from its commercial use into a residential structure. And originally when this was being considered by staff, there was a second story to be inserted in the actual existing footprint on the second -- what is a mezzanine level right now. However, those plans have changed and the request to table out until the June 5th meeting is to allow for the technical aspects associated with those changes to be incorporated into the proposed future plan development plan revision. At this point, technically, it does need to be tabled in order to allow for adequate time to be able to process those revisions, so staff is supportive of the request, and this was a publicly advertised hearing, as well.

MS. GEUEA JONES: Thank you very much. Are there any questions for staff on the tabling request? Seeing none. Once again, if any members of the public have come to speak on this case tonight, we would be willing to hear you, but we will not be discussing the merits of the case.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Seeing none. I will close public comment and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Is there any Commissioner comment on the tabling request?
Commission Loe?

MS. LOE: Seeing no comments on this case, I'm happy to make a motion. In Case 158-2025, move to table the case to the June 5th, 2025 Planning Commission meeting date certain.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner Ortiz. Is there any discussion on the motion?

MS. GEUEA JONES: Seeing none. Commissioner Stanton, may we have a roll call?

MR. STANTON: Yes, Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 8-0.

MR. STANTON: We have eight, Madam Chair. Yes.

MS. GEUEA JONES: Yes. What?

MR. STANTON: Eight, yes.

MS. GEUEA JONES: Oh, eight, yes. Sorry. That -- that case will be tabled to the June 5th, 2025 Planning Commission meeting.

VI. PUBLIC HEARINGS

Case Number 92-2025

A request by Crockett Engineering (agent), on behalf of P1316 LLC (owner) seeking

approval of a five-lot PD Development Plan to be known as "Discovery Apartments" and an associated "site-specific" Statement of Intent (SOI). The PD Plan will also serve as a revised preliminary plat for the development's acreage which contains Lot 6 of Discovery Park Subdivision, Plat 6A, Lots 7 and 8 of Discovery Park Subdivision Plat 7, and an approximate 16.28-acre survey tract at the northwestern terminus of Endeavor Avenue. The southern portion of the site (proposed Lots 1 & 2) will each contain a three-story residential building, a four-story mixed-use/residential building, required surface parking, and private garage structures. The northern portion of the site (Lots 3-5) are reserved for future development; however, are shown on the PD plan as having dimensional and impervious surface limitations. The approximately 22.14-acre subject site is located around the perimeter of the roundabout at the end of Endeavor Drive.

MS. GEUEA JONES. May we please have a staff report?

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed PD Plan entitled "Discovery Apartments" and its associated Statement of Intent subject to:

1. Amending the allowable "total building space" within Tracts 4, 5, and 9 as shown in Exhibit 21, Table A of Ord. 018043 as follows:
 - a. Tract 4-16 - 205,283 sq. ft
 - b. Tract 5 - 1,064,129 sq. ft
 - c. Tract 9 - 429,930 sq. ft
2. No new development plan submissions shall be considered on Tracts 4, 5, or 9 prior to approval of a comprehensive revision to Ord. 018043 permitting additional footprint and total building space allocations on said Tracts.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, would any of my fellow Commissioners like to recuse from this case?

MR. STANTON: Madam Chair, I'm going to recuse myself from this case at this time.

MS. GEUEA JONES: You are excused, Commissioner Stanton. Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Any questions for staff? Commissioner Loe?

MS. LOE: Mr. Zenner, I fully understand the increasing total building space to align with the request, especially since they exceeded that already. On the submitted PD Plan, it also identifies impervious area. Is there enough impervious area included in that current SOI to accommodate all that's being requested in the submitted PD Plan?

MR. ZENNER: That is correct. So as we track -- as we track development proposals that come in, one of the things that we specifically asked for with this was a full detailed reporting. And the engineer and the project engineer for this project provided us that. Based on those calculations, there is the .72 acres of impervious surface left. That's after taking everything out, the five lots of this

development proposal.

MS. LOE: Okay.

MR. ZENNER: That is all that's left.

MS. LOE: That accounts for what's being proposed?

MR. ZENNER: Yes.

MS. LOE: Okay.

MR. ZENNER: It accounts for everything that is proposed.

MS. LOE: All right. Thank you.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: The -- it seems like we're using some of the impervious surface and building square footage from Tract 3 that is now a park, and we're kind of shifting that.

MR. ZENNER: No.

MR. BRODSKY: No?

MR. ZENNER: No, we are not. The allocations, Tract 3 -- Tract 3's allocation is to tract -- was to Tract 3 only. It has not been calculated into any of the shared square footages or allotments to the tracts that are controlled by the applicant, which would be Tract 4, 5, 9, and 8. Eight does not -- it's not counted because eight actually is the open zone parcel, so the only three tracts that they have shared between -- well, they have -- I take that back. Tract 8, they did pull some out of, but when you only use 4, 5, and 9, those have aligned. There is a portion, there's about six and a half acres of Tract 8 that has been developed, but the 85 percent impervious cover hasn't really been tapped. The data tables that were provided to us did a transfer of impervious cover from, if I am not incorrect, Tract 9 to Tract 4, which is permitted, because that's all draining to the lake. So as there's -- as you noticed in the staff report, there's two different basins, a Group A and a Group B. They only used three of their four available tracts, really, that are north of Gans Road for the transferring. That is what we have been able to document, and so we are comfortable that they have not taken anything from Tract 3. And Tract 3, actually now that it is not part of this -- not part of the plan anymore because it was rezoned, any of the allocations associated with that really are void.

MR. BRODSKY: That -- that was going to be my question, that has Tract 3, the park, there is no ability in the future for that to build those 519 units?

MR. ZENNER: So we are -- we are basing everything on what is left.

MR. BRODSKY: Perfect. Thank you.

MS. GEUEA JONES: Any other questions? I have one, and you may not have done the calculation. But if -- I understand why it can't be open zone. I do.

MR. ZENNER: Thank you, ma'am.

MS. GEUEA JONES: As far as the building envelope and open space calculations, how close are we running up to what that would be under M-C?

MR. ZENNER: I do not have that calculation. We can get that calculation with the actual -- the

next iteration of what we're going to get. I think that is exceptionally important. Mr. Crockett may have that number as it relates to the amount of open space that is existing. There is, of course, and this is well documented through the agreement, through the 2004 agreement, there is an overall requirement of open space amongst all of the tracts. And I think, collectively, we have to -- we have to look at -- I have to look more detailed at how that would be considered, given the park now is ours, it is considered an open space permanent. And that's, again, part of what we have to maybe explore if we're going to look at more major modifications. But for the specific Discovery Park, Tracts 4, 5, 6 -- or, I'm sorry -- 4, 5, 8 and 9, which make up Discovery Park -- what's commonly known as Discovery Park, northwest of the interchange, I do not have that number specifically. And the only thing I can tell you is we've had amenities built into almost each one of the projects that have come through. Collectively and holistically, though, that number may be low, as well.

MS. GEUEA JONES: Uh-huh. What's -- do you know just off the top of your head what the percentage is for M-C?

MR. ZENNER: Well, the percentage of M-C was -- it was allowed to be 85 percent impervious with a 15 percent green space standard associated with it.

MS. GEUEA JONES: Okay.

MR. ZENNER: So that is the -- that was the standard in 2004. That's still the standard today for any general commercial -- commercial office parcel. So with that being said, I mean, until we know what specifically is going on the property, and where -- so the opportunity that exists at this point is we have explored with the owner and the applicant is the portion of Tract 5 that is to the -- to the southeast of Nocona, and Tract 8 share a common boundary. And potentially, in order to address long term concerns about not having an excessive overage, or needing to compensate for a footprint increase, the one method may be to take the M-C tract today, the open C-3, or what was the open C-3 and combine that potentially as part of the PD tract in the leftover Tract 5. Because in the opposite direction of what we typically would like to do and typically what the applicant would like to do, they would prefer to extend the M-C across all the way to Nocona. However, as we have discussed up to this point, that creates a problem potentially because we have no way outside of a planned district to be able to compensate and offset impacts that have been created elsewhere within the project and the development. And so, again, those will be part of the -- those will be part of the talking points as we move forward. The initial issue at hand, of course, is the desire to develop Lots 1 and 2 of this PD Plan. And again, resolving to get everybody back onto firm ground with an increase in the total building space is the beginning of being able to get there, and that's -- that's the objective of the applicant. That would be the objective of us as staff. Obviously, this project has evolved over time. It was very slow in developing, and now it has accelerated. And unfortunately, particular aspects of the overall agreement and its requirements were not as well maintained as they could have been. The impervious calculations, though, have been, and that has been being monitored separately by our stormwater staff that was actually unbeknownst to me, so they, with every project, have been monitoring this, so we would have been alerted probably at a

project submission that we did not have enough left. But the building space, which is something that's totally foreign generally to us unless you have GFA limitation is something that just does not -- it had not been adequately tracked. And that's part of why we're where we're at.

MS. GEUEA JONES: Okay. I'm -- I'm a little bit irritated that the folks that have been developing this for the last 20 years have not done so in accordance with the agreement they made with the City, but that's neither here nor there, because this has had relatively stable ownership. Right?

MR. ZENNER: Well, the -- and I'll let Mr. Crockett respond to this for the length of time that -- that the applicant, P13, and others have owned the property. This was lost at one point. Jose Linder had proposed development of this property as really a retail office environment. There was very little contemplation of residential development here, so this was -- this would have been a very low-slung, California style single, maybe two-story development, if Mr. Linder had proposed it -- been successful in developing it. The development composition has changed greatly since the current owners have purchased the property. And the dynamic -- the dynamic nature of this, other than the fact that we -- we occasionally complain about color choice and some other things, the dynamic nature of the land-use pattern that has been built in this particular environment is a result of demands that the applicant has been trying to meet, and is driven, again, based on some of the locational characteristics and the other elements. And so I agree with your point, Ms. Geuea Jones, that the applicant knew what they went into, and unfortunately, you know, it takes checks and balances across the board and, you know, certain things fall through the cracks. What I will tell you is that the major component associated with this from our perspective, from a planning perspective, mine, personally, is that the environmental controls that are associated with this have not been violated at this point. Pattern of development, the quality of development, the demand for development, that has all changed over 20 years, and therefore, the density that's out here, the vertical density that is out here has resulted, as I said, in probably less impervious surfaces being created because you're going vertical, not horizontally, and we have made advancements in our Code.

MS. GEUEA JONES: Last question. It's probably in the staff report and I'm just missing it. Is the definition of total building area, total usable floor space, or what?

MR. ZENNER: I have the agreement here and I do not have that right off the top of my head either. But if I am not incorrect, let me go back to the table where we talk about that.

MS. GEUEA JONES: Because the -- the case that we are tabling is an interior modification, so --

MR. ZENNER: It's an interior -- so the footprint has already been accounted for

MS. GEUEA JONES: Yeah.

MR. ZENNER: That's why I had indicated that if you are inclined to make a recommendation of approval of this project with these conditions, that 5000 Artemis be actually excluded because the footprint and all the impervious surface coverage that is on that lot at this point, that was part of that PD Plan --

MS. GEUEA JONES: Yeah.

MR. ZENNER: -- has all been incorporated into the calculations that we're bringing to you.

MS. GEUEA JONES: Yeah. Okay. Yeah. If -- we don't have to wait while you look for it, but if you could tell me if there's a difference between total building area and, like, usable floor space or something, that would be helpful. Commissioner Walters?

MR. WALTERS: I have to admit, I'm really confused by a lot of this. This is very complex stuff, and tracts and lots and -- and building space and impervious, it's confusing. And what -- but one thing you could help me, maybe, Mr. Zenner, and maybe Mr. Crockett will too is what is the crux of the disagreement? Is there -- are they -- is the proposed allowances for Tract 4, 5 and 9, the square footage, is that not deemed acceptable at this point? Is it a question of zoning changes? I just don't understand why -- why we're at this point of disagreement. It seems like what the City has proposed, based on my limited knowledge, it seems reasonable. Can you summarize -- I can ask Mr. Crockett the same thing, but I'd like to hear from the City's point of view, in a nutshell, why are we stuck?

MR. ZENNER: There -- actually, we are not stuck. Mr. Crockett informed me before this evening that the applicant is more than willing to accept the conditions that are laid out here on the slide in front of you. We are -- we are stuck at a -- we are stuck because of our own issue. Our ordinance does not allow -- would not allow without an amendment --

MR. WALTERS: Okay.

MR. ZENNER: -- for you to approve this project. And so what we have to unpack for you, there's two -- there's two tracks that we're going down. One is the development tract of their proposal, and the other is the underlying zoning entitlement, which is the 2004 agreement. We need to amend the 2004 agreement as a part of this zoning proposal, so those can be done concurrently, and we can amend the statement of intent that governs these tracts, concurrently with approving a site-specific development plan and its statement of intent that goes with this project site. There is no disagreement. The staff and the applicant are both in alignment. It is more of an issue is is the Commission comfortable in acknowledging that we are going to increase what was originally agreed on in 2004 by roughly 232,000 square feet. That is the question that is really before the Commission. If you are willing to do that through the way that I have displayed it here, we're all good.

MR. WALTERS: Okay. And if we are willing to do that, it's -- that's -- I'm -- if I was -- right now, it sounds like I'm favorable to this, but it's based on the fact that that increase will not result in any adverse impervious surface arterial.

MR. ZENNER: Correct. That is correct.

MR. WALTERS: Okay. Okay. That's -- that helps me out.

MS. GEUEA JONES: Anybody else? Thank you. In that case, we will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any member of the public who wishes to speak may come forward. We allow for six minutes for groups and the applicant, and three minutes for individuals. And I will probably

be enforcing it more than I usually do tonight to make sure we can get through.

MR. CROCKETT: Yes, ma'am. Madam Chair, and members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Before my time starts, I would like to address some of the questions that the Commission has asked, just to get some clarification on that. So Commissioner Loe, you asked about the impervious area for this PD Plan. So not only are Lots 1 and 2, the proposed buildings on this PD Plan included in the existing -- or the impervious calculations, but so has impervious coverages for Lots 3, 4 and 5. So while we wouldn't have building square footages to go with those buildings, with those lots, impervious areas have been accounted for for those lots, and we're still under the impervious limit even with the non-development of those three. Commissioner Geuea Jones, the overages on the square footage, you know, how do we -- how do we get to here. You are correct and we're -- this is the third developer, the third owner of this property. I believe there was three, if not four, City managers. City staff has had a lot of turnover in 20 years. We're the fourth engineer on this project, so I think, you know, over that time, how did that happen? We don't know. But what has happened is is when we started this, we were inherited some -- some spreadsheets that staff has provided to us that didn't make a lot of sense. We had to go back through, and we just -- we, basically, started over. We said, hey, hold on. Let's just start over. Let's start from scratch. We worked with staff and we generated what we have today, and that's when we really found the big issues that we have. And so that's where we're at. How we got there, I really don't know. You know, Mr. Zenner did talk about lively conversations that we have been having with City staff, and I'm not sure -- lively, I'm not really sure, but I don't want to make -- no misunderstandings. We are discussing this with -- with City staff, and we're making great headway. I mean, Pat and his department are very willing to meet with us and discuss this and try to come up with solutions, and it's been very helpful, so we're very appreciative of that. And, Commissioner Walters, you know, why the changes. I think if you look back at the original intent of what Mr. Linder's development out here was, it was mainly strictly a -- as Mr. Zenner said, a one-story or maybe some two-story commercial development. It was large strip centers, QSRs, you know, that type of development and not so much as the residential component. Twenty years have passed. We've changed how we look at development. We look at, you know, 20 years ago, we didn't go vertical. Twenty years ago, we didn't put lower-level commercial and residential units on top, and I think the development community kind of kicking and screaming and went that route, and I think that we see that, wow, that's the much better route for development, and that's a better way. And so I think that we've learned over 20 years a better path forward for development. So with that, I will start my presentation, and I will be brief, running through my information, I believe that Pat has -- if I can get this switched over.

MR. ZENNER: Let me go find out if they fell asleep.

MS. GEUEA JONES: Sorry. Please --

MR. CROCKETT: All right. There we go. There we go. So again, Tim Crockett. With me is Jack Cardetti, he's the owner's representative here tonight with us. Again, 22.14 acres, annexed and zoned in 2014. Five lots, only two are being developed at this time. And the units that we're proposing

would be a mix studio apartments, one-bedroom, two-bedroom, and then commercial uses on the lower floors. You've seen -- this is the overall PD Plan, the two lots to the south, and then, of course, the three that would be left undeveloped to the north. Part of the reason that we included those without any additional proposed uses, first of all, as these things build out, it takes time to make changes. Units change, development patterns change, we want to propose something, but every single time that we make a change, we come back to this Commission, and we don't like that. What we want to do is, hey, is there a way that we can show you what our intention is, but not with the exact buildings with the understanding we will come back before you. And then this was all done and this was all decided before we came up with the idea that we had or realized that we had a total building square foot issue. And so it's not because we're out of area, it's because we don't know what we're doing on those. We have a good idea, but without exact, you know, specifics, we -- we don't want to present that. Here's the zoomed-in version of Discovery Apartments. Where it sits on the site, you can see here with the blue X, the blue is the commercial, the orange is more the residential mixed use with lower-level commercial on a lot of that. The green is obviously City parks, and then the yellow to -- to the left is the varying single-family development. The impervious limitations exist on all the tracts in Discovery Park, and Pat has talked about that. Sharing of impervious limits across tracts is allowed, and all the tracts under the control of the applicant are under the impervious limitations. And so I think that's important, and I think Pat has talked about that quite a bit. Here's our spreadsheet that we generated that goes through each and every development that's taken place out there, and talks about what the impervious calculations are, how much area do we have, how much do we have left. You know, if we're over on one, we found of the -- one of the previous development tracts, it was already completely developed, was over. Okay. So we to have swap and do some sharing, and so we did that, so that accounts for all of that. The total building square -- the total building space, and that's the term used in the -- in the ordinance, total building space, that's where we're having the issue and that's where we're over at this point. So the existing development is over that space. The staff is recommending a revision to that Statement of Intent to address that. And again, as Pat has indicated, the building space doesn't necessarily correlate with stormwater environmental concerns. That's where your impervious surface and your stormwater come into play, and we're not over on that. The spreadsheet for that is a little bit more -- you know, a little more complex and a lot more information provided on that. And the way we went back and did that is we went back and simply looked at every single building built out there, whether it was a commercial development, whether it was a hotel, whether it was an apartment building, or even a garage, we took every single square foot of every building out there. And to answer your question -- six minutes already?

MS. GEUEA JONES: Oh, I know.

MR. CROCKETT: Okay.

MS. GEUEA JONES: It's because I usually let you go.

MR. CROCKETT: I know. Well, I'll be very, very brief. So to answer your question, the area, we didn't use usable square footage. We believe that it is the footprint of the building --

MS. GEUEA JONES: Okay.

MR. CROCKETT: -- is the square footage, and so that's what we did. So we're not trying to -- to cut corners or skimp on that. We're using the entire square footage. Uses we've talked about. Traffic, I can talk, if you want. Utilities are all City utilities. Stormwater, this is just real briefly on this. Staff has determined that the current stormwater standards are, in their words, superior to the water quality protection plan. So the current stormwater ordinance that we have today that we use on all development in Columbia is superior to what was approved out here back in 2004, and we -- we continue with that. We check a lot of items on Columbia Imagined. And with that, I'm happy to answer any questions.

MS. GEUEA JONES: Thank you very much, Mr. Crockett. Any questions for this speaker? Seeing none.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Thank you very much. Next to speak on this case? Hi.

MR. CARDETTI: Good evening, Chair and members of the Commission. My name is Jack Cardetti. I am with Discovery Apartments with offices at 4220 Phillips Farm Road. You know one of the best single indicators of a community's economic health is population growth. In the state of Missouri over the last census, 78 of our 114 counties in the city of Louis lost population. There's cascading effects when that happened. We actually had 11 counties in the State of Missouri that grew at or above the national average, with Boone being one of those, driven mostly by population growth here in Columbia. That's a great sign, but, as we know, it also comes with challenges. It also comes -- how do we provide City services to this new population. Right? What happens when a recycling center gets hit by a tornado, you know. These are the type of things that everybody in this city -- there's also how do you build infrastructure for a population growth, and how do you do housing. And think it was one of the great things we saw is the report that the City and the County did last October that looked at what are going to be our housing needs now and into the future, and what that showed is that in the next 25 years, we need to build at least 37,000 more dwelling units just to keep up with expected population growth. We want population growth. Bad things happen when we don't have that, and so really important. Now I'm not going to sit here and say all -- that means that every building request that comes in front of you, you guys should support. It needs to be the right thing. It needs to be the right place. It needs to have the right infrastructure. The apartments out here at Discovery, on average, are -- have an occupancy rate of 99 percent. More often than not, there is a waiting list, so this is clearly something that the community supports. This is clearly something where people want to live and it's something that people can afford to live out there. A lot of this is what we now call workforce housing. In fact, the number one profession of residents of Discovery Park Apartments is health-care workers all across Columbia. And so, you know, we believe that this -- there's a lot of technical details, obviously, about this, but we think the benefit that has come to Columbia by adding these 239 dwelling units is really, really substantial. We think it's going to help in the short term and it's going to help in the long term. Now, in the City and

County report, it also talks about how and where we want to -- we want to build those units. And so there's a couple of things that they talk about in there I think that are pretty important. We don't want to take ag land out of production. We want to develop where the infrastructure can support it. You know, we want to fill in land in the City limits before we expand outside the City limits. This is a project that really checks all of those boxes. You know, as we've said before, we realize that after this project, we're going to have to come back in and have a much more comprehensive discussion with the City, with the Planning Commission, with the City Council about how we move forward from here. But we believe that this is a project that's really going to help the community at a time when we absolutely need more housing here, and it's housing that the community currently supports. So we really appreciate your guys' time, appreciate all the staff's effort on this 12, 14-month project just to get where we are today here, and be happy to answer any questions.

MS. GEUEA JONES: Thank you very much, Mr. Cardetti. Any questions? Seeing none. Thank you for being here. Anyone else to speak on this case? Going once, going twice. Okay. Then we will close public hearing on this case.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments? Any Commissioner comments?
Commissioner Brodsky?

MR. BRODSKY: I'll start us off. I believe this tract was approved right before my first tenure on the Planning and Zoning Commission, and, man, there's been -- a lot has changed over that time. So I am sympathetic to this applicant. You know, it -- to be able to predict what's going to happen and go into a tract or development of this size that far into the future, you know, I think it's relatively obvious that there were, you know, going to be adjustments down the road. And if there ever was a poster child development for why we don't do PUDs anymore, this -- this is it. So I agree with you, Chairwoman, that, you know, it would have been nice for them to come in and ask permission to go over some of these limits, but it does -- I'm very sympathetic to Mr. Crockett's explanation of that. And I think what we've ended up with out here, as Mr. Crockett explained, I think it's superior that we've gone vertical, and we've increased that density within City limits. When we did the -- and Pat, help me. When we did that eastern plan, what did we call that?

MR. ZENNER: East Area Plan.

MR. BRODSKY: East Area Plan. We identified this intersection as kind of the southern edge of the City for the foreseeable future. That overpass had recently been built at that time. This would have been 2007, 2008. So, you know, increasing the density within that City limit and keeping that housing where we're not sprawling out with roads and sewer and having to do all that upkeep. So -- so I'm in favor of this, you know, given that the stormwater and the impervious surface is being paid attention to by staff, and it sounds like it is.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Placier?

MS. PLACIER: Well, it looks like we're, once again, trying to make the best of a bad hand. And

I would point out that despite the fact this providing housing and characterizes workforce housing, it does not have public transportation. There are not amenities like stores and those kinds of things accessible, so it's autocratic. And I'm not as sanguine about it being the ideal future that I would envision.

MS. GEUEA JONES: Any other Commissioner comments? Seeing none. Would anyone like to make a motion? Commissioner Brodsky?

MR. BRODSKY: I'll attempt to make a motion. I recommend approval of Case 92-2025, as described by staff, to increase the total building space on tracts 4, 5 and 9 to the numbers that are on the slide there, and that no new development plan submissions on Tract 4, 5 or 9 would be without a comprehensive revision to the ordinance to increase the footprint and total building space allocations.

MS. GEUEA JONES: May I make a small friendly amendment?

MR. BRODSKY: Of course.

MS. GEUEA JONES: To exclude Case Number 158-2025 from the point two, no new development plan submissions.

MR. BRODSKY: I will accept that.

MR. CRAIG: I'll just -- (inaudible).

MS. GEUEA JONES: No. I'm sorry. Because of the internet, you have to speak into a mic.

MR. CRAIG: Okay. I'll hop up here. If we can get the -- the specifics of that subject number one on Tract 4, Tract 5, and Tract 9, I know it's a little verbose, but if we can get that into the record, I think that would be ideal.

MS. GEUEA JONES: I'm sorry. Mr. Brodsky, could you start over?

MR. BRODSKY: Start over?

MS. GEUEA JONES: Remake your motion, please.

MR. BRODSKY: Oh, you're killing me. So make a motion to recommend approval -- I'll just read it. Recommend approval of the submitted PD Plan and the associated site specific statement of intent, subject to increasing total building space within Tracts 4, 5, and 9, Exhibit 21, Table A of ordinance 018043, as follows: Tract 4, 205,283 square feet, Tract 5, 1,064,129 square feet, Tract 9, 429,930 square feet, and that no new development plan submissions on Tracts 4, 5, or 9 are without a comprehensive revision to ordinance number 018043 to increase footprint and total building space allocations.

MS. GEUEA JONES: After Case 158-2025.

MR. BRODSKY: Well, see, that's not on here.

MS. GEUEA JONES: I know it's not.

MR. BRODSKY: I will accept that amendment.

MS. GEUEA JONES: Thank you. Legal, does that satisfy? Thumbs up. Excellent. Is there a second on said motion?

MS. ORTIZ: I'll second with amendments.

MS. GEUEA JONES: Excellent. Thank you, Commissioner Ortiz. Motion made by

Commissioner Brodsky, seconded by Commissioner Ortiz. Is there any discussion on the motion?

Seeing none. Commissioner Loe, may we have a roll call?

MS. LOE: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Brodsky, Ms. Ortiz, Ms. Placier, Ms. Geuea Jones, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 7-0.

MS. LOE: That is eight -- I'm sorry -- seven votes for, one recusal. The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

Commissioner Stanton, if you can hear my voice, we are ready for you to return.

Case Number 130-2025

A request by Claire Altman (owner) to allow 115 Clinton Drive to be used as a short-term rental for a maximum of eight transient guests and up to 210-nights annually pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The 0.52-acre, R-2 (Two family Dwelling) zoned subject site is located southwest of the intersection of Ash Street and Clinton Drive.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Kirtis Orendorff of the Planning and Development Department.

Staff recommends approval of the conditional use permit to allow 115 Clinton Drive to be operated as a STR subject to:

1. The maximum occupancy permitted within the dwelling shall not exceed eight transient guests regardless of potential occupancy allowed by most recently adopted edition of the international Property Maintenance Code (IPMC); and
2. A maximum of 210 nights of annual usage.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Are there any questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If anyone from the public is here to speak on this case, please come forward. Anyone? Is the applicant here tonight? Do you want to come forward. Okay. Anyone to speak at all, please come up. State your name and address for the record, and three minutes, unless you're here for a group.

MS. POTTER: I just have a question. If there's a maximum limit of occupants, but what about maximum for cars, because it sounds like you have space for four cars.

MS. GEUEA JONES: Yes. Could you state your name and address, please.

MS. PAUTLER: Julie Pautler, I live on Marygene.

MS. GEUEA JONES: I'm sorry. Can you speak more clearly into the microphone?

MS. PAUTLER: I live on Marygene. My name is Julie.

MS. GEUEA JONES: Thank you. Potter; is that right?

MS. PAUTLER: Pautler.

MS. GEUEA JONES: Pautler. Pautler. Thank you, ma'am. I'm sorry. We just need it for the record. Staff? The answer, ma'am, is that we have a requirement for the number of parking spaces they have available that are off-street parking, but we don't limit the number of cars particularly. But we do require them to provide off-street parking to try to prevent street side parking. Anyone else to speak on this case? Okay. I will close public comment then.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment. Are there any Commissioner comments on this case? Commissioner Walters?

MR. WALTERS: I think that Anthony would have spotted this, the current listing shows it permits nine occupants. Like, make note of that and make that correction.

MS. GEUEA JONES: Oh, yes. Please do. I'm seeing nods from the applicant in the back of the room. Okay. Any other Commissioner comments? Anthony?

MR. STANTON: I love it when the applicant comes up and shows their face. It makes a difference, a significant difference to us.

MS. GEUEA JONES: Yes. Okay. Commissioner Loe?

MS. LOE: I have just one housekeeping comment. First, in that the short-term rental report includes more or less a boilerplate comment about the approval of this conditional-use permit supporting the Comprehensive Plan goal of mixed use, and I don't agree with that statement. I do agree that short-term rentals are commercial use, but I don't believe approving short-term rental CUPs, which primarily serve visitors to Columbia, not the local residents, is building a type of neighborhood scale mixed-use development that the Comprehensive Plan was describing in its goals. I just wanted to say -- I do appreciate the applicant being here. I appreciate that this is a STR that has good reviews. However, this does come up against two conditions that we have identified, one being a density in that its proximity to other STRs and this would -- we've also been discussing the proximity of STRs to schools, and this would represent the fourth STR close to this school within that 1,000 foot. So due to -- I'm afraid simply due to its location, and the other STRs we've already approved, I would not support this application.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Placier?

MS. PLACIER: Yeah. I realize we cannot, I guess, require the applicant to come forward, but given the location, I would appreciate hearing about screening of guests and any other security things that you have in place.

MS. ALTMAN: Sure.

MS. GEUEA JONES: Just one moment. I've got to do the housekeeping. You're fine; you're good. Stay here. We will reopen public comment so that we can hear from the applicant.

PUBLIC HEARING REOPENED.

MS. GEUEA JONES: Please state your name and address for the record. Thank you.

MS. ALTMAN: Hi. I'm Claire Altman; I'm the owner of 115 Clinton Drive. So I have two

driveways -- so to address the parking, I have two driveways, four cars, and I could open it up. It's a two-car garage, so it accommodates a number of cars. I was unaware of the condition about the short terms being close to schools. That was not stated as part of any of the criteria, so that was news to me. The other questions were about screening.

MS. GEUEA JONES: Yeah.

MS. ALTMAN: So the space, the -- it sits on a very large lot, and there are two driveways on either side. There's big trees in the front, and it's a very deep lot. On the sort of south side of the house, there's some natural foliage past the garage. On the far end of the lot, there -- it's all trees, that sort of edge, that line, the lot. And then to the north side, it's all bushes, as well as -- it's a lot of natural foliage that screens the entire three sides of the yard.

MS. PLACIER: I'm sorry. I must have created the misunderstanding. I was talking about the screening of the people who want to stay there. Do you have any questions you ask them, for instance, given your proximity to a school.

MS. ALTMAN: Yeah. So the Airbnb, when somebody requests a stay, we have certain thresholds for review, so, I, as the host, have reviews, but I can also review people who stay at my house, as well as other people -- you know, other renters have been reviewed, as well. So we have a threshold by which we don't accept applicants who don't have any verified stays or -- or low reviews based on noise or other issues that other hosts have identified.

MS. PLACIER: Okay. Great. And do you have any security equipment, cameras, whatever?

MS. ALTMAN: Yes.

MS. PLACIER: Not that you have to, but I mean --

MS. ALTMAN: Yes. Yes. I have a camera in the front and the back that monitor the doors. I have security on the garage, as well. I have smart locks installed on all of the doors, as well.

MS. PLACIER: Thank you.

MS. GEUEA JONES: Any other questions for the applicant? I have one quick one. So you -- you live here in Boone County, so you're also the designated agent; is that correct?

MS. ALTMAN: So I own the house, but I don't live in the house as my primary residence.

MS. GEUEA JONES: Right. But you're --

MS. ALTMAN: But, yes, I'm the agent. Yes.

MS. GEUEA JONES: Yes. But that matters somewhat because we want to make sure that, you know, that there's someone who is available 24/7 to respond to problems, that kind of thing. So that -- that's great. I just wanted to verify that.

MS. ALTMAN: Yes. I'm the one who does all the communication with the guests on the app.

MS. GEUEA JONES: Great. Any final questions? No. Thank you very much.

MS. ALTMAN: Thank you.

PUBLIC HEARING RECLOSED

MS. GEUEA JONES: Any further Commissioner comments?

MR. STANTON: I love that the applicant came up to represent their property.

MS. GEUEA JONES: Thank you, Commissioner Stanton. Anyone would like to make a motion? Anyone at all?

MR. WALTERS: I'll make -- I'll make the motion.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: I'd like to make a motion regarding Case 130-2025 to approve the requested STR CUP subject to the following conditions: A condition that maximum usage shall not exceed 200 nights annually, and the maximum of eight transient guests regardless of allowance permitted by the IPMC. If I didn't say that clearly, I recommend approval.

MS. WILSON: Second.

MS. GEUEA JONES: Motion made by Commissioner Walters, seconded by Commissioner Wilson. Is there any discussion on the motion? Seeing none. Commissioner Stanton, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones, Mr. Walters. Voting No: Ms. Loe. Ms. Wilson. Motion carries 6-2.

MR. STANTON: We have two nos, six yes, Madam Chair.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

Case Number 161-2025

A request by Stealth Rental Properties LLC (owners), for approval of a Conditional Use Permit (CUP) to allow the dwelling addressed as 1010 West Broadway to be used as a short-term rental for a maximum of eight transient guests up to 210 nights annually subject to the conditional use standards of Section 29-6.4(m)(2) of the UDC. The subject property contains approximately 0.26-acres, is located directly south of the intersection of West Broadway and Clinton Drive, is Zoned R-1 (One-family Dwelling), and includes the address 1010 West Broadway.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends approval of the CUP to allow 1010 W. Broadway to be operated as an STR subject to:

1. The maximum occupancy permitted within the dwelling shall not exceed eight transient guests regardless of potential occupancy allowed by most recently adopted edition of the international Property Maintenance Code (IPMC); and
2. A maximum of 210 nights of annual usage.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with a party to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Seeing none. We will open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If anyone has come to speak on this case tonight, please come forward.

Please come on. State your name and address for the record, and we'll give three minutes if you're an individual, six minutes if you're here for a group or the applicant.

MR. ODETTE: I'm an individual. Madam Chair, Commissioners, thank you for the opportunity to comment. My name is Mike Odette. I'm a recent retiree and homeowner at 1101 Sunset Lane where my family and I have lived for 15 years. This is the property directly behind 1010 West Broadway, the property in question. As you can see, the subject site is figuratively right in my backyard. The property in question is advertised on Airbnb as accommodating ten guests. It's been addressed. Thank you. There's a game room in the detached garage with a bar, ping-pong, darts, and foosball. The backyard has a large hot tub, a large dining table, two seating areas and two fire pits. As you can imagine, it's a great place for outdoor socializing. It's actually a really nice setup for groups to enjoy. They did a nice job of it, and groups do make frequent use out of it. As mentioned, 210 nights out of 210, it's hopping. Over the two years that 1010 has operated as a short-term rental, I feel that my family's quiet enjoyment of our backyard has been compromised. My children no longer want to use the backyard for croquet, badminton, disc golf practice, other family activities that we used to enjoy when there's a gathering going on at 1010. I refrain from doing yard work, such as mowing when I see guests in the 1010 backyard, which is a little bit inconvenient for me, but I'm an old Boy Scout, and I try to be friendly and courteous and kind. My bedroom is at the back of the house, and it's unsettling for me to be awakened in the middle of the night by voices in our backyard where the guests at 1010 are enjoying the hot tub or fire in the fire pit or late night games in the garage. In the interest of our family becoming better neighbors with the property owners, I propose that Stealth Rentals be asked to install a noise-mitigating and visual barrier solution, such as a privacy fence between our two properties that would restore our family's privacy and quiet enjoyment of our home in our backyard. I'm sure their guests wouldn't mind the added privacy feature, as well. For what it's worth, I do appreciate that Stealth Rentals requests in their listing that no parties or events happen, even though the request is made to preserve the home's pristine condition for future guests rather than to be considerate of the neighbors. Nevertheless, for whatever reason, I do hope their guests will honor this request. I don't think the consideration of a privacy fence is a whole lot to ask. If their CUP is approved, I do wish Stealth Rentals continued success in their business. Madam Chair and Commissioners, thank you again for your time.

MS. GEUEA JONES: Thank you.

MS. WILSON: Wait.

MS. GEUEA JONES: I'm sorry, sir. Are there any questions for this speaker? Commissioner Wilson?

MS. WILSON: Thank you so much for coming. First question, have you had an opportunity to actually speak with the applicant about your request for the privacy screening?

MR. ODETTE: That's a great question. Thank you for asking that. I see people back there and I will put a business card in my pocket with my phone number on the back and go back, and it's -- every time I've gone back there, it's been housekeepers or people working on the property. I would love

to meet somebody over the fence and shake hands and talk about this. I'm all for being good neighbors, and we're that kind of neighborhood.

MS. WILSON: Thank you. Thank you.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: What exists right now between the two properties? It looks like there might be a type of fence.

MR. ODETTE: There's a short picket fence.

MS. LOE: So when you were asking for more of a privacy screening, what are you thinking might help provide more privacy for your family?

MR. ODETTE: Something tall enough where they can't see us and we can't see them, and I believe it would mitigate the noise a bit, too, which we would appreciate.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions? Commissioner Placier, and then Commissioner Stanton?

MS. PLACIER: Yeah. This is the first time you used the term noise. Would you actually characterize the sounds coming from over there as noise?

MR. ODETTE: I'm not sure I understand the question. It's voices --

MS. PLACIER: Well, is it disturbing enough to -- to -- you know, to cause you to complain about the noise?

MR. ODETTE: It's not a call the cops type issue, but, you know, it -- it can wake me up in the middle of the night. And, you know, I'm not a huge fan of that, to be real honest.

MS. GEUEA JONES: Mr. Stanton?

MR. STANTON: You are a wonderful testimony, and I think you gave us a good picture being patient with your neighbor, understanding and giving that said neighbor an opportunity to use their land. I really hope they come up here and talk, and that you can work with the neighbors. It would be crucial for my vote that the -- that the applicant come up and address your needs, and I hope that you guys exchange information because it's crucial that neighbors get along when somebody that uses their residence property for commercial use. I really hope that they get ahold of you and I really hope they accommodate your needs. It will be detrimental for my vote that this occurs. Thank you for your participation.

MR. ODETTE: I appreciate your saying so. Do you like it when the applicant comes forward?

MR. STANTON: I love it. Because if they don't, it's detrimental to their vote.

MR. ODETTE: Thank you.

MR. STANTON: Yes.

MS. GEUEA JONES: Any further questions? Thank you very much, sir.

MR. ODETTE: Thank you for the opportunity.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward. And I'm just

going to tell you from experience, you're going to have to pull that microphone way up for us to hear you. Name and address for the record, please.

MR. HALL: My name is John Hall; I live at 604 Westmount Avenue, and we own the property at 1010 West Broadway.

MS. GEUEA JONES: Yes. I'm sorry. I'm going to have to ask you to do it one at a time, but we see you. Hi.

MR. HALL: So, first of all, thank you -- thank you so much for considering this application. A couple of things. I don't think we hit the 210-night maximum. I think we were around 180. I may have misspoken to you, but I would need to go back and recalculate that. But I don't think we were near that. And I want to say thank you so much for being here and speaking up on -- I'm so happy that he came up and said that. So -- because really, more than anything, my wife and I, when we operate -- when we bought this property, it was to -- you know, and we want to be good neighbors to everyone around us, too. And so if a privacy fence or some sort of noise mitigation thing would help, then we are 100 percent on board and we'll get it done immediately because we want to be good neighbors to everybody around us and we don't -- for sure don't want, you know, people to not have -- you know, not be able to enjoy their backyard. So any questions?

MS. GEUEA JONES: Questions for this speaker? Commissioner Ortiz, then Walters, then Stanton?

MS. ORTIZ: I was just going to say thank you because my question was going to be how long it was occupied. But actually in the staff report, it does say 180 days, so --

MR. HALL: It does? Okay.

MS. ORTIZ: Yeah. Yeah.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: Yes. Do you have posted hours for use of the hot tub and other things like that?

MR. HALL: So we have -- we have quiet hours that are supposed to begin at 10:00. I'll need to go back and review that. I believe that they're in there as 10:00. If they are not, we will go in -- I'll go in tonight and make sure that they are, because we do not want -- we've stayed at Airbnbs when we travel that have had posted hours outside and that's been nice because we don't want people in our backyard out at all-night -- you know, at all nights of the hour, so yeah.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Thank you, Mr. Applicant, for coming up and speaking with us.

MR. HALL: Yes, sir.

MR. STANTON: While we're talking about your posting, you still have ten people, so hopefully, like immediately --

MR. HALL: Yeah. That will be --

MR. STANTON: -- like in like moments --

MR. HALL: Yeah. Like -- yes.

MR. STANTON: -- they would change.

MR. HALL: Oh.

MR. STANTON: If it hasn't changed already, I'm really looking forward to seeing those changes on your advertising.

MR. HALL: It will change by the time I get home, yes.

MR. STANTON: In addition to -- and you're making me feel warm and fuzzy, and I don't like feeling that way up here, but I'm glad that you addressed your neighbors. The key to this being successful is that there is a community --

MR. HALL: A hundred percent, yeah.

MR. STANTON: -- communication, and, you know, everybody is kind of helping everybody, and everybody understands where everybody is at with the situation. So I definitely appreciate that and thank you for coming up, and thank you for addressing that. And I can't wait to make sure that your advertising is reflective of -- if you -- you know, you haven't got it yet, you're not there yet.

MR. HALL: Oh, we're not there yet, but it will -- it will -- it will change -- yes, it will change tonight.

MR. STANTON: But if you get approved -- if it gets approved, that you change it immediately.

MR. HALL: Yeah. Immediately.

MS. GEUEA JONES: In addition to that, I'd just say removing the ability to have parties of up to 20. Commissioner Wilson?

MS. WILSON: I was -- yes. And --

MR. HALL: I didn't realize that was in there, and I'm sorry.

MS. WILSON: The second there. Well, your supplemental application says no, there's no large parties or gatherings, so just making sure that that's enforced. And then you've heard your neighbor request some type of screening to protect him and his family. Are you amenable to that?

MR. HALL: A hundred percent, and I'm going to get his contact information hopefully tonight, and after the meeting, and we can decide what -- what's best for him, whether that be a wood fence or whether it be trees or whatever it is, we're 100 percent amenable to it.

MS. WILSON: And I have a point of order. Is that something that we can add?

MS. GEUEA JONES: We haven't done it thus far, but I think we can add it as a condition.

MS. WILSON: Thank you. Thank you.

MS. GEUEA JONES: Commissioner Stanton

MR. STANTON: I was just going to piggy-back -- piggy-back on my colleague's concern and the party, 20 -- I'm sure you'll get that adjusted, if you get approval. Right?

MR. HALL: That will also be addressed immediately, yes, sir.

MR. STANTON: And for just future reference on the record, we're looking right at your app as you're talking, so as you're telling us your story, there's four computers up there running through your whole situation, so just future for anybody else that's going to step up. Thank you, sir.

MR. HALL: Thank you so much.

MS. GEUEA JONES: Sorry. One -- I just want to say, it is beautiful, so --

MR. HALL: Thank you. Thank you.

MS. GEUEA JONES: So we're not trying to be too harsh on you, we're just trying to make sure we get everything done.

MR. HALL: No. And I'm glad, and this -- honestly, this has been great, so I'm glad. It's been good.

MS. GEUEA JONES: Wonderful.

MR. HALL: So thank you so much.

MS. GEUEA JONES: Thank you.

MR. HALL: Thank you.

MS. GEUEA JONES: Okay. And anyone else to speak from the public on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments on this case? Commissioner Wilson?

MS. WILSON: I just want to say thank you to the neighbor and thank you to the owner, and thank you for being good neighbors and working things out with each other. That helps make this process easier and we appreciate it. Thank you.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: You know, we -- at our work session, we were talking about some of the changes to the STR and, you know, this moment that we've all seen here tonight. You know, if we go to administrative approval, a lot of these things, we might lose some of these moments, which I don't think is a reason to not do some of the things we contemplated during the work session. But we might want to consider some type of method, maybe it's a listing on the City's website or something so that folks like Mr. Odette do know who they can call when they do have an issue such as this. So I think this was -- this was a really great example tonight.

MS. GEUEA HONES: Anyone --

MR. CRAIG: Madam Chair, if I may before the motion is made on the application --

MS. GEUEA JONES: Yes.

MR. CRAIG: -- I just want to point out, too, both to the applicant and Mr. Odette and to the Commission that, you know, per the ordinance, gatherings of eight or more are prohibited and also noise ordinance violations do kick in at 10:00. So although this Commission certainly may entertain and propose conditions, sometimes the least burdensome way is to stick with the provisions of the ordinance. However, if the applicant is amenable to -- to that condition, then I think that's appropriate for -- for this Commission to -- I see no -- no problem with proceeding with that as a condition, so --

MS. GEUEA JONES: Thank you very much, Counselor. Any other Commissioner comments? I would -- oh, sorry. I would say how I would phrase it to provide the most flexibility between the

neighbors is to say that the condition is he communicates with his neighbor about possible screening. Those two homes are very close to each other. You can see that in the pictures in the advertisement, so I think it's reasonable in this case to say the two neighbors need to have that discussion. And as long as they have that discussion, whatever they come up with between them, we don't need to be overly prescriptive. Are you amenable to that, Commissioner Wilson?

MS. WILSON: Uh-huh.

MS. GEUEA JONES: Yes. Okay. Any other Commissioner comments? Oh, I'm sorry. Mr. Zenner?

MR. ZENNER: Madam Chair, that type of condition --

MS. GEUEA JONES: Uh-huh?

MR. ZENNER: -- is far too broad for us to be able to lock down as to what it is that is considered acceptable. We have multiple screening standards in the Code, which I would prefer that if we're going to attach a condition of this nature, we attach it to something that is measurable that we already have, so as a part of the inspections process before licensure is fully granted, we are assured that the minimum of what you have established as the condition has been met, if the owners agree to do something far more significant, yahoo. But, at a minimum, we can't just leave it to, well, talk, and we don't know what they talked about, and we don't know if they've met the requirement, and then they walk away and the owner of the -- the affected owner may be not satisfied.

MS. GEUEA JONES: Where would a traditional privacy fence on a residential property fall in that list?

MR. ZENNER: So when we look at screening and buffering, our transitional buffering table, which is Table 4 -- 4.4-4, and if I look at our zoning here, which is it's single and two-family against single and two family, but we have what we would consider a non-residential use. And so in the buffering and screening table, when that condition exists, there is a level two screening buffer, and the level two screening buffer requires a four-foot-wide landscape strip and a six-foot-tall privacy device -- screening device at a minimum. So that means if the owners do discuss amongst themselves that they want an eight-foot screening device, we don't care. What we're going to be looking for from the inspections perspective for neighborhood services is there is at least a six-foot tall fence, and then a four-foot-wide landscape or planning strip, so it could be mulched or something along those lines. It would be an enhancement on the backside, on the owner's side, the operator's side, but it would also then provide some additional vegetative screening against the hard surface if they were doing a fence for the screening device itself.

MS. GEUEA JONES: Can you tell me the level again?

MR. ZENNER: Level two.

MS. GEUEA JONES: Thank you.

MR. ZENNER: And then the next -- if the Commissioner wants to entertain, if you're not satisfied with that level, the next level up in the buffering and the screening table is a level 3 buffer, which is an

eight-foot-tall screening device, but a ten-foot-wide landscape buffer which may be excessive given what's going on.

MS. LOE: Level one doesn't have a height.

MS. GEUEA JONES: Level one doesn't have a height, it's just --

MR. ZENNER: No. Level one doesn't have a screening device, it's just a buffer.

MS. GEUEA JONES: It's just buffering. Okay. All right. Any further Commissioner comments or discussion from staff as we contemplate this? Commissioner Brodsky?

MR. BRODSKY: Just talking about the screening, you know. I used to live on Ash Street in a very similar neighborhood, you know, the housing spacing. I would suggest that we consider an eight-foot-tall fence with that four-foot vegetative buffer, and kind of mix those two.

MS. GEUEA JONES: Okay. I -- anyone else have a comment to that? If not, I do. I would be more comfortable sticking with the six-foot, four-foot, and allowing the applicant and the neighbor to decide what's appropriate. I'm trying to give them as much flexibility as possible. We're talking about two pieces of private property that are both residential R-1. I think they're both adults. They can work it out amongst themselves. I don't want to be overly prescriptive. Anybody else? Yes. Commissioner Placier?

MS. PLACIER: Well, just to respond to what -- if we're throwing out suggestions, this is a good example of something we could put in the short-term rental things and that is notifying all neighbors of our identity and how to reach us, because Mr. Odette did not know how to reach the owner.

MS. GEUEA JONES: Yeah. And I would also point out that starting June 1, there will be a hotline specific for STR issues that may provide people like Mr. Odette a place to go where they don't have to necessarily know who the owner is. And that's one of the reasons we did this ordinance, to provide a place for people to call. All right. Any further Commissioner comment or discussion? Commissioner Wilson?

MS. WILSON: Yeah. Since I am the one who made the suggestion, I think I'll attempt the motion. In the case of Case Number 161-2025, 1010 West Broadway, STR conditional use permit, I recommend the approval of the requested STR CUP subject to the following: 210 nights of rental, maximum of eight transient guests regardless of allowance permitted by the IPMC, and a -- how do I say this? And that the neighbor and the applicant that represented tonight discuss and agree upon a level two screening between their properties that requires a four-foot-wide landscape buffer, and a six-foot-tall screening device.

MS. GEUEA JONES: Satisfied, Counselor?

MR. CRAIG: And we agreed that that was -- level two was --

MS. GEUEA JONES: Yeah. Yeah.

MR. CRAIG: I'm fine with the motion is as presented.

MS. GEUEA JONES: All right. Is there a second?

MS. ORTIZ: Second.

MS. GEUEA JONES: Thank you. Motion made by Commissioner Wilson, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. If you ready, Commissioner Stanton, may we have a roll call?

MR. STANTON: Ready to rock and roll, Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 8-0.

MR. STANTON: We have eight yeses, Madam Chair.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council, and hopefully we've developed a new friendship tonight. All right. Last case for the evening.

Case Number 162-2025

A request by Xiao Yien Lim (agent), on behalf of Signature Collections LLC (owner) to allow 221 Brenda Lane to be used as a short-term rental for a maximum of eight transient guests and up to 210 nights annually pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The 0.27-acre subject site is located at the end of Brenda Lane on the left side of the cul-de-sac.

Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 221 Brenda Lane to be operated as an STR subject to:

1. The maximum occupancy permitted within the dwelling shall not exceed eight transient guests regardless of potential occupancy allowed by most recently adopted edition of the International Property Maintenance Code (IPMC); and
2. Both parking spaces within the attached two-car garage being made available when the dwelling is being used as an STR; and
3. A maximum of 210 nights of annual usage.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Ortiz?

MS. ORTIZ: So sorry if I missed this, but is this currently being used as --

MR. HALLIGAN: It has not been previously used as a short-term rental.

MS. ORTIZ: Thank you.

MS. GEUEA JONES: Anyone else? I have a question. But we do think that it was listed on Furnished Finder. Is that -- I guess I can wait and ask the applicant.

MR. HALLIGAN: Yeah. The applicant -- it has not previously been listed, but the applicant has provided the list -- what the listings will be on Zillow --

MS. GEUEA JONES: Oh, okay.

MR. HALLIGAN: -- and I believe Furnished Finder, yes, but it has not previously been listed.

MS. GEUEA JONES: Okay. Thank you very much. Last call for questions? Seeing none.

OPEN PUBLIC COMMENT

MS. GEUEA JONES: Any member of the public who wishes to come up, please come up. You don't have to raise your hand. Please state your name and address for the record. Speak directly into the microphone, and three minutes.

MS. BERGIN: My name is Laura Bergin; I live at 218 Brenda Lane. So across the cul-de-sac and -- and a little bit -- that would be south -- okay -- of the property in question. I have lived -- I went to Mizzou in 1977 to 1981. That was a long time ago. I've lived in Columbia for 48 years. In 2003, I moved to 218 Brenda Lane with my four-year-old daughter, so I've lived on Brenda Lane for over 21 years. Brenda Lane has always been a quiet street, and except for Roots N Blues Festival and Fourth of July fireworks, there haven't been issues with excess traffic and noise. We don't have sidewalks, but neighbors can walk down the street without worry of getting hit by a car because we know each other. We know where the kids live, and there are young families on our street. I'm concerned about them. I have met most of my neighbors on Brenda Lane. When I retired in May of last year, I thought this is the year that I will really get to know my neighbors and maybe even start a neighborhood group for safety, for socializing, just generally looking out for one another. But life happened and I didn't get anything started. In February and March of this year, I noticed 221 Brenda Lane was sold. It had been on the market for a little while. It was sold. I knew the people there. When I moved in there, I knew that it was a multi-generational family who lived there, the Foxes. Anyway they sold it, sold the property, and I noticed more and more activity was taking place over there. At the end of March, before I left to go visit my daughter in Minneapolis, I thought when I get back, I'm going to go meet the new neighbors, take them some cookies, you know, roll out the welcome wagon. And then I get back from Minneapolis, and I find these on my front door and under my door mat, these postcards. I didn't make the cookies. Two weeks ago, I decided to go over across the street and meet the owners. I saw somebody over there, and I asked for the owner. A man came out, said his name was -- he said he was the owner, and he said his name was Hero. I'm not sure I'm pronouncing that right, so I apologize. I told him, I said this type of development here, this type of use, I don't welcome that, and neither do my neighbors who already live here. And I had to clarify for him, because I wasn't sure he was understanding me because he was pointing to the sign. I said let me be clear. You are welcome here. You, if you bring your family here, you're welcome here. Or if you sell this house to eight -- a family of eight, they would be welcome, but this use, as it is, is not welcome. This isn't a family. Eight transient guests, that's not a family, that's a party. We live close to downtown. We live close to the University. It's a college town. People like to party. You know this. I know this. Everybody knows this. Hero assured me no, no, no parties. People are going to break rules. They'll take their chances. They do this. They take it with parking, they take their chances with parking. They're, like, okay, we'll get a ticket, that's fine. That's fine. You know, it might -- it won't impede on our good time. We'll just take the ticket and we'll pay for it. I've seen it happen when I worked at Boone County Family Resources, and we had the neighbors there, and they

took our parking. We needed the parking for our disabled clients, our people with -- our clients with developmental disabilities. But they used our parking. They didn't care. Mom and Dad were going to write the check for the ticket. Anyway -- or for the towing. So anyway, I'm sorry. I digress, but I'm -- anyway. Okay. So people break rules. They have parties. We know this. What else? I don't know what to say. I'm just like --

MS. GEUEA JONES: That's okay, ma'am. Your time is up. Is that -- did you have any final comments or can we ask you some questions?

MS. BERGIN: I have a couple of questions for you, and these are like hypotheticals. Have any of you visited Brenda Lane, other than visiting it on a map? And my other question is, would you want this type of short-term rental next door to you or next door to your parents or grandparents, if you're young enough to have -- fortunate enough to have grandparents still. Those are my questions, and I'm -- oh, yes. Thank you for the opportunity to talk, and if you have questions, I'm happy to --

MS. GEUEA JONES: Thank you. Any questions for this speaker? I seeing -- oh. Commissioner Loe, go ahead.

MS. LOE: Thank you for coming up, Ms. Bergin. I was curious. Are you familiar with the ramifications if the rules are broken?

MS. BERGIN: No.

MS. LOE: So --

MS. BERGIN: The ramifications if the rules are broken?

MS. LOE: You're acting as if --

MS. BERGIN: The ramifications are I get woken up in the middle of the night. I -- I have to deal with somebody who is, you know, making noise. It's going to happen. I'm just -- I'm -- I feel sure of it.

MS. LOE: Are you aware of anything beyond that?

MS. BERGIN: No. What would you like to tell me?

MS. LOE: So if they're licensed, and if you do call the hotline and complain --

MS. BERGIN: Which I don't know the hotline --

MS. LOE: It's coming. If there are -- they can have the license removed. So if it is a problem, it can be resolved or it can be terminated.

MS. BERGIN: I would like us not even go there to begin with, because I feel like this isn't a good fit for our street. It's not a good fit for our neighborhood.

MS. LOE: I understand. We went through a long process to adopt a procedure and it has been -- it's a use that is now -- has a place in our neighborhood, so that's why we're here today. Thank you.

MS. GEUEA JONES: Thank you. Oh, sorry. Commissioner Stanton, and then Commissioner Ortiz?

MR. STANTON: Good evening.

MS. BERGIN: Good evening.

MR. STANTON: So I hear your -- I hear your sentiments. So how can we fix this if you were them? I understand your position, but I'm -- I'm also looking at it if someone was telling you what to do with your house that you bought with your money, you see what I'm saying? So I'm playing devil's advocate. They have a right to use their land like you've got a right to use yours. It's a -- it's a residential property. You can do the same thing they're doing, so it's about the use of your land. So how do we make this a win-win, and they have -- they have the same rights to feel the way you do about what they're doing as you do about what you're doing.

MS. BERGIN: I think -- I feel like the difference is that I bought my home with the intention of living in it with my daughter. I believe, I don't know this for a fact, but that the owner bought the property with the intention of turning it into a short-term rental conditional use.

MR. STANTON: Short-term rental?

MS. BERGIN: And a use that doesn't fit our neighborhood.

MR. STANTON: So what if this was a rental?

MS. BERGIN: But they weren't already there like some people have. They're already there and they've decided to do it. I have friends who have decided to do short-term rentals, you know. Not to this size -- not this size, but --

MR. STANTON: But what if there was a long-term rental property, would you still have the same opposition?

MS. BERGIN: I have -- I have neighbors who -- I have my neighbor to the south of me who -- she's lived there for years. But if it's -- if it's year to year, I mean, I'll get to know them in a year. These are strangers that come and go. They don't have an investment in our neighborhood, and so this is a concern of mine. If they have a year lease, at least I have a chance of getting to know them. They'll have a chance of getting to know where the kids in our neighborhood live, and -- and try and be careful not to --

MR. STANTON: Thank you.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: Hi. I guess I have a clarifying question. When you said that when the property was sold, you saw more people coming and going. Is it your impression that these people were staying, as in it was operating already as a short-term rental?

MS. BERGIN: No.

MS. ORTIZ: No? Just --

MS. BERGIN: No. I thought they were just fixing it up. I just thought it was a private owner who was just fixing up his -- the house to get ready to move into.

MS. ORTIZ: And so when you introduced yourself to the owner, that was confirmed and in that moment that --

MS. BERGIN: The sign was already in the yard. I knew --

MS. ORTIZ: Okay.

MS. BERGIN: Or I knew what was happening at that point, and I had these cards saying it was going to be --

MS. ORTIZ: Okay. Thank you.

MS. GEUEA JONES: Any further questions? Commissioner Walters?

MR. WALTERS: I just want to comment on Commissioner Loe's early statement about the complaint process, which is brand new, and it hasn't been publicized very well. I'm sure you're -- many people are not familiar with it. So just to clarify, if there are two confirmed instances where complaints are provided to the hotline or to the City, and they're confirmed to be accurate complaints, then they can revoke their license. So I don't know if this gives you great comfort, but at least you can know that it should not be a problem that would be with you months and months and months, hopefully.

MS. BERGIN: I just don't want to go down this slippery slope, and having a -- a neighborhood that's -- it's a dinosaur, it's a unicorn, call it what you want, it's becoming extinct.

MR. WALTERS: Okay.

MS. BERGIN: And -- and if we don't protect unique neighborhoods like this in Columbia, they're going to be gone, and that's my concern.

MR. WALTERS: And also, one other point that some people often overlook in these sort of things is that some people will rent to traveling nurses and will rent to one to two to three months at a time. They're not just all weekend party people or just people here just for a football game, so anyway just to broaden the context a little bit about what the hope is for the -- for the ordinance here. Thank you for coming though.

MS. GEUEA JONES: Thank you very much, ma'am. Anyone else from the public to speak?

MS. MEYER: Hi. Madam Chair, members of the Commission, my name is Krista Meyer. I live at 217 Brenda Lane. I have lived there since 2008, and I believe that you have a letter in front of you that I submitted last week. So I don't want to belabor the point, but I did want to show my face to you, answer any questions that you might have. We love living on Brenda Lane, my husband and I. I bought the house in 2008 as a fresh college graduate, and I now live there with my husband and my two children. It's the ideal situation for us. We love our street. Our -- my daughter is four and a half, my son is almost two. We are that young family that lives on the street. I think that's why a lot of neighborhoods aspire to be is a neighborhood that has young families, has some diversity in it, as far as, like, ages and backgrounds and that kind of thing. We don't want a short-term rental at the end of the street. It is at the end of the cul-de-sac, so whoever stays there is going to be driving past every single yard of the young families that live there, and they don't have the ownership of the neighborhood that we do. So I actually do think that you have a quorum of the residents of Brenda Lane here tonight to speak opposed to this. The one good thing that has come out of this is it's really had us all connect better as neighbors. We are all very unified in not wanting this on our street. We are just very worried about the slippery slope of it, and when I bought my house in 2008, I thought I was buying a house in a quiet neighborhood. I didn't want to buy a house next to a hotel. If I wanted to live next to a short-term rental, I would have

bought a house next to a hotel. I would have bought a house downtown where people can rent rooms. That's not what I bought. So I'm happy to answer any questions.

MS. GEUEA JONES: Are there any questions for this speaker? Commissioner Wilson?

MS. WILSON: Thank you for coming. My question would be what evidence do you have that this will be problematic for you and your neighbors, and have you spoken to the owner?

MS. MEYER: I mentioned in my letter no one from the -- none of the owners, that no one that's associated with this property has contacted me or my husband or anyone that lives in our home about the fact that they purchased this property and about their wishes.

MS. WILSON: That's an interesting statement, because they don't have an issue with you, you have an issue with them. So wouldn't you contact them? Why would they contact you?

MS. MEYER: Well, my yard doesn't have a giant banner in the front yard telling the public about what's going to happen on my property.

MS. WILSON: And that was the contact.

MS. MEYER: Yeah. I'm just saying, you asked the question. That is -- what is what happened.

MS. WILSON: But my question was, did you contact your neighbor and speak to them?

MS. MEYER: No. They don't live there, so I don't know how to contact them.

MS. WILSON: Fair enough. Thank you. And the second part of the question is, what is your evidence that this would be an issue for you?

MS. MEYER: Oh. It -- have you been -- I mean, I don't have any evidence. How could I possibly have evidence of what's going to happen in the future? But we have all been in neighborhoods in Columbia where people are in short-term rentals or rental properties, and the idea of who is going to come live in our neighborhood, and we don't know who they are. We have two small children, our next-door neighbors have two small children. They are next door to this property, and I think they're going to come up and talk to you soon. It is just very concerning. If it was a family moving in as a long-term rental or something like that, it's just a short-term part of the unknown. Like, you're right, I don't have any evidence, but I also don't have evidence that it's going to be good, either.

MS. WILSON: And that's what makes this a decision that is one that we want to utilize the rules that are available to us.

MS. MEYER: Yeah.

MS. WILSON: Because we can't make decisions in conjecture.

MS. MEYER: Yeah. I completely understand that, and that was one of my concerns as far as, like, what the rules are, and I just didn't know if the applicant meets all of the requirements that are laid out, if it's just rote and you just have to sign off on it because they meet the needs, or if you have the ability, the latitude to say no to this based on the public testimony. I wasn't clear on how that process worked, which is why I submitted a letter and also took several hours away from my family tonight to come and speak with you.

MS. WILSON: Thank you for coming, and nothing is ever rote, and we very much appreciate the comments, and I understand. As a homeowner, I get it. I also understand, as a homeowner, points that have been made by my fellow Commissioners earlier that when you purchase a piece of property, you have expectation of use of that property, and this is an allowed usage. And so, as a result of that, we have to consider that as well.

MS. MEYER: And I completely understand that, but that's also why this Zoning Commission exists. Why do we have zones at all? If -- if everyone can just buy their property and do whatever they want with it, why do we even have zoning laws would be the flip side of that argument to me.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Good evening. Good evening.

MS. MEYER: Oh, I'm sorry. Hi.

MR. STANTON: I'm going to ask the same question.

MS. MEYER: Uh-huh.

MR. STANTON: You have a right and expectation in the use of your land.

MS. MEYER: Uh-huh.

MR. STANTON: You could do the same thing they're doing, but you choose not to?

MS. MEYER: Right.

MR. STANTON: I don't know many neighborhoods, unless it's a gated community and that's kind of out of scope, that you can kind of like dictates who stays by you. I live -- I wanted to get on that, but okay. What's a win-win? If you were them, and I'm -- what I'm -- so I hear this testimony and I hear your strong position on why you want your property and what you're expected to happen there, and blah, blah, blah, blah, blah. Right? Flip that view from their point of view --

MS. MEYER: Right.

MR. STANTON: -- and what -- how can we make this -- how could you two become good neighbors? If they're there or not, they own the land. They have a right to buy it, own it, use it within the scope of what is allowed, and I asked you a question about zoning, and why we exist. We kind of work in that gray area. There is some cut and dried stuff.

MS. MEYER: Right. Yeah.

MR. STANTON: And in some cities, this is enough cut and dried that you wouldn't even have seen it.

MS. MEYER: I completely understand, yes.

MR. STANTON: So Columbia is really unique in that we're -- this is that gray area that we are intaking the public information, us and our experiences up here or weighing that information because this kind of fits in a gray -- kind of.

MS. MEYER: Right. And I appreciate that, and I don't know if I said it at the beginning. I do appreciate all of you serving on this board and taking time away from your lives and families because this civil service is incredibly important. So I wanted to make sure that I said that. I -- to answer your

question, the street is zoned R-1, so when I bought my house, I thought every house was going to be used R-1. I don't think in 2008, Airbnbs even existed.

MR. STANTON: Yeah. That just happened, but it's still R-1.

MS. MEYER: Right. Right. Well, right. So that's why I'm here. Like, I'm -- I'm here because this is not what I want in my neighborhood. That's why you guys issue the conditional use permits or don't issue the conditional use permits, So that's what I'm here. It's -- it's not my job to make it a win-win situation. It's my job to advocate for myself and my family as a property owner, and people that live on the street. So I'm not going to necessarily offer -- if it was a long-term rental, that's totally cool with me. If it's owner occupied, that's totally cool with me. I don't want hundreds of cars going up and down our street every year of people that don't live there and don't have any investment in the neighborhood. That's my -- that's my issue.

MR. STANTON: I'm just going to respond. You're right. It's not your job, but it's my job to try to glean that --

MS. MEYER: Uh-huh.

MR. STANTON: -- because I'm trying to make two property owners be on the same page. So if you don't want to help, then I just go off of -- if I don't have your input and your opinion about it --

MS. MEYER: Well, that's why I'm here. That's why I'm here, and that's why I sent a letter.

MR. STANTON: Yeah. So, you know, I get it. It's not your job. It's my -- it's our job to decide if --

MS. MEYER: And you get to decide if you issue the permit or not.

MR. STANTON: Okay.

MS. MEYER: That's everybody's role here.

MR. STANTON: Thank you.

MS. MEYER: Yeah.

MS. GEUEA JONES: Thank you. Any -- Commissioner Ortiz.

MS. ORTIZ: Hi.

MS. GEUEA JONES: I'm sorry, Commissioner Loe was on the list. I'm sorry, Commissioner Ortiz. I'll put you down next.

MS. ORTIZ: Okay.

MS. GEUEA JONES: Sorry.

MS. LOE: Hi. I just want to clarify one point. I had said earlier that the short-term rental has been determined by the City to be a use that's allowed in residential neighborhoods. But whether or not it's permitted as an accessory use or requires a conditional use permit, that we were discussing this in work session earlier, it depends on who's applying and since this is not a principal residence, it's -- it is -- it's not a straight out permitted use, which is why we're going through the conditional use permit. And they do have to meet certain criteria in order for that use to be allowed, and that -- and it does include a public hearing, which is what we're doing now. To be frank, it appears to meet the general criteria. And

to be also perfectly frank, we do consider public comments, but when it's speculative, it doesn't carry the weight as when an STR has been in operation and has been proven to be a bad operator. As Commissioner Wilson has brought up, how -- how can we know if this will be a problem? And this is one of the reasons that we listen to public comment in case someone has been a bad operator, but it's also the reason that we have conditions in place that, if someone is approved, because they have not been in place and they do prove themselves to be a bad operator, we can relinquish that permission.

MS. MEYER: Uh-huh.

MS. LOE: So frankly in a situation where they haven't been operating, we tend -- this -- we have tended to approve it and there is a burden on the neighbors, I'm afraid.

MS. MEYER: That's -- I mean, all I'm doing is all I'm able to do, which is come and testify.

MS. LOE: I understand.

MS. MEYER: I don't have a crystal ball. I just want to let you know what we think is best for our street and our family.

MS. LOE: And I understand, and I hear you, and I'm just trying to explain how the process has been working.

MS. MEYER: Oh, and I understand -- yeah. I understand how the process works and I appreciate that.

MS. LOE: Thank you.

MS. GEUEA JONES: Commissioner Ortiz.

MS. ORTIZ: I feel like Commissioner Loe got the point I was going to make across. Thank you.

MS. GEUEA JONES: I have a question. Brenda Lane is a -- is a cul-de-sac --

MS. MEYER: Uh-huh.

MS. GEUEA JONES: -- but it opens onto Stephens Lake Park?

MS. MEYER: Right. Yeah. We're across Walnut Street from Stephens Lake. Yeah.

MS. GEUEA JONES: Yes. And I have been on Brenda Lane --

MS. MEYER: Uh-huh.

MS. GEUEA JONES: -- and not because of this case. And I guess my question is, do you not already have a lot of folks coming and going, parking up Brenda for art events, any of that ever?

MS. MEYER: Once Roots N Blues stopped -- and so we had some issues with Roots N Blues, and then they really locked it down, and we had to have permits to get in our own neighborhood, so there were no people -- we -- every house was issued permits for parking during Roots N Blues. So we do not have people parking on our street to go to the park ever.

MS. GEUEA JONES: And -- but they do park along Walnut?

MS. MEYER: No. There's no parking on Walnut

MS. GEUEA JONES: Well, okay. Well -- I feel like when I'm there for stuff, I always see people parked along Walnut even though they shouldn't be.

MS. MEYER: Oh, it's -- I mean, it's not wide enough to park on.

MS. GEUEA JONES: Okay. So my other questions is, it appears that they have very recently listed it as a month-to-month furnished rental for things like visiting nurses, visiting professors, professionals who are moving to the area, that sort of thing. And -- and this is very recent, so I don't think anyone has moved in. Does that use also bother you if we're talking three months?

MS. MEYER: Well, I -- there's not a different permit for that. Right?

MS. GEUEA JONES: It's a long-term rental certificate.

MS. MEYER: Oh, if that's a -- yeah. If there's a long-term rental, that's totally fine with me. It's the night to night that is concerning to me.

MS. GEUEA JONES: So you're fine with it being a furnished rental for 31 days, but a week --

MS. MEYER: I haven't really contemplated that --

MS. GEUEA JONES: Yeah.

MS. MEYER: -- but some -- right here on the spot in this moment, that sounds a lot better to me than just people coming in for the weekend.

MS. GEUEA JONES: Okay. Thank you very much. Any final questions? Seeing none. Thank you very much, ma'am.

MS. MEYER: Thank you much.

MS. GEUEA: Next member of the public to speak?

MR. LAMB: Good evening, Council. My name is Dave Lamb. Me and my family live at 210 Brenda Lane, and I believe you guys have an e-mail from me that was sent in. I kind of echo everything that anybody else has said, so I won't rehash what's already been said. I appreciate the information that you guys have given, discussion of the guardrails that are being attempted to be put in place. Mr. Stanton, to kind of, you know, answer your questions that you will inevitably ask of what would have been great, I would have loved a knock on the door. And I understand Wilson yelled -- it's not their job to do that, it's my job to complain. But when you're thinking about buying a property for I believe it was listed for \$300,000, with the intent to turn into a rental or a short-term rental, I think it would have been really gone a long way to say, hey, this is what we're thinking about doing. We're looking at purchasing this property. I think that would have been the closest, like, win-win I could have gotten. We have children. We're another one of the young families. We have five, two, and a five-month-old right now, and my son is learning to ride his bike up and down the street. During the renovation process, I work from home, as well. I'm a remote worker. I transitioned during Covid, and I have a very kind of rear window aspect, if that's a reference anyone gets, of looking out my office window. During the renovation process, the contractors were going up and down the street well above the speed limit multiple times a day to answer, you know, that whole -- the whole hypothetical. I don't know that it's necessarily a hypothetical, say if it was a short-term rental of 210 nights a year, even if it's one person, they go up and down the road once, that's 420 trips that that person -- that that could be made additional. So that does concern me. Obviously, my son is learning to ride his bike, I -- my two-year-old loves to accompany us, walking up and down the streets. We go for walks in the park frequently. But those are kind of our concerns. Again, I

don't have a crystal ball. I can't speak to -- (inaudible) -- and I don't try to. We also own a place at the Lake of the Ozarks, and we have -- anecdotally, we have had major issues with one of our neighbors who converted their cabin into an Airbnb. Obviously, the lake is a different animal than Columbia is by miles and miles geographically and otherwise. But just anecdotally, I know what I've had to deal with there with intrusion on our property, loud noises, people waking my kids up when we have spent weekends down there. So again, not someone that we welcome in our neighborhood. I think they could have done a lot more legwork on the front end to remedy some of these situations that they did not do, and we were blindsided like everyone else in the neighborhood with here's a postcard, this is happening. You need to, you know, do your job to say that you don't want it in your neighborhood. So, you know, I would say that we still don't want it in our neighborhood. We enjoy the quiet. We enjoy the privacy. We enjoy the cul-de-sac aspect of it. And if it wasn't a cul-de-sac, I think I'd have less of an issue, but the fact that it is a cul-de-sac, at the end of the cul-de-sac, anyone that stays there has to drive past us to get there and past us to come back. And, you know, I don't know how many children anybody else here has, but wrangling three kids into the car in the morning is not a fun thing. I'm sure some of my neighbors have seen me chasing them around the front yard trying to get them out of the door. But that's all I had, and I'm sure I'm probably encroaching on three minutes. And we are getting close to 10:00 at night, and my kids are all asleep, so --

MS. GEUEA JONES: Any questions, Commissioner Wilson?

MS. WILSON: Thank you.

MR. LAMB: You're welcome.

MS. WILSON: I appreciate your articulation of how you feel, and that's very meaningful for me. I would say, because you've been here the entire time, that you were witness to an earlier case, and so you kind of saw how things go well when neighbors communicate.

MR. LAMB: Yes.

MS. WILSON: I will also say that being a person of high anxiety, sometimes it's not always easy, but you should still do it, to introduce yourself to your neighbors and let them know what you're doing. You make an excellent point. And since the applicant is here, and they've heard you, I hope that that is what happens this evening.

MR. LAMB: Yeah. I welcome it and I would love to be able to be in direct contact with them and not have to go through the process of filing a complaint, you know, anything like that, because, yeah. It's not -- not an ideal situation for anybody.

MS. WILSON: And to another point, and Mr. Stanton usually -- Commissioner Stanton usually makes this point. Now you know, so since you know, make sure that we communicate well with each other. Thank you. I appreciate it.

MR. LAMB: Thank you.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: My only question and I was out of the room, were you a person that also submitted

a letter, or are you --

MR. LAMB: I did, yes. I submitted an e-mail to I believe it was Ross Halligan. I may be --

MS. ORTIZ: Well, sorry. What was your name?

MR. LAMB: My name is Dave Lamb.

MS. ORTIZ: Oh, okay. Cool. Sorry. I just wanted to put a fact to the letter. Thank you very much.

MR. LAMB: No problem. Thank you.

MS. GEUEA JONES: Any further questions for this speaker? Seeing none. Thank you very much.

MR. LAMB: Thank you for your time.

MS. GEUEA JONES: Next speaker, please come forward.

MS. TEW: Hi. I don't have a problem with raising it up. My name is Patricia Tew; I have lived on Brenda Lane at 211 Brenda Lane for 27 years. I am now the one on the street who is the old person. I would say that I have several concerns about -- about this issue, and my concerns revolve around the safety of that street. It's a dead-end street, and there are no sidewalks, so that anytime we want to go to the park, which is a real short walk, and I go there at least once or twice a day, every day, unless it's icy, and then I don't want to break a hip, so I stay away from there then. But every other time, I'm there at least once or twice, so that's a lot during the year. When you think about the number of years I've been there, I've put on lots of miles and worn out lots of shoes. So -- so I personally use this, and other people do, too. And there's -- so we have to walk down the street. Now I don't worry so much about me because I can -- my hearing is still good enough I can hear cars, but it's the kids on the street that I worry about. We've got several families now that have children under five. I don't know. Sometimes even adults don't watch when they're going across a street, and so if you've got somebody on this dead-end street that has to go up there and back down there, then that could get to be a problem if they're unfamiliar with the street and with the kids that are there. Brenda Lane will abut and go into East Walnut, and East Walnut is -- when you said do they park on it, well, no. There's no shoulders on that road. It's a narrow, two-lane road that in the wintertime, I'm always afraid I'm going to go off into the ditch, and the ditch is something you have to get a wrecker out would take to get out of there. You can -- if you went there today, there's some houses down at the end of our street. You can see the ruts where some cars have gone off there because they were trying to avoid another car, because it seems like it's that close. So that would be one concern, and then East Walnut, as you go up to Old 63, that is just a historically bad intersection, and I think that people on -- I see somebody is shaking their head yes. And so that gets to be extra traffic. So if they can have eight people in there, they could have eight extra cars going up and down our street, going out there and trying to get into there. So sometimes, depending on the time of the day, you have to wait a long time because people want to make a left turn there, and it is -- it's a bad intersection. If they would just make a right turn and go up and around or whatever, they could -- it would be fine, but that's not what they do. They -- they sit there. So then the person that's been waiting for

five minutes is going to get anxious when they get up there, and it's more likely, if you don't know the neighborhood and the streets and so forth, it's more likely to make maybe a poor decision on that one, so that would be a concern that I have with that. So it is a safety issue with that. People -- people, if from park, do not park on Brenda Lane. It's just the people that live there that do that, so we don't have park issues. The only time we had was about the first year of Roots N Blues, and then we had a lot of people parking there. But -- but the City took care of that. They made -- made us get passes to go into our own house, but as long as you had the pass, you could get in, so it wasn't really a problem. The noise was a problem, and my windows would rattle, you know. So they tried to mitigate that, and sometimes they were better at it than others. But it was once a year, so I was fine with that. Okay. Thank you so much.

MS. GEUEA JONES: Thank you, ma'am. One moment. Any questions? Commissioner Ortiz?

MS. ORTIZ: Are you aware that the City just approved a traffic calming on your street, on Walnut?

MS. TEW: On Walnut, yes. We're going to have three -- three speed bumps between my exit and where I have to get on Old 63, but that's okay. People were just going too fast, you know.

MS. ORTIZ: Yeah.

MS. TEW: It's a nice straight stretch through there.

MS. ORTIZ: Yeah. I was just thinking that might be good news for you, because I -- I've paid attention to this as it went through Council. And I know not everyone is a fan of speed bumps, but, hopefully, that will help with the traffic there. Kind of unrelated, but I just wanted to make you aware if you weren't.

MS. TEW: Yeah. Yeah, I am. Thank you.

MS. GEUEA JONES: Any further questions? Seeing none. Thank you very much, ma'am. Next person to speak on this case, please come forward.

MS. NORRIS: Hello. My name is Hallie Norris, and I live at 219 Brenda Lane, which is the house right next door to this property. My family and I live right next door, and we've lived there for eight years now, and we moved to this neighborhood with the intention of building our now family. The lady who sold us the house actually wanted to -- was going to sell it to somebody who was going to turn it into a rental property, and she decided not to sell it to that person, and chose us to -- because she knew that we actually wrote a letter to her and that, like, we wanted to build our family there. And so that was like a very special thing to, like, go into this neighborhood with that intention. And, yeah, like I know there's, like, a lot of these same concerns that everybody else is sharing, but I'm just simply here to also express my concerns. I understand all of the points and I've been listening to everything that you guys have said, and I feel like it's good to know about this hotline because, obviously, we wouldn't have known about that. So it is good to know that that would be available to us. Yeah. It's -- this property is at the very end of our cul-de-sac and we're right next to it, so we have two twins who are four years old, and running around

all over the place, and it -- yeah. Like everybody is saying, it's very just nice to have that community aspect with our street, and everybody knows us and knows how to kind of like move around the children or you know how it goes. A short-term rental would bring inherently more traffic and turnover, and potentially unpredictable guests creating safety concerns that we just aren't -- don't feel comfortable with, especially having our children. Yeah. I feel like property rights are important, of course, but, you know, we have a bunch of people here from this street that are here, and if the majority of us who inhabit that street feel that this approval will negatively impact our property rights, like, I just -- that's where it feels like is that enough, you know, to make a statement or to, like, say that we all feel this way about this. So, yeah. I thank you all for everything that you've shared, and I just hope that you'll consider that and vote against the rezoning so that we can help keep our neighborhood the safe and peaceful, quiet area that it is.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Ortiz?

MS. ORTIZ: I just want to clarify. Hi.

MS. NORRIS: Hi.

MS. ORTIZ: That we're not rezoning, so it's still going to be R-1, so this is just a conditional use permit to permit the short-term rental there.

MS. NORRIS: Okay.

MS. ORTIZ: So it's not like --

MS. NORRIS: I may have just missed the -- with the lingo.

MS. ORTIZ: Okay. Cool. Like an apartment is not going to go out there or anything like that.

MS. NORRIS: For sure. Yeah. Okay. That's not what the assumption was. Yeah.

MS. ORTIZ: Okay. Cool.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you very much. Next speaker, please come forward.

MR. AMELUNG: I want to thank you for working towards a better Columbia, as well. I know that your job requires a lot of complexity and a lot of hard decisions.

MS. GEUEA JONES: Can we get your name and address?

MR. AMELUNG: My name is Jim Amelung, and I live at 213 Brenda Lane, and I'm here to voice my objection to the conditional use permit, and to express my complete dismay with the entire concept of this Unified Development Act. Putting the onus of the community, of the neighborhood to prove that something is a bad idea, that's ridiculous. I mean, I'm here to say I don't have to beg you to respect my right to my well-being and my safety and my privacy. You've already heard of the other people's concerns. My main point here, and I'm going to go ahead and leave out all of my actually good arguments, I'm going to just tell you that I polled every residence on the block, every residence, and every resident on the block is in objection of this variance of this conditional use. Every resident on the block. Eleven households. Okay? And in conjunction with that, it is also known that two owners of the rented properties on this are also against it. Now my wife and I utilize all of the wonderful aspects of Columbia.

We love Columbia. We know you're all good people. I know it's a hard thing to do to make judgments about certain things that you don't have an exacting factoid on, but as the others have pointed out, infrastructure, especially sidewalks and the status of East Walnut, do not support this as a sane usage of this property. There's a reason they do not put hotels on quiet dead-end streets. Hotels belong on thoroughfares that are easily and safely accessed. I'm not going to go and do a math question on what will happen if this property is successful and that the people that utilize this property have guests of their own. And I'm not going to speculate and tell you what can happen in inclement weather or what can happen to a fire response when there are cars parked at the only fire hydrant on the cul-de-sac, and completely blocking it for anybody's safety. Okay? So I can't believe that this was really examined thoroughly, because anybody would know that there is a very real clear and present danger to all the residents of the block. This is just an outrageous misuse of the Unified Development Act, and I can't believe that the onus has to be on the resident to prove something this asinine can go on. Thank you.

MS. GEUEA JONES: Any questions for this speaker? Commissioner Placier?

MS. PLACIER: One thing we've found out through this process is that there were -- there are 455 short-term rentals in Columbia. We have only approved 50 -- well, we will have, maybe, 50 of those. There are many, many out there operating with no regulation, with no license. There might be one right around the corner from you and you don't even know it. Most of the times when people come in and they object to this, they find out that this house has been a short-term rental for three or four years.

MR. AMELUNG: Well, I've got news for you. I found out already --

MS. GEUEA JONES: Please don't interrupt the Commissioners. Thank you.

MS. PLACIER: Yes. I appreciate if you would listen. I listened politely to you. So -- and because they didn't notice any effects. They didn't know it was a short-term rental. At least with the regulation, if there is a problem, they will have recourse. But, believe me, these are operating all over town. Two on my block. They have not applied yet for licensing, but they're totally quiet, so, you know, I -- I have had mixed feelings about the whole thing.

MR. AMELUNG: This is a public safety issue for 11 residents --

MS. GEUEA JONES: Sir --

MS. PLACIER: Well, my block matters, too. My block matters as much as Brenda Lane. So please, please, don't think that we are up here just trying to oppress Brenda Lane. We have had the whole town applying in all kinds of neighborhoods. So it is -- it's a thorny issue, but we're trying to regulate what was a totally unregulated situation, and it's still largely unregulated all over town. You would be surprised.

MS. GEUEA JONES: You may now respond.

MR. AMELUNG: I'm not surprised, and I have no problem with Columbia trying to regulate short-term rentals. But I'm saying in this case, this de facto approval setting that this Unified Development Act, in some aspect, it's just a little crazy. And putting one of these short-term rentals at the end of a cul-de-sac on a street with children and no sidewalks on another dead-end street, and I can

get onto specifics of what's wrong with East Walnut, because every day the people that have children in the daycare at the end of East Walnut race by at 40 or 50 miles of an hour, and, of course, we're going to get a speed bump soon. But my point is there are so many unintended consequences that you're not taking into consideration. Here's another example. I've lived long enough to have owned cars that I've had to park on the street. And many times over these years now, well, twice in my life, they've been hit by vehicles that were visiting the neighborhood and either turning or unfamiliar with the neighborhood. In one case, it was because of inclement weather. In the other case, it was probably because of an inebriated driver. But my point is now in this stage of my life, we do have a long driveway, but I still park in front of my house. And I can tell you right now, you are precipitating an occasion for people to bump cars. You're precipitating and creating an attractive nuisance that will ultimately probably result in physical harm or, you know -- you know, to a resident. And I'm really having a hard time believing that this was meant as some kind of panacea or some kind of great, you know, regulatory, revenue-generating effort when you're applying it in this backwards position. They should prove -- they should prove that they can operate this, and you should have more stringent looks. Why would the City of Columbia want strangers or people that are unfamiliar with the area to drive down two dead-end streets, have to pick out a street sign, make a turn, you know, and supposedly, you know, I do understand that maybe it will be, you know, longer rentals and, of course, they'll get the handle on the neighborhood. But my point is you're creating this attractive nuisance, and you don't seem to think that there's anything wrong with that being the de facto situation, and now you're asking residents to come in and prove, you know, a negative that you can't do. You know, this is -- it's insane. Never mind. I'm sorry I bothered you. I'm really sorry I bothered you. I mean you no ill will, and I do thank you, and I know you're doing very hard work and you're doing a great job. Obviously, Columbia is one of the best places in the world. It's my dream to retire here, and I'm so happy to be here. And I'm reaping the benefits of being here, but in this case, this is just crazy. It's just crazy. Thank you.

MS. GEUEA JONES: Commissioner Wilson has a question for you, sir.

MS. WILSON: Thank you for coming. I may put my glasses on and off because I can't see you with them on, but I can read with them on. The first thing is, you made a statement that we were here to discuss this bad idea, and we're not. We're not here to discuss whether or not this is a good or bad idea. And another point you made was we clearly could not have put very much thought into this regulation, and I will assure you much, much thought and much discussion went into understanding people's rights, making sure that people's rights are protected, making sure that everybody is considered, four years, as a matter of fact, of conversations happened. You made another point that the 11 or so neighbors that have come forth have the right to well-being, safety, and the use and protection of their property. And I will share with you that the applicant also enjoys those same rights. And we are assuring or sharing that your -- we're not asking that you prove that your neighbor is -- is a bad neighbor and what they're doing is a -- is a bad situation. What we're saying is that we don't have a crystal ball, just like you don't have a crystal ball. And given this wasn't a short-term rental, let's just say it's just neighbors, and you have a

neighbor that decides to play the drum set in the middle of the night, you would report that as a nuisance. Same situation. We're just saying if there's an issue, report it, because the reporting allows there to be an investigation, and that is the only way that we could know that there was an issue is if someone says, hey, there's an issue. So -- so that's the ask. So thank you.

MR. AMELUNG: Ma'am, this is a very narrow, normal street. It is not designed for commercial use, and all the residents use it as a pedestrian walkway. That, in itself, is insufficient infrastructure to justify the commercial use of Brenda Lane, and no -- no short-term rentals should be allowed on Brenda Lane, no matter what the stipulations.

MS. GEUEA JONES: Thank you, sir. Any further members of the public to speak?

MS. DOKKEN: Dee Dokken, 804 Again Street. You know, I thought conditional use meant that the neighborhood would have some say about it, not -- it seemed to me they're saying, well, if you don't lose -- if they don't lose their license, and everything, then they can be there. I think what the neighborhood feels about it, I thought was a factor. In my neighborhood, if a sign went up about a short-term rental, we would probably shrug. These people aren't shrugging, you know. It's -- it's -- to me, it seems that's what I thought the conditional use would include is what the neighborhood thought about it. It's not their right to have a short-term rental. Even if they, you know, use it 210 nights annually, I mean, that's just administrative to say okay. But I think you should be taking into account what the neighborhood thinks.

MS. GEUEA JONES: Any questions for Ms. Dokken? Seeing none. Thank you. Anyone else to speak, please come forward.

MS. LIN: Good evening. My name is Xiao Yien Lin; I'm the host and the owner and the agent for this property, 221 Brenda Lane in Columbia. I live in 3951 Crestview Drive, Columbia, as well. My husband and I co-own this property together. We bought this property in late February where we see that this property is a good investment property, so our intention to buy this property is an investment property. So before we bought this property, we already know that we wanted to do an investment, so we call up the City of Columbia to find out what are the STR regulations, and we know that what the dos and don'ts for us to allow this property as an investment property. And one of the main criteria that you should have another STR near the same property. So that fits into our buying box. Firstly, I would like to thank you, my neighbors, to express their conscience whether attending today's session, as well as writing verbally and -- and respect the conscience raised by my neighbors and I am very grateful for having this opportunity to listen and respond. I understand short-term rental properties bring up some really concerns, from noise to parking to the neighborhood safety and character. I would like to take this opportunity to share what I have done and what I will continue to do in order to address this conscience, as well as to be a responsible host, as well as a respectful neighbor. When I accept -- when I will be accepting bookings in my -- for all my guests, I will be having a very strict guest screening protocols, which include verifying the guests' identity, as well as -- as well as the rules and regulations that are stipulated in my listing that they are agreeing to it when I will be accepting their bookings. So my house

rule is strictly mentioned that there will be no parties, no events, as well as no disruptive behavior, not only just to protect the peace of the neighborhood, as well as, most importantly for me to protect my property from any damage. So I have installed the outdoor cameras on the property itself, as well as the noise and crowd monitoring system will be in place, as well, for in of my property to -- for such purpose. I -- me and my family, we live 12 minutes away from this property, so if any issues arise, I am quite confident that we will be able to address them promptly and immediately. In this property, as mentioned by Ross, that we have dedicated parking in the garage, as well as a driveway to accommodate up to four vehicles. Short term rentals also do support in terms of local businesses. When my guests stay on my property, they will receive the restaurants, the shops, the local events. And in my property, I do give them digital welcome guide book to promote all these events to promote the local businesses here. I believe my short-term rental property can co-exist peacefully in Brenda Lane neighborhood provided with the measures I have mentioned and uphold the values and integrity into it. I hope the Board can recognize my effort and comments in terms of upholding this values, as well as I respect whatever decision outcome has been made by the Board. Thank you for your time.

MS. GEUEA JONES: Thank you very much. Any questions for the applicant? Commissioner Wilson?

MS. WILSON: First of all, thank you. And secondly, I very much appreciate that of all the applications we have received, you are the first, I believe, that was not already operating as a short-term rental. You actually did everything to first make the request before you begin, and that I very much appreciate. I hope that you have heard, and I -- you did say you heard your neighbors, and that that means that you will communicate with them and share your contact information regardless as to what the outcome is this evening because they have concerns, and you're -- you are their neighbor in some way because you own the property, and it's important to make good neighbors. Again, thank you. I appreciate your courage.

MS. LIN: Thank you, Ms. Wilson. Yes. Actually, my listing is already, it's just a one click away from listing, but I just wanted to go through all this process to make sure that it's properly before, yeah, I accept any guests.

MS. GEUEA JONES: Other questions for this speaker? Commissioner Loe?

MS. LOE: Thank you for coming. It is valuable to us to have the applicant here. Where do you plan on listing the residence, and are there different -- are you just going with a straight Airbnb, or VRBO, or are there other sites where you might get the traveling nurses or some other type of a shorter-term tenant?

MS. LIN: Thank you for the question. So my investment property, we are targeting not only for short-term, we also welcome, mid-term and long-term. So I -- based on our research and study, we know that for short-term rental, it's less than 31 days or 30 days, so has and needs a special permit approval for it. So this is the hearing about it. So for the mid-term and long-term, we do -- we have ready the permit for it. We have already applied for it, so we got, as well, so that's why we have already

published our listing on Zillow, Furnished Finder, and some other realtor properties. So our property is not just targeting for short-term, but we're also targeting for mid-term and long-term.

MS. LOE: Thank you. I can see with your location next to the hospital, it would be --

MS. LIN: Yeah. Yeah. And the short term, we are targeting to list it out. It's all ready for the listing in Airbnb and VRBO.

MS. LOE: All right. Thank you.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: I have a quick question. I see on Realtor.com you have a listing?

MS. LIN: Yes.

MR. WALTERS: Three thousand nine hundred and fifty dollars per month, is that -- that's correct?

MS. LIN: That is correct. Yes.

MR. WALTERS: Okay.

MS. LIN: It is a fully furnished.

MR. WALKERS: Yes. I can see the pictures. Yes. Thank you.

MS. GEUEA JONES: Anyone else? Commissioner Brodsky?

MR. BRODSKY: You -- you are a Columbia resident yourself?

MS. LIN: That's correct.

MR. BRODSKY: And you've seen the folks, the neighbors. And I think there's -- there's a lot of just fear of the unknown with these. Right? But as I think Commissioner Placier mentioned, we've discovered through many of these hearings that a lot of times these Airbnbs are already in neighborhoods and folks do not know. And I personally attribute that to a high-quality host. So not so much -- I guess a question and a statement. I -- I hope that you would be willing to work very closely with your neighbors and communicate with them so to mitigate any concerns. Is that something that you plan to do?

MS. LIN: Of course. I obviously do not want to upset my neighbors.

MR. BRODSKY: Thank you. I assumed that would be your answer, so that was more of a -- more of a statement than a question, but I appreciate that.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Good evening.

MS. LIN: Good evening.

MR. STANTON: I'm going to piggyback off my colleague's statement. What seems to the testimony we've heard that there hasn't been any communication between you and your neighbors, is that correct? And if so, how would you fix that?

MS. LIN: Okay. So returning back to your question, so we have spoken to our only one of our neighbors, which is the one directly next door, which is Ms. Hallie, and I think Mr. Allen (ph.). Yeah. So when we -- when we moved in, we stayed there for a month in March just to be a hands-on person. So we fix everything, we set up everything by ourself. So hence, we just popped by to our neighbor to say hi

to them, as well as let them know that we are using this investment property, so we are buying this property mainly for investment. But sometimes when my in-law families are coming down from Minneapolis, they stay there together because four weeks in March, as well, in the same property. So I -- because based on the rules, regulations that we studied, we know that we would need to let our -- inform our neighbors to know that we wanted to use this property as an investment property, so that's what I -- we did, but we did not know that we needed to speak to the entire neighborhood to let them know that we need to do this. So has -- when we -- when we received the letter, only we realized that, oh, we should be speaking door to door, but at that time we already moved out from Brenda Lane because we had finished setting up everything.

MR. STANTON: Thank you.

MS. GEUEA JONES: That was actually going to be my question.

MS. LIN: Okay.

MS. GEUEA JONES: Did -- are you the ones that set up all the furniture, or did you buy it as something that was already a furnished rental?

MS. LIN: No. Me and my husband, we set up everything by ourselves. So that's why I think just some of our neighbors mentioned that there was, like, construction. It's actually us that we are working on this property.

MS. GEUEA JONES: Thank you. Any further questions? Thank you very much. Anyone else? Yes. Please come forward.

MR. LADORES: Hi. My name is Hero, the husband of my wife, of course, living at 3951 Crestview Drive. I just want to have clarification with what she said about the long-term permit and mid-term rental permit. We do not have a permit yet. We only applied for it. As part of the procedure, we are still waiting for the approval of the mid-term, and long-term rental. But all of the communication has already been applied. We just don't wanted to put in here I state that we have a permit, that we do not have, and we still -- we are though we published it already in Furnished Finder and Zillow, and also address such -- a website called Realtor that is going to get other, but certainly published to, like, 100 websites that I did not inform yet Ross about that, but I informed that I am going to publish it that suddenly it would pop up everywhere. And we do receive a lot of inquires which refers to one month, two months, and three months, but we are not wanting them yet because we want to wait which one we are going to be suitable for our property. And as you see, the property fees for us is -- is more done. It's significantly higher, actually, and based on that there are still people are inquiring, but we are not accepting them because we want to have the permit first. So I asked advice, can we accept Furnish Finder applicant? I hear that it can be yes, because it's not short-term rental, because it's just more than 30 days. That's just what I want to say, that we do not have a permit and we are waiting for it.

MS. GEUEA JONES: Thank you very much for that clarification. Commissioner Stanton?

MR. STANTON: I'm impressed with your market research, and it seems like you -- you and your wife have done intensive study. so I hope you've done the same study this evening with your neighbors

and can digest this information and analyze it the same way you've done this property in your market for your house. So hearing your neighbors, if we approve the short-term. If, it's all in there, would digest the information of what they don't -- what they're kind of worried about, day-to-day traffic, nurses sounds good, medium month, two months, sounds good. It's what I'm hearing. It's the night-by-night thing, they're -- you know, they don't really like, if they don't -- if they had to make a choice. So just analyze what you heard this evening and definitely communicate. Even if you get this or not, you're going to have to do something, either long term, short term, whatever. It is important to communicate with your neighbors at least respectfully. They don't have to like you, they don't have to agree what you do, and you don't have to agree with them, but communication would still be a good thing to have. Thank you.

MS. GEUEA JONES: And I would just add, you can have both. You can have the long-term certificate, and the short-term certificate, and fill in the gaps between the mid-terms. So I don't know if they told you that.

MR. LADORES: I am aware of that, Ms. Geuea Jones.

MS. GEUEA JONES: Okay. Excellent. Excellent. Commissioner Placier?

MS. PLACIER: Now to add to what Commissioner Stanton said, I would also have in your rules that this is a quiet neighborhood. These are long-term residents. There are children. People are concerned about traffic. That any guest who violates those things jeopardizes your business and jeopardizes the neighbors, and they are your first concern. So just some advice.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you very much.

MR. LADORES: Thank you.

MS. GEUEA JONES: Anyone else to speak from the public? Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Commissioner Stanton?

MR. STANTON: I don't want to get in position defending our -- our work here, so I'm not. I think I'm just going to say that through four years of extensive -- extensive work, which I was there for every day, over 80 hours plus, in addition to my work, we hammered this ordinance out. It came through us three times?

MS. GEUEA JONES: Yes.

MR. STANTON: So it was a draft, it went to City Council, came back, and we fixed it again and fixed it again. This was a very volatile topic for four years of my life. I do concrete. I get up at 5:00 -- I work -- I've been at work since 5:00 this morning. You guys were probably still in bed. Five this morning, directly from there, get off at 5:00, this starts at 5:30, and I've been here till now. I did that for three months probably during this process. There is no ex-facto, nothing here. We are contemplating this because, as I said before, this is a gray area. That's why we're here. If this was purely technical, like we just went through and checked the boxes, you wouldn't need us here. We're here to balance the public's opinion with the tech-- with the technical information that staff and the applicants have given us,

and we make a more human decision based on our experiences and my 13 years' experience on this Commission. Nothing is given, nothing is an ex-facto, nothing is pushed through. We deliberate and debate these topics extensively. Free, mind you. For free. I've almost worked a whole other day for free, and I'll be at work at 5:30 in the morning. We take this job extremely serious, and we appreciate all the comments made. My thing is this. The previous speaker before the owners got here, lovely. We stated facts. We had -- this is the under-developed street, no sidewalks, technical things that we could grasp on and say, okay, I can see why this wouldn't work here. The speculative stuff is less for us to grab because there is a value with Airbnb, and I -- you know, I don't want to give you a history lesson, but there's something called a Green Book, if anybody has heard of that. So the Green Book is the original Airbnb, and it was created because my ancestors were hanging from trees if they went to a hotel to try to stay. So the Green Book was basically people allowing their residence to be used in a setting that was different from a hotel, they felt safe in a particular neighborhood, and they used these things, so this is a value that the short-term rentals is providing. So there is a need. Is it -- is your street the best? I don't know. That's why we're here listening till 10:30 at night. That's what we're trying to figure out, for free. Just saying. It's valuable that we hear from all sides, and we digest and swirl these facts around and make these decisions. What works best for us is when you can stand on the facts. And that's speculation, because you're on the same speculation that the homeowner is. What was valuable to me, and I'm sharing this with the Commission, is the lack of sidewalk, the position of the home, not that I don't like it. We're in a quiet neighborhood, yeah. Things change. Change happens. We can guarantee change happens. I live here downtown. Change happens around me all the time. I live two blocks from here. I have the same arguments that everybody else has. So change happens, but you're able to voice your opinions and base them on facts, things that we can grab onto and make these decisions is a lot better than the subjective. And I'm just saying it's kind of for public and future use, but that's kind of how I'm filtering this decision is the hard facts, and, you know, the things that I can grab onto and not have an opinion about, but are strong facts to make this decision.

MS. GEUEA JONES: Any other Commissioner comment? I would say -- oh, I'm sorry. Commissioner Walters, go ahead.

MR. WALTERS: I was just -- I was -- I don't know if I can phrase this very well, but particularly for the neighbors who are very anxious about this, and I understand that. But I just think it's unfortunate to frame this as though the City has just magically come up with some idea that, you know, to inflict on neighbors by allowing this to happen when -- when that's not the case. It's a response to an unregulated, wild west sort of a situation. The City has stepped in to establish some regulations and controls, and also to give neighbors some feeling of, even though you have righteous anxiety about this, some feeling that there is accountability that will happen. And if these owners are negligent, then their license won't last very long. And I also look at their listing. I mean, they spend -- if you think about this, you spend \$300,000 for the house, \$100,000 to fix it up. Are you really going to allow deadbeats and college kids to ruin it? I think they're probably -- I'm giving them the benefit of the doubt in this -- in this regard, in that

they'll want to screen their applicants, and hopefully, their traveling nurses are -- will become a significant type of a tenant that, you know, they'll have quality people in there that will take care of things. I mean, it's all I can hope for. I realize that's -- those here tonight, I have no crystal ball, either. But, anyway, I understand the anxiety, and I understand the conditions of the street are not as ideal as in some places, but we have approved 50 of these. We've had situations where many people like you show up and express their concerns, rightfully so, but one thing we did not -- we do not have tonight that we had previous is a record. These people don't have a record of renting this for the past year, and if they did, it would our situation a lot easier, maybe give you a little bit more comfort, but unfortunately, we don't have that. But I'm just basing it on this photography and their Realtor.com, and the job they've done in renovating the house, and hoping that they'll respect you and remain concerned about the overall -- the investment they have made, and to make sure that investment increases in value as the rest of your homes do.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: All right. A couple of things. I -- I felt like some of -- okay. I felt like some of the comments that were made tonight by the neighbors were pretty problematic. Telling someone that they're not welcome in your neighborhood, it's --

MS. BERGIN: No, I didn't say. (Inaudible).

MS. ORTIZ: Sorry. I'm speaking to -- (inaudible).

MS. GEUEA JONES: Ma'am, please do not --

MS. BERGIN: I didn't say that.

MS. GEUEA JONES: Hey.

MS. BERGIN: I didn't say that.

MS. GEUEA JONES: No. We don't shout out.

MS. BERGIN: No. I'm telling you --

MS. GEUEA JONES: We don't shout out from the audience.

MS. BERGIN: Would you like to clarify --

MS. GEUEA JONES: No. I would like for you to sit down and stop speaking, please. Thank you.

MS. BERGIN: No. I'll just leave.

MS. GEUEA JONES: Commissioner Ortiz, please continue.

MS. ORTIZ: Thank you. I -- everyone should feel welcome in their neighborhood, and I -- I found issue with that. However, I think that the intensity of having a short-term rental on this block is inappropriate, so I will not be supporting it.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: I'll keep this short. I think we've seen two cases now where communication was really the key and I think we need to, as a Commission and in our communications with Council, we -- we need to come up with some way to enhance and increase communication between these short-

term rentals and their neighbors.

MS. GEUEA JONES: Any further comment? I will just add that -- and Commissioner Walters referred to this. We have denied two, maybe three short-term rentals too, based on neighbor comments. And in both of those instances, it's because they were already operating and not being good neighbors. Here, on the other hand, we have someone who bought the home just a couple of months ago, they've already put in money to improve it, they've already -- you can see they've got privacy fences around. The neighborhood -- the backyard seems to be very much improved. I don't know what it looked like before they bought it, but it looks lovely now. They appear to be very respectful of their neighbors. They said, you know, we didn't know we were supposed to go talk to them, and we tried to go talk to them. So I think that the concern is based on feeling like you were blind-sided. I think maybe one of the speakers actually used those words. And that can make your reptile brain go now I'm scared. Right? Like that -- that fight or flight part of our brains doesn't like surprises, doesn't like being blind-sided. I'm not hearing anything that says these folks have not been good neighbors. When they were approached, they engaged in conversation. They're willing to give out their contact information. They live here in town. Their own family stays in the home when they're here. They have not been operating illegally, which most of our other applicants have been doing. I don't see a reason to preemptively say because you didn't obey unwritten rules that aren't actually requirements, but are things that some people do in order to make their time in front of us easier, because you didn't do that, even though you had no way of knowing you should have, we're not going to give you a license. That is arbitrary and not our role. Our role is to say is there something about this application that will create such a disruption in the neighborhood that it will cause damage to the neighbors. This is the only short-term rental application that we've had. We can see that they are already planning to do mid-term and long-term rental, as well. We can see that they are already taking good care of the property. They're not leaving trash everywhere. They didn't leave a dumpster out to get, you know, spoiled or anything. They have not done anything to indicate to anyone that they will not be good neighbors, other than apply for the correct licensure in the City. And so I am having a hard time finding the justification for denial. However, as Commissioner Stanton often says, these first folks are the test cases. If they turn out to have big wild parties hosted out of their home, all it takes is two, and their license is gone. And not just two parties, two complaints. And if those are investigated and verified, and they're violations, their license is gone. If they operate perfectly fine, you all can take the opportunity to meet them tonight and make sure you get their cell numbers. All of their information is on the application. All of their information will be on the website, when they're licensed, if it's approved. You can reach out to them and say, hey, I don't know if you knew this, but your last -- what am I looking for -- the last guests didn't park in the driveway, they parked on the street. Or, hey, did you know that your last guest left trash all over the front yard? This is about finding a way to work together and work together in a regulated market. And I can't help but feel that there is a tension here that is more about expectations that are unwritten, about the expectation of a neighbor who, when they move in, brings you cookies, versus someone who is just trying to mind their

own business and operate something that is perfectly legal for them to operate. So I'm sympathetic to the neighbors, I truly am, but nothing that they've said is anything about what the owners haven't been doing. The -- the Xiaos are doing their best to abide by the ordinances and to be good homeowners. They live here. Again, we're not talking about some multi-national corporation that's buying up as many homes as they can in Columbia. They live here. This is how they're choosing to invest their money in our community that they share. So I'm just not seeing anything other than a fear of the unknown, and that's not enough for me to vote no. Commissioner Stanton?

MR. STANTON: So I don't have the sympathy perspective to a business move. You invested, you hope you get a return because you did your research. You hope it works out. That's -- that's -- that's capitalism. But my issue is where it is. I am listening to the neighbors, It's that extra stuff that's bothering me. I just want to know the facts on why, you know, and I don't want to hear all the conspiracy theory stuff. It's -- it's clogging my vision, but they made -- they made, they took a chance, so, you know, it comes down to this vote, and I'm kind of leaning no because of where it's at and the things that the neighbors said. If I can get over this, what the City is doing kind of thing, I ain't over that yet, so, hopefully, I'll get over that.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: So this is a conditional use permit. We've, as some Commissioners have pointed out, there's 450-odd plus short-term rentals in the city, and we've seen approximately 55 of those applications. So we're at roughly 10, 11 percent. So we've not seen a lot of cases. And personally, I'm of the opinion we're seeing the cleaner, strong cases coming first, and the problematic ones are yet to come. And my term ends next month, so -- sorry guys. So there are five criteria that we consider for short-term rentals, and some of those we've gone over there -- over one Item C is whether the proposed registrant has previously operated an STR and if there's a history of complaints, and that's one that we've commented on a couple of times this evening. One that -- the reason I went back to this list is because of the comment raised by Ms. Dokken, and it is support from the neighborhood. And Item E is whether there is support for the establishment of the proposed STR from the neighboring property owners, and by my tally, we had five written, and there was at least two people that came forward that didn't have written comments, so that would be seven of the eleven, so we do have over a majority of the people on this street, which I think is a first. We've had cases where there's been one or two. We've had a few cases where there -- where there has been more, but, in this case, we do appear to have a majority, which are concerned about the establishment of the proposed. And while I understand that the history of complaints is one item, I do think Item D is also about the use of the property causing increased traffic or noise. I think it's the -- and this is an unknown -- it's -- it's also the introduction of a commercial use which is a change to the neighborhood. And because we do have that item on the list, I think I am going to also not support the application. Thank you.

MS. GEUEA JONES: Any other comments? Commissioner Stanton?

MR. STANTON: Just a point of clarification. So if we deny them the short-term rental, they can

still do moderate and long-term. Correct? If we deny the short term, they still have the ability to do moderate and long-term in their applications; is that correct?

MR. ZENNER: That is correct, sir.

MR. STANTON: Okay.

MS. GEUEA JONES: Okay. Commissioner Brodsky, did you have something? Okay. Commissioner Wilson?

MS. WILSON: I want to make this point for the record, and I may be the only person who feels this way, but I feel very strongly that ten people saying the same thing doesn't make that thing truthful, it just means ten people got together and commiserated to say the same thing. I completely understand what the neighbors are saying and I understand their concerns. What I cannot do is operate in fantasyland conjecture. I can't. Those are not facts. Those are possibilities. Those are fears, and fears aren't facts, and fears aren't -- they -- they help- us survive. They help us stay alive. They help us to survive, but they are not facts. And I -- I just, in good conscience, because -- because if the -- if this whole case were reversed, I would do the same thing for every other neighbor who came forward, and that's my litmus test. And so I am in support.

MS. GEUEA JONES: Anyone else? All right then. Would anyone like to make a motion? Commissioner Loe?

MS. LOE: In the case of 162-2025, 221 Brenda Lane, STR Conditional Use Permit, I move to approve the requested STR CUP subject to the following: Condition that maximum usage shall not exceed 210 nights annually, both spaces in the garage be made available while STR is in use -- in STR use, maximum of eight transient guests regardless of allowance permitted by the IPMC.

MS. ORTIZ Second.

MS. GEUEA JONES: Motion made by Commissioner Loe and seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Stanton, may we have a roll call?

MR. STANTON: Yes, Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Placier, Ms. Geuea Jones, Ms. Wilson, Mr. Walters. Voting No: Mr. Stanton, Ms. Loe, Mr. Brodsky, Ms. Ortiz. Motion ties 4-4.

MR. STANTON: We have four yes, and one, two, three -- four -- four no, Madam Chair.

MS. GEUEA JONES: Thank you. Commissioner Stanton. That lack of recommendation will be forwarded to City Council. Mr. Zenner, would you like to state anything about the tie?

MR. ZENNER: Well, as a point of order, the recommendation will be reported as a no recommendation on behalf of the Planning Commission due to the tie vote. It will appear under the Council's old business section of their agenda, and will require a two-thirds super majority vote to be over written, which is five --

MR. CRAIG: It -- it will appear as a non-recommendation, however, a failure to approve will be

treated as a -- as a rejection. So --

MR. ZENNER: The way we process your staff -- the way we will process your Council report, it will reflect the Commission's action and it will inform the Council of the position that Council was taking on tie votes, which is that it requires a two-thirds majority, which is five of the seven.

MS. GEUEA JONES: Thank you. That concludes our cases for the evening.

VII. PUBLIC COMMENTS

MS. GEUEA JONES: Are there any comments from the public of a general nature. Please come forward.

MR. LADORES: Hi. Again, my name is Hero, and I just want to have a correction or maybe clarification for a correction with regards to the terminology of neighbors, because he said that 11 out of -- I think 11 has rejected it. However, based on the regulations as I read, neighbors is defined as 168 feet from our perimeter, which are only four properties. And based on that, two came, I agree, and two did not, which is the direct property at the back which are most probably to be affected if there are complaints, because they are just next to us. And like our neighbor with the two -- Ms. Hallie, which is a little far from our entrance and far from our hot tub or far from our yard. The next one at the back is directly the one that's going to be affected, which is not in here. So exclusively, the one that came here are all exclusively from Brenda Lane and not the one at the backyard street. So I think we have to make the correction with regards to definition of neighbors.

MS. GEUEA JONES: Thank you. You are correct that there is a technical definition of neighbors. I believe the Commissioners were using it in the more common sense of the people around you, not the technical definition, but your comments will be included in the transcript, and we will make it clear that no one from the streets that back to your property came tonight.

MR. LADORES: Yes. So I just want to tell that I read entirely the book of STR, that is why I came way back in January before ice to provide an offer to get concept approval for this property. We did not proceed with that concept approval for the STR.

MS. GEUEA JONES: Yes.

MR. LADORES: So I just want to put in writing, neighbors have to be defined properly on this hearing.

MS. GEUEA JONES: Thank you very much, Mr. Xiao [sic]. Any other comments of a general nature from the public? Please come forward.

MR. ALLEN: Zane Allen, 219 Brenda Lane, right next door to the property. I did just want to call out that this property was under construction from a previous owner. They sunk a significant amount of money into it prior to the sale to the family, to the owners now. Just wanted to clarify that, that they -- they moved furniture in, but not -- to my knowledge, not so much of the actual building up of the infrastructure, so --

MS. GEUEA JONES: Thank you for that clarification.

MR. ALLEN: Okay. Thank you.

MS GEUEA JONES: Any other members of the public with additional comments? Seeing none.

VIII. STAFF COMMENTS.

MS. GEUEA JONES: Mr. Zenner?

MR. ZENNER: Your next meeting will be May 8th. There will be a work session at 5:30 p.m., at which we will talk about our conversation during work session this evening in regards to short-term rentals and administrative processing changes, along with other commentary that was offered. As we continue to travel down this path, things become more and more interesting as to what may or may not be needed to be included in that ordinance. So we will have a discussion on the 8th as it relates to what we have been able to modify as a result of tonight's discussion. Work doesn't stop, so we have a number of cases that will be coming up. Two two-fers rezoning, as well as a development plan. One of the cases tabled this evening had the corresponding preliminary plat that is off of Clark Lane. We have a brand-new rezoning request off of Oakland Gravel Road to go from R-1 to R-2, with a cottage style preliminary plat accompanying that, and that is the reason for the R-2 development. We have two ADU CUPs. You all have not seen that on an agenda in a blue moon, and so now we have two R-1 properties that are being sought to have an ADU, one that is a currently improved property, and then one that is a currently improved property that is looking at reconstructing the existing home that is on the property, but at the same time building a dedicated ADU. So those will be brought to you under our general public hearing side, and then we have two short-term rental public hearings. Buckle your seatbelts because we get to have a rehearing of our 1617 Highridge Circle, so for those of you that were not able to be at our meeting of last P & Z, you get to experience. And then we have a duplex request that is off of Southampton, R-2, one-half of the duplex. Locator maps for your projects, these are our Clark Lane. They -- the preliminary -- the rezoning map is actually -- is just the southern 2.5 acres of that parcel. Notice that was provided to you for the tabling request had that revised map properly. And then the subdivision plat that you see on the right-hand side is the correct map. It does have two parcels. It is a proposed seven-lot commercial development. It would be mixed M-N on the front, and M-C along the Interstate 70 corridor to accommodate a future hotel site. Rezoning off of Oakland Gravel, the same parcel size. This is roughly a five-acre tract of land being sought to be rezoned from R-1 to R-2 to allow for cottage style development, subject to Board of Adjustment approval. The preliminary plat would be held should the Planning and Zoning Commission grant the rezoning request until the Board has completed its evaluation. Our two ADU requests, one on the end of Cherry Ridge Court. It would be in the northwest portion of the property adjacent or just off the northwest corner of the home. And then our Westwinds Drive proposal. The existing house that is on the Westwinds frontage would be being torn down, reconstructed, and an ADU being built further to the back of the property closest to Stadium Boulevard. And finally, our last two cases for this meeting will be the short-term rental requests, one off of Highridge Circle. As I indicated, this is a rehearing. And then our project that is off of Southampton, which is the western half of the existing duplex that occupies that corner lot. With that, that is all we have to offer for

this evening. Thank you very much for your time.

MS. GEUEA JONES: Thank you, Mr. Zenner.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: Are there any Commissioner comments of a general nature? Seeing none.

X. ADJOURNMENT

MS. GEUEA JONES: Commissioner Loe, did you have something you wanted to say?

MS. LOE: I did. I would love to make a motion to adjourn.

MS. GEUEA JONES: Is there a second?

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion to adjourn made by Commissioner Loe, seconded by Commissioner Ortiz. Without objection, we stand adjourned.

(The meeting adjourned at 10:57 p.m.)

(Off the record.)