

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
April 10, 2025

Case 127-2025

A request by Marla Battles (agent), on behalf of Battles Holdings, LLC (owner), for approval of a Conditional Use permit (CUP) to allow the dwelling at 212 Park De Ville Drive to be used as a short-term rental for a maximum of eight transient guests for up to 210-nights annually subject to the conditional use standards in Section 29-6.4(m)(2). The approximately 0.33-acre subject site is located in the R-1 (One-family Dwelling) district southeast of the intersection of Park De Ville Drive and West Worley Street, and includes the address 212 Park Deville Drive.

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

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends approval of the CUP to allow 212 Park De Ville Drive to be operated as an STR subject to:

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

MR. STANTON: Questions for staff? If any of my fellow Commissioners have ex parte information relating to this case, and have information they would like to share with us, their fellow Commissioners, that information would be very useful at this time. I see none. Staff questions? I'll opening the public hearing.

PUBLIC HEARING OPENED

MR. STANTON: Anybody wish to come up and discuss this case, come up. If you're an individual, three minutes, a group, six. State your name and address clearly in the microphone. Thank you.

MS. BATTLES: Hi. My name is Marla Battles; I -- the house is 212 Park De Ville Drive. I actually live in Seattle, so I flew in for this today. So the house -- I grew up in Columbia. I was born here, raised here, my parents' home that they built in 1965, my sister lives in it still, so we have a lot of -- we have family and connections. And so we -- my husband and I, which is Battles Holdings; it's just my husband and I, this is the only short-term rental we have. We purchased this home for my daughter and her husband, and she was pregnant at the time. My son-in-law was getting his Ph.D. at Mizzou. And so

because she was pregnant, we -- we decided to buy this house for them so they would have a home to live in while they were -- Ph.D. students are poor. So we did this, and then they lived in it for -- until he got done with his schooling. And so, at that time, we kind of had a sentimental attachment to the house, didn't really want to sell it. We didn't want to leave it empty because an empty house dies. And so we decided to do this. We haven't -- we didn't want to do a long term, because we do come in and visit family, and so we wanted to have a place where we could stay. And so since we've had the house, we've done many upgrades. We've painted the outside and the shutters, and added -- repaired the driveway and expanded our front porch, and the back patio, and so, anyway, we've made a lot of updates to it and really to make it a much nicer home. So, anyway, that's it. I wanted to talk -- the driveway thing, I was concerned -- I -- we let them use the drive -- the garage, so that's not a problem. It's just a two-car garage, and I'm -- I'm -- I should have measured, and I didn't, and I didn't have much time today when I flew in, but I did take pictures because we have had -- many times, we have had, even when my daughter was living there, we've had two cars, and I took a picture of two cars parked one behind the other, and there's plenty of room. It's a -- it's quite a slope, so I don't know if, like, the picture doesn't show that it angles down quite a bit, but, in any case, I have a two-car garage, so that's fine. It is a fully fenced backyard by the way. It has two different kinds of fences, but yeah. And that's -- I think that's all I have.

MR. STANTON: So you don't have a problem using the garage. Right?

MS. BATTLES: No. No. I let them use the garage. We actually have a garage-door opener that's sitting inside for them -- their use while they're at the house, yeah. I'm really particular. I don't allow instant books. Again, I'm -- I have a quiet hours specified that they need to be quiet after -- I don't know if I have 9:00 or 10:00 p.m. till 7:00 a.m. I don't -- no parties are allowed, that sort of thing, so I want to be very respectful of the neighbors and that stuff, and I have not had any issues at all. I've just families come in visiting their kids. It's not super busy either, so yeah.

MR. STANTON: Questions for this speaker?

MS. PLACIER: Yeah. You probably -- you have to have heard our discussion about schools.

MS. BATTLES: Yeah.

MS. PLACIER: And you are close to two. What do you do to screen your guests?

MS. BATTLES: Like I said, I don't -- so I -- Airbnb has a thing where you can do instant book, or they have to actually request a book. So I don't do instant book because I don't want -- I actually do want to know who wants to stay in the house. They write me something and tell me what their purpose is and who their guests are, and I then have the opportunity to look at all the reviews. And so if I have somebody that -- that requests to stay at the house, and they have any negative reviews, I just deny the request. Like I said, it's not a super busy Airbnb and I'm not trying to make it that. The majority have always been like families traveling with kids because I have the four bedrooms, and it allows families to stay together whereas a hotel room, you know, wouldn't really do that. And so it's also accessible, so I've had a lot of elderly people that, you know, people come and stay with -- bring their elderly parents and -- and that -- it's easy for them to get around. And so I just have not had any issues. And if I feel like it's

going to be some sort of a party, I say no. I just have that opportunity, so --

MR. STANTON: Any more questions? Seeing none. Thank you.

MS. BATTLES: Thank you.

MR. STANTON: Anyone else want to speak on this case, come up. State your name and address clearly in the microphone. Organizations, six, individuals, three minutes.

MR. STAES: Grant Staes, 207 Orleans Court. I've learned a lot tonight, but I guess my comments are I have direct view of this property out my back door. My initial reaction to getting the letter was I don't want that in my neighborhood. Having found out that she's had this rented out 75 nights last year and has been going since 2023, and I had no idea, I've changed my mind. The only issue I've ever seen is people parking in front of the property on Park De Ville, and that is not a safe place to park. So I assume whatever she needs to do for the driveway would alleviate that problem. I've never heard any noise. Like I said, I didn't even know it was a rental, so I guess I'm -- I'm for it, as long as it doesn't become a problem. Now if it becomes 210 nights of the year, that might be different, but --

MR. STANTON: There are avenues, number one, where you know her now, so you can get information if there happens to be a problem. Every -- every property has a registering agent, if somebody is supposed to be there likely-split. You see the owner right there. I definitely would get her information so if there's a problem, it can be nipped in the bud.

MR. STAES: I will do that.

MR. STANTON: Questions for this speaker? Going once, going twice. Thank you, sir.

MR. STAES: Sure.

MR. WILLIAMS: (Inaudible.)

MR. STANTON: Do you need to talk to him?

MR. WILLIAMS: I just wanted to thank him.

MR. STANTON: Mr, Speaker, I'm sorry. You have one question.

MR. WILLIAMS: I just wanted to thank you. It takes a lot of courage and integrity to come up having written a concern, and then to have listened to the presentation and come up and just say freely that you've changed your mind. And so I just want to thank you for still coming up and saying that and sharing it with us, and again, just having the integrity to vocalize that to everybody, so thank you.

MR. STANTON: Anybody else want to speak on this case? Going once, going twice, three times.

PUBLIC HEARING CLOSED

MR. STANTON: Discussion with Commissioners?

MR. CRAIG: Mr. Vice Chair, if I could?

MR. STANTON: Yes.

MR. CRAIG: I think it might be appropriate, given the subject has come up twice now, that it is the City Council's position regarding the proximity to the school, that it is not a consideration contemplated in the ordinance as drafted currently, so I just wanted to reiterate that that's legal's position

on it.

MR. STANTON: If I may, Counsel, you're going to make me spark a question. That's always been ours. Do we still have the purview to consider that or are you trying to say we can't use that as consideration?

MR. CRAIG: That's the -- that's the position of the City Councilors that that's not --

MR. STANTON: Okay.

MR. CRAIG: -- that's not an appropriate consideration.

MR. STANTON: Okay.

MR. CRAIG: And I understand Commissioner Loe's argument that that fits into adverse, but that's not the position of the legal department, so --

MR. STANTON: Okay. That's not the formal position of the Council.

MR. CRAIG: Correct. Yeah. Uh-huh.

MR. STANTON: Okay. Any comments from Commissioners? Ms. Ortiz?

MS. ORTIZ: Yeah. I appreciate the staff report especially given that this is an area that's like right off of a bus line. I think, yeah, it's really important to use that garage, so that way we're not, like, walking access to -- for pedestrians to get into the -- or onto the bus. So, yeah. I just appreciated that. I do plan on supporting this, although it sounds like a great place to just live, too, if I'm being honest, so yeah. That's my -- that's my position on this one.

MR. STANTON: Any other Commissioner comments, concerns? Sounds ripe for a motion. Ms. Loe?

MS. LOE: Sure. Happy to make a motion. In the Case 127-2025, 212 Park De Ville Drive, move to approve the requested short-term rental conditional use permit subject to the following: 210 nights of rental, maximum of eight transient guests regardless of the allowance permitted by the IPMC, and garage be made available while in STR use.

MS. ORTIZ: Second.

MR. STANTON: It's been moved and properly seconded. Any discussion on the motion?
Ms. Loe?

MS. LOE: I appreciate Counsel's clarification, but I do want to simply identify that I believe part of the reason we go through this whole process is that staff brings their recommendation to the floor in their reports, and the Commissioner reviews it and brings their opinion and recommendation to the floor based on our experience and what we hear from the public, and as one of the Commissioners that helped draft the ordinance, I happen to know what was and wasn't considered in the evaluation of the language. So even though I am glad to hear this is an STR that is being run very consciously and the neighbors thought they might object to it, but have come around to realize an STR in the neighborhood is okay, simply on the grounds of the location, since it -- that is something we have been discussing, and I do have some concerns about, I will not be supporting this application.

MR. STANTON: Ms. Loe, I agree. This is one thing that was a hot spot in the development --

density. And so, density in one neighborhood was also, and I don't know if Counsel know that, but we do. We are conscious of that, so thank you, Ms. Loe, for bringing that up. Any other -- Ms. Peggy?

MS. PLACIER: Yeah. I did not object at all to having the issue brought up. My point was that we have had -- this has been brought up, you know, weeks and weeks ago, and for future reference, if we need to go back to the policy and amend it, we would have to do that. We can't do it from the dais.

MR. STANTON: Well said.

MS. ORTIZ: I --

MR. STANTON: Ms. Ortiz?

MS. ORTIZ: This is something that staff has been working on and they actually brought this in their staff report to City Council this Monday, and City Council directed staff to bring it to Planning and Zoning, so it will be coming back to us to evaluate on basis of school, or if that's what we decide to do. So thank you to staff for working on this. It's -- it's going to come back to us, but right now, in this moment, I plan -- I intend on supporting this.

MR. STANTON: Mr. Williams?

MR. WILLIAMS: Mr. Zenner, do you have any comments to operate on that?

MR. ZENNER: I'll provide an overview of what's coming on the upcoming agendas with work session during comments of staff.

MR. STANTON: Anything else, Mr. Secretary? Are we good?

MR. WILLIAMS: Yeah.

MR. STANTON: Ms. Loe?

MS. LOE: I was just going to remind everyone we have -- this is discussion on a motion. We have a motion on the floor.

MR. WILLIAMS: I think I should just -- for the record, we've had several who have said they're going -- who have had some concerns. I think -- I think at least for my part, I plan on voting for it. I appreciate the information that's been provided by -- by the staff and their analysis, and I also appreciate the presentation by the -- by the applicant and the neighbor's comments. And so for -- for all of those reasons, I intend on supporting this.

MR. STANTON: This is ripe for a motion.

MS. LOE: We have a motion.

MR. STANTON: Mr. Secretary, can we -- can we take a vote, sir?

MR. WILLIAMS: We can.

MR. STANTON: All right.

MR. WILLIAMS: All right.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Ms. Placier, Mr. Stanton, Mr. Williams, Ms. Wilson, Mr. Walters, Voting No: Ms. Loe.

Motion carries 6-1.

MR. WILLIAMS: That is six yeses and one no. The motion carries.

MR. STANTON: A recommendation will be forwarded to City Council. Thank you, Mr. Secretary. Let's rock on.