

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
August 8, 2024

Case Number 193-2024

A request by Dawn Hough (agent), on behalf of Yellow Lab Properties, LLC (owner), for approval of a Conditional Use Permit (CUP) to allow 307 St. Joseph Street, Unit D, to be used as a short-term rental for 210 nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m) of the Unified Development Code. The 0.24-acre site is zoned R-MF (Multiple-family Dwelling) and is located 250 feet southwest of the intersection of Park Avenue and St. Joseph Street.

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 short-term rental CUP.

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 the public hearing, please disclose so now. Seeing none. Any questions for staff? Seeing none.

PUBLIC HEARING

MS. GEUEA JONES: We will open the floor to a public hearing. Please come forward if you would like to speak on this case. We allow for six minutes for groups, three minutes for individuals. State your name and address for the record.

MR. SHENKER: Rick Shenker, Cliff Drive. I have a question about accessibility in general. If you have an elevated entrance, is the accessibility related also to the interior? In other words, are the modifications required for accessibility on the interior of the -- not necessarily this one, but any of them?

MR. ZENNER: That is going to be -- that is a building department related issue.

MS. GEUEA JONES: Sir -- I'm sorry. Could you stay just in case we have any problems.

MR. SHENKER: Okay.

MR. ZENNER: Would be a building department related issue as it relates to the interior. To be able to get into a dwelling unit, which is the intent of the regulations is why we have an accessibility requirements. It must comply with federal, state -- federal, state, and local law. So if you are making that unit available, I'm assuming to a disabled individual that cannot traverse stairs internal to a building, you would have to have accessibility interiorly. I believe, and I will let Ms. Loe speak to this because she was the Commissioner that had requested the standard be incorporated, if it was -- it would not be our interpretation that the internal areas of the dwelling, that would be being sought for short-term rental, would need to be modified. It is to be able to get into the building then if modifications interior were desired to accommodate a disabled individual on a ground level or multi-story building, that would be something that the applicant would have to be giving consideration to. But getting into the structure from a parking area is the underlying intent for the accessibility standards I understand what we adopted.

MR. SHENKER: And so on the interior, is your understanding that it remain as it is, or does it have to comply with the federal rules for accessibility on the inside?

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: The reason we requested the language be added is that when the unit is not the physical dwelling owners, then it's considered commercial, as Mr. Zenner started out his presentation with clarifying. And, yes, as a commercial property, it does need to meet the adopted accessibility standards.

MR. SHENKER: Okay. Thanks.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Stanton? I'm sorry, sir. Could you stay for just a minute?

MR. SHENKER: Oh, I'm sorry. Working overtime.

MR. STANTON: Do you represent the property concerned?

MR. SHENKER: No.

MR. STANTON: Okay. You're just asking a question?

MR. SHENKER: It was a curious comment that he made with only the entrance may or may not have to be accessible. It was a curious question.

MR. STANTON: I understand. Thank you.

MS. GEUEA JONES: Any other questions? Thank you very much.

MR. SHENKER: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward.

MS. HOUGH: Good evening. I am Dawn; I am the owner of this building here at 307 St. Joe. I am proud to own a woman-owned business. I own the company that owns this building. I have rented to many members of the community over the last 12 years. Mr. Zenner brought up the character of this neighborhood. That's one of the reasons we fell in love with this building. There is a lot of character being in the North Arts district. There's a lot of cafes and dance studios and yoga and things like that which make it a great property. Over the past few years, due to that location, we've had many requests for a short-term for traveling nurses. We just had a professor that put on musicals at Stephens College, and was needing a place. And so that's one of the reasons we've made this decision to try to do this. On the parking issue that Mr. Zenner brought up, yes, we have two for every unit there -- two parking, off-street parking. Part of the North Village District parking is that once you sign a lease with us and take it to the City for your utilities, you get two parking passes for each unit. So that being said, if they have more people that happen to come over, say their parents, we tell them, well, you can leave your cars on the street, your parent can park in your lot. All of our spots have letters, so they're assigned parking. I think that's it. I do want to say thank you to Mr. Zenner. He's been a huge help in this application process. I really appreciate that. So any questions?

MS. GEUEA JONES: Thank you. Commissioner Stanton?

MR. STANTON: Love the application, love the location. Plan to support it, but I'm going to ask you a tough question. Are you ready?

MS. HOUGH: Yeah. I'll try.

MR. STANTON: Who do I call when there's a problem and how fast are you going to resolve it?

MS. HOUGH: Well --

MR. STANTON: And, I mean, I only ask that because you're an LLC, so it's corporate
(indiscernible) --

MS. HOUGH: Yes.

MR. STANTON: -- and you're not personally on the property, you know. You're kind of removed from it. It's a business. It's a business property.

MS. HOUGH: Well, I -- yes.

MR. STANTON: A big -- a big issue with when we were going through this short-term rental marathon was accountability. It doesn't seem like you have those problems there, but let's prepare for the worst and hope for the best. So worst case scenario, there's a problem. Who do I call and have to ask that you give me that will solve the problem?

MS. HOUGH: You will call me.

MR. STANTON: Okay.

MS. HOUGH: My husband and I, who I actually met through this venture, I talked to Mr. Zenner about, I -- I actually married my maintenance man for this.

MR. STANTON: I would do the same thing.

MS. HOUGH: So we are the point of contact. We have magnets on the refrigerators and we have texting availability for everything. We fix everything. I've probably got paint in my hair right now, as I'm talking to you. We paint, we clean, we re-do everything ourselves. This is my business that I work all the time. My tenants that have stayed there, all of them just have stayed at least two to three years. I really feel like we've been good letting more people stay with us. We try to fix things. We just had a central air unit break, and I am not a good one for the heat, so we put window units in, just in case, just until we could get that maintenance man there or the HVAC guy there. So we are your point of contact.

MR. STANTON: So I'm worried about the party. I'm worried about, you know, because -- and I -- I'm not really worried about the long term. I just -- I'm worried about since you're going down the short-term rental road --

MS. HOUGH: Right.

MR. STANTON: -- you're not -- you know, they're self-policing when they're all long-term. You've got one unit that's going to be transient. I have a party or I have six cars instead of just two. You're telling me I can call you, you're on it in 30 minutes?

MS. HOUGH: I live about 15 minutes away.

MR. STANTON: Okay.

MS. HOUGH: We have security cameras around the property. Of course, not inside the property, but we do have security cameras, so we can see whose coming in, we can see the back of the

property, the sides of the property, so, yes. I would know right off the bat, and I would be there within minutes.

MR. STANTON: Good. Thank you.

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

MS. PLACIER: Yeah. I'm kind of related to that. We always ask if -- or the department asks if neighboring property owners have been consulted on these proposals. Back when we included tenants, have the other three tenants been asked if this is okay with them?

MS. HOUGH: Yes.

MS. PLACIER: And transients --

MS. HOUGH: And they did receive a postcard from Mr. Zenner. Because a couple -- and then they saw the big banner in our front yard and it was, like, what's happening. So they were more afraid that we were going to sell the building, to be honest with you.

MS. PLACIER: Ah. Okay.

MS. HOUGH: Yeah. That was their biggest fear. And so everybody's fine with that, and we've discussed it. I mean, it's not going to be an every night thing. They know that, you know, we're not exactly sure what's going to happen. It may be one weekend a month, you know. I mean, we don't know that right now. But, no. We discussed it with all of them, so that won't be a problem.

MS. PLACIER: Okay. So the tenant then has to share the patio with them?

MS. HOUGH: Uh-huh.

MS. PLACIER: A revolving set of players is okay with them?

MS. HOUGH: Yes. And it's school teacher and a banker actually here in Columbia, and we discussed it with them. And the patio right now is one big, like he said, for C & D, but we're probably going to be putting some, sort of, divider just for, kind of, privacy sake. So that's probably what we're going to be laying.

MS. PLACIER: Yeah. I wondered about that.

MS. HOUGH: Yeah.

MS. PLACIER: You also have -- well, maybe you didn't, but it was in the staff report, on sleeping arrangements in the living room. That would have to be within the maximum number of occupants, which

is four. I mean, you wouldn't -- if somebody attempted to squeeze a fifth person in there somehow, which is --

MS. HOUGH: No. I think I was a little bit confused at the first part when we talked about that. Like, I didn't know from my travels of staying in different Air B&Bs, sometimes there's a couch in the living room that can pull out to a sleeper bed for, like, say a child. And so we don't have that, though. We just have a small couch in the living room, so it's not -- it's just like a love seat actually that we're going to be putting in. It wouldn't be an extra bed.

MS. PLACIER: Okay.

MS. GEUEA JONES: Thank you. Any other questions? I just have one because I think especially in -- apologies, these should start going a lot faster. We're very early in this process. As we were developing the ordinance, a lot of people were confused about what was a short-term rental and what was a long-term rental. You mentioned visiting professors, visiting nurses. Were those 30-day contracts or were those, like, a week at a time?

MS. HOUGH: We never had any. They had just asked if we did.

MS. GEUEA JONES: Okay.

MS. HOUGH: Because we have a long-term tenant in there, had a year lease, who was the production manager at Stephens, and they had friends coming to work for that, and he thought maybe we had extra, we had, like, an Air B&B, and I said we did not.

MS. GEUEA JONES: And were those --

MS. HOUGH: They were not --

MS. GEUEA JONES: -- they were not, like, 60 day, 90 day --

MS. HOUGH: Two weeks. Two weeks type things. Yeah.

MS. GEUEA JONES: Okay.

MS. HOUGH: They just needed a place, and we didn't have anything at the time. We got several calls during the Covid years. People were coming to town, only here for a short term. And with our location being so close to all three colleges and the hospitals, it was a great location for -- for that.

MS. GEUEA JONES: Well, thank you. Like I said, I just wanted to clarify, because a 90-day visiting nurse or a visiting professor for one semester, it's not a year, but it's not short-term, so I just

wanted to clarify.

MS. HOUGH: No. Yeah. It was just a couple of weeks while they did -- I think they were going to cut loose or something like that, so --

MS. GEUEA JONES: Thank you so much. Yeah. I'm sorry. Any other questions.

MR. CRAIG: I have one question for Ms. Hough, if I may.

MS. GEUEA JONES: Please, go ahead.

MR. CRAIG: I'm not a Commissioner, I'm an attorney for the City.

MS. HOUGH: Okay.

MR. CRAIG: I just had one question regarding the ownership interest in the Yellow Lab property's LLC. Is it -- you are a member?

MS. HOUGH: I am the owner.

MR. CRAIG: Are you the sole owner?

MS. HOUGH: Yes.

MR. CRAIG: Okay. Thank you. That's all I need.

MS. HOUGH: Yeah.

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

MS. HOUGH: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward. Seeing none.

We will close public hearing on this case and go to Commissioner comments.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Are there any Commissioner comments? Commissioner Stanton?

MR. STANTON: I'd like to entertain a motion, Madam Chair.

MS. GEUEA JONES: Please?

MR. STANTON: As it relates to case 193-2024, I move to approve the Commission use currently to allow 307 St. Joseph Street, Unit D, to operate a short-term room for the passing of 210 nights annually, subject to maximum occupancy and final compliance reviews, being completed by the City's Housing and (indiscernible) Service Department following the City Council action.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Loe. 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: Ms. Loe, Mr. Stanton, Mr. Williams, Ms. Geuea Jones, Ms. Placier, Ms. Wilson, Mr. Walters. Motion carries 7-0.

MS. LOE: Seven votes for, none against. The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.
Going on to our next and final case for the evening.