

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL
701 EAST BROADWAY, COLUMBIA, MO
MARCH 20, 2025

COMMISSIONERS PRESENT

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

COMMISSIONERS ABSENT

Mr. Thomas Williams

STAFF

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

I. CALL TO ORDER

MS. GEUEA JONES: I will now call the March 20, 2025 meeting of the Planning and Zoning Commission to order.

II. INTRODUCTIONS

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

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

MR. BRODSKY: Here.

MR. STANTON: Ms. Ortiz?

MS. ORTIZ: Here.

MR. STANTON: Ms. Placier?

MS. PLACIER: Here.

MR. STANTON: I'm here. Madam Chair, Ms. Jones?

MS. JONES: Here.

MR. STANTON: Mr. Williams? Ms. Loe?

MS. LOE: Here.

MR. STANTON: Ms. Wilson?

MS. WILSON: Here.

MR. STANTON: Mr. Walters?

MR. WALTERS: Yes, here.

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

MS. GEUEA JONES: Thank you very much.

MR. CRAIG: You need to -- we're missing a Commissioner here on roll call. Oh, did he call --
Oh, I'm sorry. Pardon me.

MS. GEUEA JONES: Okay? Okay.

MR. STANTON: Counsel, are we good?

MR. CRAIG: Yes, we are.

MR. STANTON: All right.

iii. APPROVAL OF AGENDA

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

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

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

MS. LOE: Move to approve the agenda.

MS. ORTIZ: I'll second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner Ortiz. Can I
get a thumbs-up approval of the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous. Very good.

IV. APPROVAL OF MINUTES

MS. GEUEA JONES: Are there any changes or adjustments to the minutes from our March 6th
meeting? Seeing none.

MS. LOE: Move to approve the minutes.

MS. ORTIZ: I'll second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner Ortiz.
Thumbs up approval of the minutes?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous. Thank you.

V. TABLING REQUESTS

MS. GEUEA JONES: Our first case of the evening is a tabling request.

CASE NUMBER 92-2025

**A request by Crockett Engineering (agent), on behalf of P1316 LLC (owner) for approval of
a PD Plan to be known as "Discovery Apartments" and a revised, site-specific statement of intent.**

The PD Plan also serves as a new preliminary plat for the site's 22.14-acres and is being concurrently reviewed with a proposed replat of Discovery Park Subdivision, Plat 6A and 7. The PD Plan proposes to create five lots and one common lot for a mixed-use development containing residential dwellings and commercial uses. Site-specific development is being proposed on Lots 1 and 2 of the Plan. The approximately 22.14-acre subject site is located around the perimeter of the roundabout at the northern end of Endeavor Drive and is bounded by Brairmont Avenue (private) to the east and Artemis Drive (public) to the west.

MS. GEUEA JONES: May we please have a staff report on the tabling request?

MR. ZENNER: Yes, you may, ma'am. This was an advertised public hearing, and I do have the wrong map here. I apologize. So we are down at Discovery is where we're at. Many of you are aware of where The Kitchen is. This is -- that is bounded by Endeavor and Nocona. Endeavor is the roadway that comes in off of Gans and goes all the way to the lake. It currently terminates in a cul-de-sac. We are talking about the property at the end of the cul-de-sac and fronting on the lake, that 22.14 acres. My apologies for not having the map. This was an advertised public hearing. However, as we were finishing up internal staff review, it was identified that there were several issues that needed to be addressed that will require some significant additional time, hence the reason for the request to table to April 24th. As stated in the staff memo that came out with this tabling request, that is the maximum tabling prior to having to re-advertise the entire project. We will and have sent out notice of this tabling to the adjoining property owners that were within 185 feet and homeowners' associations, neighborhood associations within 1,000 feet. We will re-notice that same group of individuals prior to the April 24th meeting. This tabling request was arrived at after consultation with the applicant and their design professional. However, again, this was an advertised public hearing, so if there is anybody here to speak in regards that, standard -- standing policy would be to allow them to talk on the tabling request. We do not have a report ready.

MS. GEUEA JONES: Very good. Are there any questions for staff regarding the tabling request? Seeing none. This was advertised for public hearing.

PUBLIC HEARING OPENED

Did anyone come here tonight to speak on this case? As Mr. Zenner said, we will not be approaching the merits of the case tonight, but if you would like to speak on the tabling motion, please come forward. Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

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

MS. LOE: I will make a motion to approve the tabling request for Case 92-2025 to April 24th, 2025, date certain.

MS. GEUEA JONES: Thank you. Is there a second?

MS. ORTIZ: I'll second.

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

MR. STANTON: Yes, ma'am.

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

MR. STANTON: Eight yeses. The motion carries.

MS. GEUEA JONES: Thank you. That case will be tabled to date certain April 24, 2025.

VI. PUBLIC HEARINGS

Case Number 74-2025

A request by Allstate Consultants (agent), on behalf of Bethel Baptist Church, Inc. Rt. 3, Columbia, MO 65201 (owner) seeking approval of R-2 (Two-family Dwelling) district zoning as permanent City zoning pursuant to annexation. The subject 7.85-acre property is presently zoned Boone County R-S (Single-family Residential) and is addressed as 201 Old Plank Road. (This request was tabled at the February 20, 2025 Planning Commissioner meeting to modify the requested permanent zoning from R-1 to R-2).

MS. GEUEA JONES: We are only hearing the zoning tonight, not the annexation. May we please have a staff report?

Staff report was given by Rusty Palmer of the Planning and Development Department. Staff recommends approval of the R-2 permanent zoning requested, subject to annexation of the property into the City's corporate limits.

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. Any questions for staff? Seeing none. We will open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public have come to speak on this case, please come forward now. State your name and address for the record. We give six minutes to the applicant and people speaking on behalf of groups, and three minutes to everyone else. And thank you very much for coming.

MR. SHY: Good evening. My name is Ron Shy; I work with Allstate Consultants, and I'm representing the church. They have this surplus property, and they would like to sell it. And the church is obviously staying in place, and as Mr. Palmer said, it's -- it's got a few issues, but we -- I think we have solved everything to make this work. If there are any questions, I would be glad to try to answer these.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much. Anyone else here to speak on this case tonight, please come forward. Seeing

none. We will close public hearing.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments. Any comments on this case? Seeing none. Commissioner Loe?

MS. LOE: If there's no Commissioner discussion on this case, I'm happy to make a motion. Case 74-2025, 201 East Old Plank Road, permanent zoning, move to approve the requested R-2 zoning subject to annexation of the project -- or property.

MS. GEUEA JONES: Is there a second?

MR. STANTON: Second.

MS. GEUEA JONES: Thank you. We're being too kind to each other, guys. Thank you. That's a motion by Commissioner Loe, a second by Commissioner Stanton. Is there any discussion on the motion? I would like to add for the public's edification, this is just about the zoning. The Planning and Zoning Commission does not make decisions related to annexation. Any further discussion on the motion? Seeing none. Commissioner Stanton, when you're ready.

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 yes, Madam Chair.

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

Case Number 89-2025

A request by Engineering Surveys and Services (agent), on behalf of Novelty Construction, Inc. (owner), for approval of a partial rezoning, Statement of Intent(SOI) revision, and approval of a site-specific PD plan to be known as "Centerstate East Subdivision." The 72.08-acre subject site is located southeast of the intersection of Vandiver Drive and Highway 63, and is currently split-zoned PD (Planned District) and A (Agriculture). The rezoning would harmonize the site with PD zoning and establish a development plan for the parcel, inclusive of two hotels, a conference center, and a bank. Additional lots depicted on the plan are designated for common areas or lots for future development.

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends the following:

- Approval of the proposed rezoning, PD plan, and statement of intent, subject to a reduction of the maximum building height to 45 feet (M-C district height standard) for all lots except the hotels and convention center depicted on Lots 2 and 3, as well as reductions in parking requirements for the hotels and convention center.

- Approval of the recommendation above would require technical corrections to both the PD plan and the statement of intent before the case is forwarded to City Council.

MS. GEUEA JONES: 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 Placier?

MS. PLACIER: Yeah. I had a question about Lot 7 being used for tree preservation.

MR. PALMER: Lot 7 would actually be for storm water.

MS. PLACIER: Oh, storm water.

MR. PALMER: If I said that --

MS. PLACIER: Sorry.

MR. PALMER: Lot 8 on the southeast corner, that's the tree preservation.

MS. PLACIER: I didn't have a map in front of me anymore.

MR. PALMER: Well, I can go back.

MS. PLACIER: So eight would be tree preservation. What's the force of that in terms of it being built into the plan, what is our reassurance that these trees could not just be plowed down? I mean, you've given a lot of reassurances about all of the trees will probably --

MR. PALMER: Uh-huh.

MS. PLACIER: -- you know, not be damaged, or that area might not be developed --

MR. PALMER: Yeah. So the portion that's denoted for tree preservation, that is a protected area. It would require a PD Plan amendment and, you know, likely wouldn't be supported by staff given that it's -- it's denoted that way. I've never run into that before, so I don't know what that would look like coming through an amendment process. But then the other aspect I'd point out is that the stream corridor, especially the floodway, is a regulated area that can't be developed. So there is at least that stripe along the corridor on either side that cannot be developed and then, again, that tree preservation area is very well protected as we move forward, so --

MR. ZENNER: I think just to add to that, Ms. Placier, the Unified Development Code and our tree preservation standards in Chapter 12A require 25 percent of the climax forest outside of already regulated corridor which is the stream corridor itself. And the stream -- you can't double-dip. So the stream corridor cannot be used to meet your 25 percent preservation purpose. I think if this is -- if Lot 8 is identified as a common lot, which would normally be how in a residential development we would handle tree preservation, it would be in a common lot, that may be something that can be asked of the applicant to identify Lot 8 as a common lot and, therefore, not available to development, that would be a greater assurance at that point that that lot isn't available, and that goes to Mr. Palmer's point that if they wanted to try to change the common lot, it would require a major amendment. But typically, if you're going to identify this area on the east side of a regulated stream corridor, you're likely not going to seek to develop it because it's more costly to try to get over that corridor to begin with. So I think the assurance that Mr.

Palmer leaves the Commission with is that where it's located in relationship to the other environmental features, the likelihood of it being lost is limited. But notwithstanding your point, if it's not identified as a common lot within the current statement of intent, that would probably be one level of additional assurance that could be offered.

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

MS. LOE: Related to Commissioner Placier's question, Planner Palmer, you didn't touch on the Hidden Creek PUD plan that was included in our packet. And can you just identify where on this plan that is located?

MR. PALMER: This dash line here is the -- the zoning boundary, and so everything in this quarter would have been part of that. And then the rest of it was the parcel to the east, so it extended up to -- is it Hanover Boulevard?

MS. LOE: So is Parcel 8 now incorporating part of what was included on the hidden -- to Commissioner Placier's point --

MR. PALMER: Yeah.

MS. LOE: Okay. Thank you.

MR. PALMER: Yeah. It's -- it's been acquired by the applicant, so it's been -- it's not under common ownership with the rest of that parcel anymore. And so it's being included in this one now.

MS. LOE: Thank you.

MS. GEUEA JONES: Any further questions for staff? Planner Palmer, did you -- did you discuss the possibility of straight zoning with this applicant?

MR. PALMER: I believe at the concept review meeting or pre-concept review, it was, but we kind of had a preconceived notion that given what they were requesting, that it probably wasn't the right way to approach this.

MS. GEUEA JONES: Is that because of the building height and the access?

MR. PALMER: Probably mostly building height, but the access is another component, as well, so --

MS. GEUEA JONES: And building height, in order to get that design exception they'd have to go through Board of Adjustment, or could we have granted that design adjustment for them?

MR. PALMER: I mean, if it's open zoning, it would be a separate action. It would probably be Board of Adjustment, I believe.

MR. ZENNER: It would have been a Board of Adjustment action.

MR. PALMER: Yeah.

MR. ZENNER: I think also added into the concept review, because I also sat in on that concept review given the scale of this project. It is a PD today. It's a PD without any development plan associated with it, and so I think it was a somewhat foregone conclusion that given the C3 uses that were imbedded in the PD Plan, no plan associated, no design parameters, approach this from PD Plan

perspective, we were well aware of the Commissioner's dislike of going down this path due to management processes long term. However, the sensitivity of some of the features that surround this property and the necessity to ensure that as the development is built out, there would be better controls on it, and it has always been identified as a PD and this is, in my tenure working with the City, this is about the fourth or fifth project that has actually come forward on this property. This is the only project that has gotten this far, so -- notwithstanding the PD designation.

MS. GEUEA JONES: Yeah. I guess I'm -- I don't buy the argument that it's about the sensitivity of the site or the unique features of the site for the simple reason that staff is very comfortable with an 85-foot trio of buildings, potentially, so I don't think that there's a lot of -- at least not environmentally sensitive things going on with that part of it. I think we'd be looking at lot more specialty things in the statement of intent if that was the concern. So I'm -- I am saying that I am reading through this and reading through this and reading through this, and other than wanting to build an 85-foot building convention center, I don't see why we've got another massive PD that has expired that we're now going to have to manage for the next 20 years as site after site comes before us and adjustments, and, oh, you know, this is why it's different now. I just don't understand why we can't get to a place where we are utilizing the straight zoning. And I understand it's not staff's decision to make, each property owner has to make that decision. But I am stating on public record, and in a way where I'm not singling out anyone, that this is very frustrating to me. This is another Discovery Parkway. It is incredibly frustrating to me. And I -- I would like to see more applicants saying we are comfortable with the straight zoning requirements. If you will give us this exception on, you know, access points, or something, that would be much more -- and you could do even with the tree preservation, you could still have a common lot that has an easement to the City for tree preservation with straight zoning. So I will quit ranting, but this is frustrating, and is a global problem. Commissioner Loe?

MS. LOE: Thank you. To follow up on Chair Geuea Jones' point, because I had a similar question. So item D under the planned development section requires that planned developments provide to the City amenities or benefits that help achieve the goals of the Columbia Imagined Comprehensive Plan that are not otherwise required by the base zoning districts in return for the added flexibility and uses and design offered by the PD district. So what -- in staff's opinion, what are the amenities or benefits this PD Plan is providing?

MR. PALMER: Well, they are -- they are providing a trail connection that we would normally get otherwise. I think the Lot 8 being preserved as a green space is another item. It goes above and beyond what they would typically have to. Again, that's a primary purpose of planned districts would be offsetting, you know, undesirable or undevelopable portions of a lot with higher densities in other areas that are developable. Lot 8 would be a large area that's not really accessible or developable for this particular property owner, and as a means of setting it aside, you know, not necessarily as a usable space, but as a green space that kind of offsets the development that they're proposing is one way to look

at it, at least. Other than that, they are not proposing a lot of, you know, public amenities as of yet, but Lot 9 has a lot of development potential. That could be something that we ask of them as we move forward, but, right now, I would say we're -- we're limited to just offering extra green space in exchange for taller buildings on a portion of their site that they can build on.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for staff? Commissioner Stanton?

MR. STANTON: I'm just going to make a statement. I do agree with my colleagues that we need to push for more straight zoning, but I think if they would have went for straight zoning, they wouldn't have got it. So they're -- they're playing chess and they're, like, let's do a PD Plan and we'll make a deal with the City, and I like the give and take in this PD Plan. So if I were them, I would go PD too because straight zoning, they may not get anything.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will open the floor for public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public to come forward? Just as a reminder, name and address for the record, and six minutes for the applicant, three minutes for individuals.

MR. KRIETE: All right. My name is Matthew Kriete; I'm with Engineering Surveys and Services, offices at 1113 Fay Street. I do have a representative from the applicant and the architect here with me, as well. Can you switch me over, please?

MR. ZENNER: It's in the back. I don't have control.

MR. KRIETE: Oh, okay. So just tonight, I want to touch on a few things, obviously, a little highlight of the request. Give, you know, an introduction of the applicant, which I think many of you may already know, discuss the history of zoning on this, and already been discussed quite a bit, highlight the outreach we've had on this, and, of course, discuss the plan, a little bit of parking standards and the building height. So from the request again, this is modernizing the PD zoning standards there, so again the frustration with managing PDs, I -- I understand the concern. This does bring it up to at least then to the UDC standards, and we're not trying to manage something from 1998. And then second, of course, the PD Plan, the associated preliminary plat, will be, you know, for the northern portion of the parcel. Again, the applicant has been developing and operating hotels in mid-Missouri since 1996. They have over 700 rooms currently, 500 employees in mid-Missouri, and are also very active in the community and I see some highlights of their community service. From an outreach standpoint prior to submitting this request, we did personally contact all of the adjacent property owners, as well as the Mexico Gravel Homeowners Association. Received no comments or feedback from them. So again, a little history. Highlighted on this map, you'll see kind of the purple. There is what's actually zoned PD. The swath through the middle is what is still zoned A. Again, the larger portion was zoned in 1998, and 2005 with a PD Plan. And just a little highlight about that southern, very extreme southeast corner. There's about

16 to 24 units proposed on that PD Plan in that area that now will be dedicated as green space. So the zoning update, of course, is the old 72 acres, and then again, this brings the CP and PUD into modern standards again, prints out a statement of intent that it did not exist before, commuting the dimensional requirements and design parameters. The PD Plan itself, of course, we're focused now on the north side of the site, looking at two hotels, a conference center, and -- and the bank. Of course, then there's some other areas available for future development. Again, highlighted in purple are those areas. And again, public infrastructure will be along with this. We have a water main currently that ends near the U-Haul north of the site on Vandiver will be extended across to our site, through the site, and actually across Highway 63 to connect into Vandiver, so certainly a public improvement available here. And then the green space again highlighted there. That will be in that green space trail easement. And then I've highlighted also in red the trail portion that would be there. Parking, again, as -- as highlighted, we did use ITE standards to calculate the parking. Again, the site is a little unique, and the size of the conference center, this, I think, is a good calculation to it, and, you know, as you see, came pretty close to City standards, but there are some additional likely meeting rooms within these hotels that would increase the number that Mr. Palmer presented to you, but you see it again, not significantly less, but data-based. Again, we talked about building height. Well, this is the driving factor on the PD in my mind. You know, receiving a variance is not an easy task, and the zoning code makes it a very -- a stringent requirement to meet and, you know, justifying, you know, height can be difficult. Again, this is where the PD standards exist. It allowed this opportunity to look at more height. So first, I will highlight the '98 zoning does allow a 45 feet, plus a foot for every foot of additional setback, so it does allow you to go to a higher height. Again, we'll bring it into UDC standards, so we are specifically addressing the uses. Our latest statement of intent does state that the only 60 foot would be allowed from multi-family buildings or any multi-use building. Any stand-alone building would be limited to the 45 feet. Again, building height, this is a unique area. You've got a parcel that backdrops a ridge line that sits, you know, up around 800 feet, so it would be higher than any of the roof lines on this building. And, of course, all the roofs around the area are equal to or, you know, maybe even a little higher than the highest building on this site. And then looking at the Vandiver Bridge that crosses while you're going southbound on Highway 63 is very limiting to the site visibility, so they get extra building height that helps improve that. So got a couple of renderings just letting Google Earth just to kind of give you vertical perspective on the site. So you can see to the left, the hotel, the conference center, and then there's some other boxes in there that are sitting at 60-foot in height. To the right, you see Menard's, you'll see the Hilton Garden Inn behind that, and you're kind of getting back to where Bass Pro is. And then providing a little further back to the north, getting past the bridge a bit, again looking down on it, you can see that I'm getting the prospective of those building heights and comparison. Again, you can see where they really truly match a similar plane. And, then lastly, this -- this prospective gives a -- backwards, sorry. This perspective gives you a good idea how this looks in the backdrop now of the ridge line along Hinkson Creek. Again, those buildings

actually being a little lower than the top of that ride line. So, again, they would not impede the view of any development that may occur back there in the future. And then with that, I would be happy to answer any questions you may have.

MS. GEUEA JONES: Thank you. Questions for this speaker? Commissioner Stanton?

MR. STANTON: So if you don't get your height variance, this is a no go?

MR. KRIETE: It's difficult to build a hotel that's needed here without the height variance, absolutely.

MR. STANTON: Okay.

MR. KRIETE: Yeah. And again, the nice thing without a PUD, it's not really a variance, it's a deviation.

MS. GEUEA JONES: Commissioner Ortiz, and then Commissioner Loe. Sorry.

MS. ORTIZ: Do you feel the same way about the 60 foot?

MR. KRIETE: No.

MS. ORTIZ: Okay.

MR. KRIETE: No. Staff has done a great job reviewing this, and I can't disagree with the idea of coming back with a plan with specifics. You know, I wanted to show our case, and I think it's well justified, but to say, hey, yeah, let's look at a specific building when we ask, and I think that's a reasonable request.

MS. ORTIZ: Thank you.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I'm going to ask the same question I asked staff. What do you believe is being provided to the City in terms of amenities or benefits in return for the flexibility in design?

MR. KRIETE: Yeah. That's -- thank you for -- thank you for asking that.

Dr. PURI: Can I say that?

MS. GEUEA JONES: No. I'm sorry. We have to do it one at a time, but you can come up next.

DR. PURI: Even the applicant.

MS. GEUEA JONES: One person at a time.

MR. KRIETE: Yeah.

MS. GEUEA JONES: You'll have time, I promise.

MR. KRIETE: Sorry. Yeah. I skimmed over that, so thank you for asking that. March 3rd, the Council actually reviewed a report on conference center need in Columbia. And, right now, we've got a critical need for additional conference center space, and this -- this goes a long way to improving that. So I think this, itself, I mean, just the development itself is something that's sorely needed by the City of Columbia, so I think that, in itself, is a big benefit of having this development in place. And certainly, you know, putting the zoning in place, as staff mentioned, as well with Lot 8 being not only zoned for no use

on that. It can be a common lot. It's got a green space conservation easement. You've got several layers of protection on that tree area and along Hinkson Creek that don't exist today. And giving, you know, the City a chance to build a trail through there, as well, so --

MS. LOE: Thank you.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: Could you hazard a guesstimate here about if the U-Haul building that's existing nearby were placed exactly on this site, let's say the white part of the Hyatt building here, what would be your guesstimate would be up the fourth-floor windows or the fifth floor? What would you -- I mean, do you have enough information to guess that, I guess?

MR. KRIETE: Yeah. On top of the U-Haul building sitting, and I would just talk vertical grades, about 735, so the top of the proposed hotel would be sitting at about 780. So there is a -- you know, it is quite a bit higher than the U-Haul building.

MR. WALTERS: Is the topography similar -- the base of the U-Haul building, is it above or below this base?

MR. KRIETE: It's sitting roughly --

MR. WALTERS: Just if you know. I realize --

MR. KRIETE: I mean, yeah. They're pretty similar. About -- sorry. I've got something to look at here.

MR. WALTERS: Okay. Okay.

MR. KRIETE: So, yeah. It's pretty similar.

MR. WALTERS: Okay. Thank you.

MS. GEUEA JONES: Other questions? My question is, this is 72 acres?

MR. KRIETE: Yes.

MS. GEUEA JONES: And I -- I know, you know, I'm -- the thing that I am struggling with is it sounds like you are ready to break ground on the convention center; is that correct?

MR. KRIETE: Yes.

MS. GEUEA JONES: And that takes up what portion of that? Three acres maybe? Is that big? That feels big.

MR. KRIETE: Oh. Well, you consider, you know, the first phase that it's likely the green space is going into the plat.

MS. GEUEA JONES: Uh-huh.

MR. KRIETE: You've got the hotels, lots platted, and that, so you're looking at generally a little more than the -- more than a third of the property, you know.

MS. GEUEA JONES: Okay.

MR. KRIETE: You know, and a lot of this is green space, so, you know, roughly a developable area, it's close to half.

MS. GEUEA JONES: Close to half, and then everything else is essentially M-C zoning, but under a PD Plan?

MR. KRIETE: Potentially. Again, potential of building height discussions later on, but yes.

MS. GEUEA JONES: So to Commissioner Loe's point, the purpose of PD is to have creative situations, creative mixed use, creative ways of dealing with unique sites, and I am struggling to see how this fits into that framework because I just keep coming back to you can't build in the flood plain anyway. There's a -- because of where the flood plain is located, there is very good chance that you can't develop that southeast corner regardless of what the zoning is. Right? So I -- I don't disagree that a convention center is desirable, but I'm not sure that that fits the criteria for being a major benefit enough to waive portions of the Code and create a 72-acre site we have to manage, where you're not planning to build half to two-thirds of it anytime in the near future, and you're going to be coming back here time after time -- not you, maybe, but someone is coming back here time after time after time with each new lot. Staff is spending time trying to figure out does it fit the SOI, where are we at on total open space. You see what I'm saying? Like, you are handing us a legacy problem, and I'm trying to see what in this plan justifies that on our end. Help me.

MR. KRIETE: Well, I mean, one thing, there is -- I mean, there is a possibility of additional development and there will be additional development. I think you've got a possibility of a lot of unique development that, in the end, will necessarily meet the UDC standards to the T, and there will be flexibility that will be opened up with this development. Proposing any of that now is nearly impossible because we have infra-- we have infrastructure that's limited. So as -- as staff had mentioned, Creekwood Parkway does need to extend and eventually needs to have a southerly connection. So bringing in a plan for that right now, we can't do. Second, I will highlight again, it's PD today. We're trying to bring that PD into UDC standards. We could have just come in with a plan under the current PD code, and just a plan, as well. So we are trying to bring this into a better situation. I agree. I wish we could do everything under M-C, but we're -- we're proposing things that don't fit within the Code, so there is a unique situation here. We are providing a trail easement for the -- for the City on something that is ready to go now, that they would otherwise be coming through to acquire.

MS. GEUEA JONES: And again, the big hangup with straight zoning is building height?

MR. KRIETE: That's the biggest hang-up here. You know, I venture to say there's going to be more hang-ups in the future.

MS. GEUEA JONES: Indulge me briefly. Forty-five feet is four stories?

MR. KRIETE: On a commercial-type building, you're going to struggle getting to three.

MS. GEUEA JONES: Three stories. Okay.

MR. KRIETE: On apartments, you may get to four, but it's tight.

MS. GEUEA JONES: Sixty is four?

MR. KRIETE: Yeah.

MS. GEUEA JONES: Eighty-five is six or seven.

MR. KRIETE: In this case, not much more than five.

MS. GEUEA JONES: Five?

MR. KRIETE: Yeah. And it's driven a lot by floor or ceiling height, depending on your use will be a lot, so you think of the apartments generally 11 to 12 feet, floor to ceiling height. You know, commercial type spaces, hotels, they have larger floor to ceiling heights.

MS. GEUEA JONES: Do you get a lot of people coming to you saying we want to build a five-story, six-story, seven-story building in Columbia? Help us.

MR. KRIETE: On occasion, yeah. Yeah. It has been a hang-up.

MS. GEUEA JONES: Okay. If that is the only thing that's keeping you from using the UDC, that is of great interest to me as someone who thinks that PDs are more problem than they are problem-solver, and I would add that to my list of things to consider.

MR. KRIETE: Yeah.

MS. GEUEA HONES: So thank you very much. Any other questions for this speaker? Seeing none, if you would like to come up now, sir.

MR. KRIETE: Thank you.

MS. GEUEA JONES: Go ahead. And name and address again for the record. Thank you.

DR. PURI: I'm Dr. Raman Puri; I'm the owner of Novelty Construction and Puri Group of Enterprises responsible for this project. I think that we were handed a PD zoning already in this development, so we, you know, brought what we could to you in the best form. As far as what we're providing is very -- you know, the tree preservation back there, we hope to keep that serene back there along Hinkson Creek. We have moved that to Creek Parkway outside towards Highway 63 so we can preserve that nature area, which on the CATSO Plan, originally that creek or pathway was, you know, along the creek, which would have resulted in a lot more ecological damage to the stream. So we have, you know, mitigated a lot of those things by -- you know, with this development. Additionally, we also providing a main that we're spending significant amount of money on to connect to the other side to Menard's, a City water main which would not be developed. So we are providing that, also. We're also extending the City water main from U-Haul all the way down to this site, and then putting in all of the infrastructure, such as electrical, sewer, all of that. So this is what we are providing in this development. The tree preservation, as Ms. Placier has indicated, that whole hillside will remain with trees. Nobody is going to touch that, because that is what I would like to see from -- from the hotel back into that. As far as the height is concerned, building hotels of five stories to six stories, you need that much amount of height to do that. The Code does not allow that, hence, the -- you know, the request with this zoning. If the regular open zoning would allow that building height, then you're right, you would not be here discussing that. So maybe that needs to be amended in that fashion so you're not dealing -- dealing with that. So the conference center is elegantly done. It's a hired franchise is the hotel. There's a lot of

green space. We are preserving a lot of nature along the sides of the property because it's all nestled in that area. The property sits significantly lower than 63. The property where we -- our Hilton sits on the other side of Menard's is significantly high. So even when it may seem to you that 85 is barely touching the height of what Menard's is today, which is, you know, not a multi-story building. So because it sits down low, that's why the height is actually mitigated because it just blends in with the skyline, so it's not towering above anything because of the way that the land sits below the highway on the other side. So eventually Creekside Parkway will be connected to the other side. We do not plan to sit on this development forever. We will do phase one, which is the conference center and the hotels, and then as we are getting that phase out of the ground, we'll start working on coming up with a plan on -- on phase two. Our goal for this development is to have a nature oriented area, which there will be a place where everybody can, you know, along the trail, along the hotels, along the green space can -- can use as they feel a serene surrounding without ecological disturbance from all the traffic and other things, just keep it pristine like it is today. That's our goal here. So -- and hence the design that we have proposed in that fashion in saving all of that nature in its place, no trees are -- basically, you said 72 acres back there, out of which 22 or so acres are the tree preservation. So the development site is only close to 48 or so acres that we are looking at, out of which significant amount of green space will exist. And there is not going to be high density other than, you know, these hotels that are there. It's going to be basically mixed use and it's going to be done in a very A-class fashion, and also to preserve the surroundings, and also a place where people can meet, congregate, and -- and be around and enjoy the nature, as well as the facilities that are there.

MS. GEUEA JONES: Thank you very much. Are there any questions for this speaker?
Commissioner Walters?

MR. WALTERS: Yeah. I would imagine that the access to the trail and so forth would be an amenity that you would publicize or include in your advertising as a reason to stay there.

DR. PURI: Absolutely, because throughout the development, we have a detention center, you know, on the backside, the storms for detention on the backside of the hotel. So, I mean, we're going to have trails that are going to be along that area, along Hinkson Creek and the detention area. Yes, it's going to be sort of like a nature preserve, if you will, to preserve that, at the same time bring in some of these amenities that are needed because the conference center is needed by the City. The study has been done. It's been a positive one, and we are doing that without any public funding. With private funding, we are building that.

MR. WALTERS: Thank you.

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

MS. LOE: Dr. Puri, just one question. Are there proposed plots currently platted or is that part of what we're approving? So I'm looking at Lot 9, for example. Is that a currently platted lot, or are you proposing those boundaries?

DR. PURI: Can you answer that clearly for --

MR. KRIETE: They are not --

MS. GEUEA JONES: Would you say your name again, just --

MR. KRIETE: Yeah. Matthew Kriete.

MS. GEUEA JONES: Yeah. They're not currently platted?

MR. KRIETE: They are not currently platted, so this is actually a preliminary plat, as well.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much. Anyone else to speak on this case tonight, please come forward. Seeing none, we will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments? Any Commissioner comments on this case? Commissioner Brodsky?

MR. BRODSKY: I'll start us off. I intend to support this -- this development proposal. Just want to make a couple of comments. One, very much appreciate moving the roadway away from the creek. I think that will -- that will be a benefit. And I hear your -- your concerns, Chairperson, but I -- I tend to side more where the applicant is coming from, you know. It was already zoned PUD, and like they mentioned, I think the community does need an amenity like this. So to get to that place and having adequate hotel space to -- for that conference center, this seems like a reasonable pathway to get that -- to get there. Now, if they were coming to us with a PUD plan or a PUD fresh zoning, that maybe my calculus would be a little bit different there. So, yeah, those are the totality of my comments. I plan to support this.

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

MR. STANTON: I plan to support it as recommended -- recommended by the staff.

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

MS. PLACIER: Well, just to say that it's hard to imagine these very tall hotels next to Highway 63 as being some sort of nature-oriented place. But I guess we can imagine, and I realize that the graphics we've been shown are just, you know, conceptual, you know. I would like to think that the design and the landscaping would carry through that promise of something nature oriented, but I will not hold my breath on that.

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

MS. LOE: I appreciate the comment that this did come in as a PD or started out as a PD. And I agree that if this were coming as a new PD, it does not appear to be a strong candidate. So I think that -- unfortunately that some of the comments that were made this evening identified that PD standards exist to allow for more height, and that is exactly what I would want to avoid. I do not want applicants going the PD route simply to get a height variance. We have a process for doing that, and I believe that's the

appropriate process. I also have some real qualms about the position that the applicant is making for proposing the height increase. I think we're opening a slippery slope by looking at not even adjacent properties, but of properties some distance away and picking those heights as heights we want to match to create a ceiling or a datum for an area. Some cities have done this for a while. Philadelphia is one of them. They set a cap on all their downtown buildings because they wanted City Hall to be the tallest building. They no longer have that cap. And it worked for a while in Philadelphia because City -- downtown is relatively flat. I was trying to imagine what San Francisco might look like if it set a ceiling or a datum, and all the buildings in San Francisco had its finished roof elevations at a uniform height. Columbia is not a flat city. So if we were to introduce a height ceiling or datum versus a height limit, we could be assigning more value to land with lower elevations because they would be allowed to potentially build taller buildings. And in some cities, that is worth quite a bit of money. So I don't want to open up that door. I do not like the model that was proposed by these applicants. So if -- frankly, I'm still on the fence. If I do approve it or support this, it won't be for the argument you proposed. Rather -- plus I think if someone else owned the property across 63, they would be fighting having this height -- building height increase as being competitive. Yeah. I'm really conflicted about that. So it may be that in this case, since again it came in as a PD, there's reasons to move this forward, but I did want to identify those concerns. Thank you.

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

MR. WALTERS: I would support this whether it was rezoning or PD, the way it presented tonight. I don't think he should be -- people should be penalized because they chose an option that was available to them. Now whether it's -- you think it's better straight versus this, I don't think that's relevant as much as what they -- what is before us here, and it's -- it seems, you know, a tall building in a semi-isolated location in terms of its impact on nearby residential property owners. Anyway, I think it's a pretty attractive development, and also I think there's an advantage, a PD in terms of you mentioned about the necessity of coming back from time to time to get -- to get further parts of this project reviewed and approved. Well, I think that could be an advantage to them, because we don't know -- just -- we're having a severe challenge for these right now, but let's say ten years from now, it's eased, and there's not a demand for multi-family housing or whatever else they may -- whatever else they may want to do with this site. So I think it gives them some flexibility to respond to the conditions at hand five years from now, ten years from now, maybe even fifteen years from now. I don't know.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I definitely agree with Mr. Walters on that point there. Discovery Ridge is a perfect example. When -- just I've been here long enough to know the original PD Plan at Discovery Ridge, it looks completely different from how it was intended. But if we had held their feet to the fire to that, Discovery Ridge probably wouldn't be a successful development. Because they were able to adjust and adapt, they were able to adjust and adapt to the market, and I think that's a good thing for the PD

Plan, for that point. But to the other point Mr. Walters made, if you would have accepted straight zoning or PD, my thing is this. If they had -- if they felt that strongly about it, they would have went straight zoning and played their card on the high -- on the height building -- on the building height with adjustment. Probably, they didn't feel that confident with that. So, like I said, they're playing their best hand, and like I said, I plan to support it as recommended by staff, and I think it kind of gives a nice compromise.

MS. GEUEA JONES: Any other comments? I'll say two things. One, I do not find the current zoning to be a persuasive argument for continuing a bad decision. If -- if -- if the -- if PD is not appropriate, if they were coming to us with it new, it's an expired plan. I get the zoning doesn't expire. The plan expired. Now is our chance to say is PD still appropriate given the fact that we have implemented the UDC? Honestly, I might be much more comfortable with it if it were the areas that they are ready to build out. We're talking about 25 acres that are zoned PD with no platting, with no plan, with nothing. And to Commissioner Stanton's point, Discovery Ridge would be able to move much more quickly and adjust to market forces if they had been straight zoned. Straight zoning is the most flexible thing we can do for folks, not PD where they have to come to back for every single lot and every single time they want to change something. So for me, it's not so much about -- although it is a little bit about the fact that PD is not supposed to give you a loophole in all of our zoning codes so that you can get the building height that you want. I think we need to look at building height, because this is the second or third time maybe that we've had a building come PD because they want to be taller. And I don't know if the will of City Council and this body would be to increase the building heights, but that, much like parking was something we had to look at, maybe that's something we look at in the future. That's not the purpose of PD. The purpose of PD is to allow innovation, flexibility, mixed uses, and lessen environmental impact to allow for mixed housing types and densities, to allow for mixed residential and commercial uses, to create usable open spaces and amenities, to benefit the comp plan, to allow for the efficient administration of land using -- instead of walking into strict zoning requirements. This isn't for that. The -- the places where they are saying they are getting -- they are lessening environmental impact are already locked in for that. They aren't choosing to do that as part of the PD. The flood plain wouldn't allow them to build there. The, you know, building new infrastructure, they'd have to do anyway. I'm just not seeing a reason to do this under PD other than we want to build taller buildings. And again, if they were coming for just that, you know, ten or twelve acres, to say we want this to be PD, we're going to leave the rest of it, you know, this -- we're separating this out, we're subdividing it into its own PD plan, I'd probably be much more comfortable with it. But the fact that I am being asked to blindly put a PD zoning with a new statement of intent that is essentially straight zoning on 25 and a half acres, I -- I can't get comfortable with that. That makes no sense to me. It's a poor use of our zoning codes, and I -- I just can't get myself to that part. It's not -- and I can't separate the two. Like, there's no way to divide that question. I have to either accept all of it, or none of it. And given that we are talking about a huge swath that I cannot accept, I can't get to a yes on it. Even though I don't particularly have a problem with what

they're ready to build, I cannot do it on that other 25 and a half acres. So, you know, I -- we all get to vote the way we want, but looking at the purpose of PDs, looking at the fact that there is nothing in here that says is it already a PUD that's expired, I just can't get myself there on the 25 and a half acres. Any other Commissioner comments? Commissioner Brodsky?

MR. BRODSKY: I just want to clarify. When you say the other 25 acres, are you talking about the undeveloped south or the southeast corner?

MS. GEUEA JONES: The undeveloped south, Lot 9.

MR. BRODSKY: Okay.

MS. GEUEA JONES: Yeah. Anyone else? Seeing none. Would anyone like to make a motion? Commissioner Stanton?

MR. STANTON: I'm going to read it straight out of the book. File the report because this is what I support. I move, as it relates to Case 89-2025, Centerstate East PD Plan and Rezoning, I move to approve the requested rezoning from PD and A to PD, the proposed PD Plan and the proposed Statement of Intent, subject to reduction of maximum building height to 45 for the future developed lots. This would be subject to correction to the PD Plan and SOI before Council consideration.

MS. ORTIZ: I'll second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing -- oh. Commissioner Stanton, go ahead.

MR. STANTON: Okay. So I'm looking at a difference in staff. I need some clarity. Okay. So what I'm reading in your report versus what you have up here, this -- in the report, you say a maximum building height of 45, MC district height standard for all lots except hotels and convention center depicted. So you're saying you agree with the height they're recommending for the hotel and the convention center, and the rest stays at the maximum 45 height. Right?

MR. PALMER: Yeah. Again, based on the fact that we have a plan for that building and we know what it'll be.

MR. STANTON: Okay. That's not really what it said here, so should I read what you have in your record?

MR. PALMER: I just left off the part about the 85 foot, so your recommendation will work fine, I believe. It is just --

MR. STANTON: And it will mean the hotel and the convention center?

MR. PALMER: The -- the recommendation you made has the exception stating that the -- the 40 -- the 60 foot would have to be changed to 45.

MR. STANTON: For the rest of it outside the convention center and the hotel. Right?

MR. PALMER: Yeah. That's right.

MR. STANTON: Okay.

MS. GEUEA JONES: Legal counsel?

MR. CRAIG: Is everyone satisfied that that communicated exactly what the intent, because I think the water is getting muddied here. If everyone is satisfied with that --

MR. STANTON: I'll tell you what, can I restate it? I'm going to read it off the report instead of off the PowerPoint.

MR. CRAIG: Yeah. I think the best way to do that would be withdraw the previous motion.

MS. GEUEA JONES: Would you like to withdraw.

MR. STANTON: I would like to withdraw my previous --

MS. GEUEA JONES: Commissioner Ortiz, is that okay with you?

MS. ORTIZ: I'll withdraw my second.

MS. GEUEA JONES: All right. Withdrawn. Commissioner Stanton?

MR. STANTON: Okay. As it relates to Case 89-2025, Centerstate East PD Plan and Rezoning, I move to approve the proposed rezoning, PD Plan, and Statement of Intent subject to the reduction of maximum building height to 45 feet which is the M-C district height standard for all lots except the hotels and convention center depicted on Lot 2 and 3, as well as the reductions and parking requirements for the hotels and convention center --

MS. GEUEA JONES: Subject to --

MR. STANTON: -- subject to correction of technical corrections on PD Plan and SOI before City Council consideration.

MS. ORTIZ: I'll second.

MS. GEUEA JONES: Motion remade by Commissioner Stanton, and seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're ready, may we have a roll call?

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

MR. STANTON: Madam Chair, we have one, two, three, four yeses, and one, two, three, four nos. So we have no recommendations, is that --

MS. GEUEA JONES: Correct. That means that we have tied and no recommendation will be forwarded to City Council. They will be informed of our vote, and have a copy of the transcript put into their reports. Counsel, staff anything else you want to say about that before I move on? I apologize for the absence.

MR. ZENNER: And that's one problem we had here. In an ideal world, if we were operating under Robert's Rule of Order, a motion that fails to succeed in passage is a motion to deny. And while your rules of procedure indicate that a tie is a no recommendation, our legal staff has been conversing and it is possible that this recommendation will be registered as a recommendation of denial due to the fact that there is no action.

MR. CRAIG: It will be --

MR. ZENNER: We will inform you of that, we will address that issue as this process is forwarded to City Council. The applicant will have an opportunity to discuss and present their case to City Council, at which point, as we handled -- as we have handled previously, all of our tied recommendations, Council does at that point, act on them accordingly. It is a technical issue at this point as to how a no recommendation is processed by City Council. That does not diminish the action that you have taken this evening, it is a technical matter that we are internally resolving, and as that further unfolds, we may be bringing back additional information. But that is the situation as it exists. Your tie recommendation, as Ms. Geuea Jones indicated as chairman, will be forwarded with the transcript so they will have all of that in front of them. At that point, that's all I have to offer at this juncture. Hopefully, we do not have another tie this evening.

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

Case Number 100-2025

A request by A Civil Group (agent), on behalf of Todd Eckel, Successor Trustee of the E. Wayne and Kathleen Eckel 2003 trust (owner), for approval to rezone 1.14 acres of property from the PD (Planned Development) district to the M-N (Mixed-Use Neighborhood) district to enhance avenues for development of the existing lot. The subject site, presently improved with a parking lot, is located west of Forum Boulevard and Chapel Hill Road, and includes the address 1710 Chapel Hill Road.

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 request to rezone the 1.14-acres contained in Lot 1 of the Forum Chapel Plaza subdivision from PD (Planned Development) to M-N (Mixed-use Neighborhood).

MR. STANTON: Okay. There's a new sheriff in town, while Madam Chair is in the bathroom. So I will ask my fellow Commissioners if you had any outside information or communication relating to this case that you would like to share with your fellow Commissioners, or recuse yourself from said case, that would be welcome at this time.

MS. GEUEA JONES: Seeing none. Any questions for staff? Commissioner Brodsky?

MR. BRODSKY: In your staff report, you mention that there is no stream buffer required on this site because it was platted prior to -- to those requirements. I'm assuming this is either at least a type two or type three stream behind there?

MR. ORENDORFF: I would have to double-check. I'm not 100 percent sure off the top of my head. They're not requesting any platting, so I don't believe that they would have to go and put a stream buffer in when they go to develop it, but it is a pretty significant stream anecdotally speaking from me climbing around in the woods, as you could see, but I would have to double-check a map on that.

MR. BRODSKY: Okay. And the reason I asked that, there's just -- between the existing parking

and the back of the lot, it's 92 feet. If it's a type two, it would be a 50-foot stream buffer, and I just don't see them getting a building back there, so that's why I asked. Thank you.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: No. I was just trying to remind Commissioner Brodsky to use his microphone, so this --

MS. GEUEA JONES: Oh, sorry.

MR. BRODSKY: I had my head tilted too far.

MS. LOE: You did. Thank you.

MS. GEUEA JONES: Thank you, Commissioner Loe. Any other questions for staff? Seeing none. We will go to public comment on this case.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward. State your name and address for the record. We allow for six minutes for the applicant and groups, and three minutes for individuals. Please go ahead.

MR. CHERRINGTON: Dave Cherrington, I'm with A Civil Group, 3401 West Broadway Business Park Court. And the staff report basically sums up everything that we're requesting. We're trying to rezone from PD to M-N to match -- you know, we want a few more uses that weren't allowed in the previous PD Plan, as he mentioned, and we are going for M-N instead of the mixed office just to fit with the surrounding zonings, and think this area can support the uses that our client is wanting to achieve.

MS. GEUEA JONES: Very good. Any questions for this speaker? Seeing none. I will just say thank you.

MR. CHERRINGTON: Uh-huh.

MS. GEUEA JONES: Next speaker on this case? Seeing none. I will close the public hearing.

PUBLIC HEARING CLOSED

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

MR. STANTON: Madam Chair, if my colleagues have no other questions, then I'd like to entertain a motion.

MS. GEUEA JONES: Please.

MR. STANTON: As it relates to Case 100-2025, 1710 Chapel Hill Road rezoning, I move to approve the request to rezone 1.14 acres from PD to M-N.

MS. LOE: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton seconded by Commissioner Loe. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're ready, 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, Ms. Loe, Ms. Wilson, Mr. Walters. Motion

carries 8-0.

MR. STANTON: Unanimous eight votes, Madam Chair.

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

Case Number 102-2025

A request by Crockett Engineering Company (agent), on behalf of Wendling Development LLC (owner), for approval of a revised Statement of Intent (SOI) and amended PD Plan to be known as "PD Planned Development of Lot 1A of Providence South Plaza, Plat 3 and Lot 2 of Providence South Plaza, Plat 1". SOI revisions include amending the permissible uses on the site for Lots 1A and 2, and the PD Plan will modify the proposed structure on Lot 1A. The approximately 2.93-acre subject site is located northeast of the roundabout where Green Meadows Road and Carter Lane intersect, and includes the address 3101 Carter Lane.

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 revised PD Plan to be known as "PD Planned Development of Lot 1A of Providence South Plaza, Plat 3 and Lot 2 of Providence South Plaza Plat 1" and its associated site-specific Statement of Intent.

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. Questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward. Name and address for the record, and six minutes for the applicant and groups, three minutes for the individual.

MR. GREENE: Good evening. Andy Greene with Crockett Engineering, offices at 1000 West Nifong Boulevard, Building Number 1 here in Columbia. Coming before you is a minor or, I guess, technically a major revision to a PD Plan consisting of two platted lots, one of which in the middle Lot 2 has got an existing building. That's all staying the same. Basically, nothing on the site is really changing other than the developer and owner, Mr. Wendling, has talked to the North Property Owners Association, gathered support for basically kind of a swap of getting a little bit more uses out of the property, so taking it strictly from mainly office uses, adding in the retail and some of the other uses that were mentioned in the staff report, and kind of a swap for reducing the building height and then, basically, overall square footage reduction in that building. So again, we have, I think, hopefully, the letter of support from the North Neighborhood was included in your packet. Happy to answer any questions that you all may have.

MS. GEUEA JONES: Are there any questions for this speaker? Seeing none. Thank you very much. Anyone else to speak on this case, please come forward. Seeing none. We will close the public hearing. We will close the public hearing.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner Comments. Any Commissioner comments on this case? Commissioner Stanton?

MR. STANTON: If my colleagues have no further --

MS. GEUEA JONES: Oh, I do.

MR. STANTON: Oh, sorry, Madam Chair.

MS. GEUEA JONES: It's okay. So I just want to point out that this is exactly what I was talking about with these PD Plans that aren't ready to be built. When we passed them, we passed this -- well, not we, but the zoning was put in place in 2000. This particular lot has come back at least twice, possibly three times for different revisions. It is now part of an inter-connected, very complicated process. I think it's maybe the last lot to be developed around that roundabout. There's one more I'm seeing from staff. It is -- and they could have done 99 percent of this stuff with straight zoning at some point. So I -- this is -- when I say I get frustrated with coming back and again and again and again, with revision after revision, and every single time they want to do something, we have to have a hearing about it, this is what I mean. So I just wanted to share that with my fellow Commissioners. If you wanted to know what I get frustrated about, it's this exact thing that I get frustrated about, and it's not the applicant's fault because it's a remnant, so -- Commissioner Placier?

MS. PLACIER: On another note, I think that the applicant has done a good job of reaching out to the homeowner association and gaining unqualified support. And I believe my fellow Commissioner Stanton has often pointed out that's the way to do it.

MS. GEUEA JONES: Very true. Commissioner Stanton or anybody else? Commissioner Stanton, if you're ready now.

MR. CRAIG: Commissioner Wilson isn't back yet. She might have something to say or --

MS. GEUEA JONES: Oh, thank you. Yes. We can wait for a moment.

MR. CRAIG: She might have an objection, you know, so if we could wait for her.

MS. GEUEA JONES: Time that we use briefly. Thank you for noticing that. Oh, would it be all right if we reopened public comment?

MR. CRAIG: That's at the discretion of the Chair.

MS. GEUEA JONES: We will reopen public comment.

PUBLIC COMMENT REOPENED

MS. GEUEA JONES: Please come forward.

MR. WENDLING: Thank you very much. My name is Steve Wendling. I'm actually the owner of the property. My office is at 510 East Green Meadows Road, Suite 201. And I'd like to make a comment. When I bought this property in '99, I really did want straight zoning, but the City was really against straight zoning. PUD was the way to go.

MS. GEUEA JONES: Uh-huh.

MR. WENDLING: So, you know, just ask people to please keep that in mind, and you say, oh, they keep coming back, keep coming back, it kills me. Engineering fees, I love the guy, but they're killing me. So straight zoning would be awesome. So -- and I -- the buffer, it has been a challenge from the very beginning. We have a 25-foot -- and it's not just a buffer, it's actually a no-cut zone, as per the City, and I think Mr. Zenner can speak to that. So anyway, if you have any other questions, I would love to be able to address them.

MS. GEUEA JONES: Just to say -- or, sorry. Just to say I agree with you entirely, and that's why we put the UDC into place so that we would stop pushing people into these PUDs, and I'm sympathetic to your engineering costs. Anybody else for this speaker? No? Thank you very much.

MR. WENDLING: Thank you for your time.

MS. GEUEA JONES: Final call for speakers on this case, or we'll reclose public hearing. Okay. Reclosing public hearing.

PUBLIC HEARING RECLOSED.

MS. GEUEA JONES: Back to Commissioner comment. Commissioner Wilson, did you have a comment on this case? We didn't want to vote until you got back. No. Okay. Very good. In that case, seeing no further comments from the Commissioners, Commissioner Stanton, did you have something you wanted to say?

MR. STANTON: Yes. If my colleagues are done with discussion, I would like to entertain a motion, Madam Chair.

MS. GEUEA JONES: Please do.

MR. STANTON: As it relates to Case 102-2025, 3101 Carter Lane, major PD revision, I move to approve the proposed PD plan and associated SOI revisions.

MS. GEUEA JONES: Is there a second?

MS. LOE: Second.

MS. GEUEA JONES: Made by Commissioner Stanton, seconded by Commissioner Loe. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're ready, 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, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 8-0

MR. STANTON: Eight yeses, Madam Chair.

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

Case Number 95-2025

A request by Bobbi Meneely (agent), on behalf Grant Lane LLC (owner), to allow 2107 Grant 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 approximately 0.57-acre, R-1 (One-family Dwelling) zoned, subject site is located at the address of 2107 Grant Lane.

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

Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 2107 Grant 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),
2. A maximum of 210 nights of annual usage.

MS. GEUEA JONES: Before we go to questions for staff, if any of my fellow Commissioners have been contacted by a party to this case outside of the public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Loe?

MS. LOE: Thank you for the report. I had two -- one question, one comment. The first question, I think, is just a technicality. In the report, it identifies that -- it states it would appear that access to the dwelling does not require ascending or descending steps to enter the structure. As such compliance with the accessibility provisions of the UDC may not be required. That seemed counter logical to me, plus reviewing images of the elevation, it appears there is a step going into the house.

MR. HALLIGAN: Yeah. That may have just been a typo on my behalf.

MS. LOE: Okay.

MR. HALLIGAN: So that being said, it would be subject to the latter where it may or may not be subject to requiring -- that requirement.

MS. LOE: All right.

MR. HALLIGAN: Yeah.

MS. LOE: I just wanted to clarify the record.

MR. HALLIGAN: Yeah. You were correct in that notion. I apologize.

MS. LOE: No. The other comment I had really is a general comment, and I just wanted to make it, since I know we're going to be going through a couple of these cases, and it has to do with the comment on the mixed-use nature of approving this case. And so, the report states that the adoption of STR regulations and the requirements of relevant planning decision-making tools consistent with a Comprehensive policy -- Comprehensive Plan's policy which I agree with. Having the STR regulations are a protocol which can be used to evaluate the introduction of non-residential uses adjacent to residential uses. However, the report also states that approval of the requested CUP would support the mixed-use concepts of policy two, strategy one, of the Comprehensive Plan, and I don't fully agree with that statement. And so I just wanted to identify some mixed uses generally understood to be a mix of residential, commercial, and civic uses with the goal of creating a benefit by providing residents

convenient access to work, shopping, and public spaces. Or as stated in policy 2, strategy 3 of the Comprehensive Plan, identify service gaps and support zoning and development decisions to provide walkable local commercial service and employment nodes. So all the STRs are considered as commercial use, and therefore locating them adjacent to residential uses may be considered a mixed use. I don't believe approving STR conditional use permits which primarily serve visitors to Columbia, not the local residents, is building the type of neighborhood scale mixed-use development that the Comprehensive Plan intended to support the day-to-day lives of the local residents. So just that is being used as a comment regularly in the reports, and I just wanted to register that I think there's different types of mixed use, and I do believe this mixing of use is different than what I understand is an intended buyer Comprehensive Plan. Thank you.

MR. HALLIGAN: Thank you for the comment.

MS. GEUEA JONES: Any other questions for staff? Commissioner Ortiz?

MS. ORTIZ: What were the -- what were the objections that -- on the phone calls that you got?

MR. HALLIGAN: They were just messages left on my voicemail, just blatant objections to the actual use. There was no detail pertaining to -- they did not go into detail relating to the actual matter besides they are not fond of the proposal.

MS. ORTIZ: Okay.

MR. ZENNER: And I -- I have also received in one of the -- one of the calls that Mr. Halligan received was also forwarded to me. The applicant's primary concern is is frustration with the fact that this particular type of land use application is even permitted. They were very frustrated that an outside investor could buy a home in Columbia and choose to use it for that purpose. It was -- it was a very disturbing phone call that only internal residents of the City of Columbia should be able to buy homes is what the crux of that was. This property is not operated as a short-term rental. Since it was purchased by the current owners, there was a supposition that just allowing it to be operated as such was going to generate a whole host of concerns that would never be able to be addressed. It was an hour and a half long conversation just for the point of context for the Planning Commission, and that is not an uncommon type of contact that I have received as I am administering the regulations. We have a set of standards that does provide for an enforcement process that never previously existed. This home could have been rented to three college students, and their three significant others creating potentially A, an illegal issue, and B, a potentially far greater impact. There was not really consideration of any other type of use that could occur here. There was just a very, very upset adjoining resident.

MS. GEUEA JONES: Any other questions for staff? Okay. Seeing none, we will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Is there anyone here to speak on this case tonight? Please come forward and state your name and address for the record. And yeah, go ahead.

MS. MENEELY: Yeah. Hi. Yes. I'm Bobbi Meneely; I'm the sole member of Grant Lane, LLC. My husband and I, John, live in Chillicothe, Missouri. We are real estate professionals. He is a contractor/home inspector. I am an interior designer and a certified public accountant.

MS. GEUEA JONES: I'm sorry, ma'am. Sorry. For the record, can you state your address?

MS. MENEELY: Sure. My business address is 315 Washington Street in Chillicothe, Missouri.

MS. GEUEA JONES: Thank you. I apologize. Please continue.

MS. MENEELY: Yeah. Sorry. So we are real estate professionals and I'm a certified public accountant licensed by the State of Missouri. I am a Mizzou Tiger, Class of 2002, and we absolutely love the Columbia community. We love the trail, and we are looking at potentially transitioning this direction with our business and would love to help development and make this a better community in terms of beautification and longevity. We own three other short-term rentals, not in this community, in Chillicothe, and we have not had a single complaint. We have nothing but rave reviews on Airbnb and VRBO. We use those platforms exclusively to vet our guests. Everyone must provide a driver's license, and everyone must have prior good reviews. Because we made such a substantial investment in this property, we absolutely will not allow anyone to trash the place. We're not looking for parties. This is a -- we would shut that down immediately. We just won't allow that. We would rather sell the property, honestly, than -- than have a disruption to the neighborhood. We do look forward to spending some time in the home, as well, which is why they get the master bedroom and the master bathroom are locked off. They will not be rented. I may be working down here part time during the week. It's not going to be rented. A quick turnover is not going to be one night, a clean, and another night and a clean, and another night and a clean. I don't have the energy for that, quite honestly. So I hope that addresses that issue. We love this community. We can't wait to spend more time down here.

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

MR. STANTON: If I heard it correctly, staff just had to explain that it's been advertised as two different levels, like I could rent the top and the bottom; did I hear that correctly?

MS. GEUEA JONES: Top or whole; right.

MS. MENEELY: Yeah. Top or whole.

MR. STANTON: Top or whole.

MS. MENEELY: That's how it has been advertised at this point.

MR. STANTON: How long is it going to take you to revise that and make that compliant with this, like, -- like how quick?

MS. MENEELY: Like, an hour. I have an app on my phone.

MR. STANTON: Yeah. I'd like it like -- like right now.

MS. MENEELY: Well, yes.

MR. STANTON: Okay. Because as you see, we're -- as you speak, we're looking you up. We're looking --

MS. MENEELY: Yeah. That's fine.

MR. STANTON: -- we're looking -- we're --

MS. MENEELY: That's fine.

MR. STANTON: We're looking at your listings.

MS. MENEELY: I hope you like what you see.

MR. STANTON: From your mouth, we're looking at everything you're saying, so --

MS. MENEELY: Yes. We absolutely renovated all of our properties. We love to make them beautiful and welcoming to folks. We want our properties to be a home away from home. The only reason there are currently two listings is when my husband and I travel, we don't require a giant house. And so if I could rent one bedroom or the top level of a giant home and the owner was willing to do that, there would never be a circumstance where there was a guest on the bottom floor and a guest on the top floor. So that is made very clear in those listings, and I understand the City ordinance requires that to be removed.

MR. STANTON: Yeah. So it's going to be clear, like, before I leave?

MS. MENEELY: Yes. You can check it out in an hour, I promise.

MR. STANTON: Watching it right now.

MS. MENEELY: Okay.

MR. STANTON: Okay. Thank you.

MS. MENEELY: Yes. Thank you.

MS. GEUEA JONES: Thank you. And I would say that looking at it, it does say very clearly that it will not be rented to any additional guests if you have the main level.

MS. MENEELY: Yeah. So --

MS. GEUEA JONES: Thank you for that part. Any other questions? Seeing none. Thank you for being here tonight.

MS. MENEELY: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward. Seeing none. I will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment. Any Commissioner comments on this case? Seeing none. Anyone want to make a motion? Commissioner Stanton?

MR. STANTON: As it relates to Case 95-2025, 2107 Grant Lane, STR, conditional use permit, I move to approve the request -- request the STR, CUP subject to the following: 210 nights of rental, a maximum of eight transient guests regardless of allowance permitted by the IPMC.

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're

ready.

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

Case Number 97-2025

A request by Deonna Shepard (agent) on behalf of Kelso Holding LLC (owners), for approval of a Conditional Use Permit (CUP) to allow 206 Third Avenue, Unit 100, to be used as a short-term rental for a maximum of four transient guests and up to 210 nights annually pursuant to Section 29-3.3(vv) and 29-6.4(m) of the Unified Development Code. The approximately 0.15-acre subject site is zoned R-2 (Two-family Dwelling), is located west of the intersection of Third Avenue and Providence Road, and is addressed as 206 Third Avenue.

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 CUP to allow 206 Third Avenue, Unit 100, to be operated as a short-term rental subject to:

1. Maximum occupancy not to exceed four transient guests,
2. 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? I have -- maybe this is redundant or something, but this is approved for residential occupancy, this building is?

MR. ORENDORFF: Yes. So they have a long-term certificate of rental --

MS. GEUEA JONES: Okay.

MR. ORENDORFF: -- that I believe is good through October 27. And because it's a duplex, one-half of it is rented out long term, and then the front half of it would be the short-term rental specifically, or is currently.

MS. GEUEA JONES: Got it. Thank you very much. Any other questions for staff? Commissioner Walters?

MR. WALTERS: I was just going to request, could you put that image of the front facade of that building back up.

MR. ORENDORFF: Yeah.

MR. WALTER: I'm just curious. I don't see it here on Google Map, so --

MR. ORENDORFF: It's a fairly new construction. I had to go out to the site to get this photograph.

MR. WALTERS: Yeah. Yeah. Okay. Okay. All right. Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. We will open the floor to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If you are here to speak on this case, please come forward. Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Any Commissioners to comment on this case? Commissioner Stanton?

MR. STANTON: Oh. No representation, is kind of tough. You can't answer questions. You can't --

MS. ORTIZ: Commissioner Stanton, can you speak into your microphone?

MR. STANTON: Oh, I'm sorry, Ms. Ortiz. Not representing in the hearing has heavy weight because we are very used to having the owners here and ask them questions, all that good stuff. Technically, it meets the requirements, but they can't answer any questions.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I've got a question for staff just based on the photograph you're showing. The driveway appears to occupy quite a bit of the front yard. Did we confirm it's less than 50 percent?

MR. ORENDORFF: I did not confirm that specifically, no. I know that there's a parking pad in the front and the rear, so the long-term rental in the rear has its own two-bay parking pad, and then up front here is another two-bay, but the actual distribution of parking is -- I don't know that number off the top of my head.

MR. ZENNER: I would -- I would suggest, Ms. Loe, that this building was allowed to be constructed without any consultation with the City's Planning Division, so, I mean, if the driveway is occupying greater than -- greater than the allowed, the 30 percent or 500 square feet, but if that is a single or a double-wide driveway that is then occupying the required 25 foot front-yard setback, the 500 square feet may be the 30 percent, or 500 square feet is what's being issued. Now if it's over 50 percent of the lot front, which is a -- a dimensional standard that's in our -- within the exceptions table, again, that would have been an error made at the time of permitting, if that is in fact an error. So the applicant is coming in based upon what was legally permitted to be constructed and has been, as Mr. Orendorff has indicated, been legally issued a long-term rental certificate. So at this point, what's there is unfortunately there.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Placier and then Commissioner Ortiz?

MS. PLACIER: Oh. Just to place on the record, if the applicant had been here, we could have

asked about the response of the other occupant of the duplex to having the other half being an STR, but we can't ask those kinds of questions, so that is unfortunate. I hope they're watching the video.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: Something I noticed in the short-term rental application is that it has under their website or listing platform, it -- they say that they intend to use Airbnb. But the only website it's listed on is Furnished Finder, which has a minimum stay of one month on that website. So if the applicant was here, I would ask them about that.

MS. GEUEA JONES: Yeah. Any other Commissioner comments? Commissioner Wilson?

MS. WILSON: I am normally not the one who puts stuff on the record for the sake of putting stuff on the record, but I have to do it tonight because it's important for people to be here for these applications because we have questions. I have questions. And thank you for that, because I'm searching all of the websites trying to figure out where this property is, and it's because it's nowhere. And I -- I have security questions. I have questions. So unlike the other applications we've had in the past where we can just kind of go through, look at the application that you provided to us, this is different for me, and I'm very uncomfortable, and I do not support this. Any other -- Commissioner Stanton?

MR. STANTON: Madam Chair or colleagues, I would not feel bad rejecting this, but my heart says maybe we should table this to maybe give them a chance, because technically -- technically, they meet all the requirements. Something in my heart is there's something shiesty. This is what I feel about it, but I really, really would like to give the applicant a chance to, like, answer questions, or we vote up and down.

MS. GEUEA JONES: I would say out of compassion for our staff, who knows that we've got late nights --

MR. STANTON: Okay.

MS. GEUEA JONES: -- of these coming forward, that we should just vote it up and down.

MR. WALTERS: Apartments.com.

MS. GEUEA JONES: And, I mean -- Commissioner Walters?

MR. WALTERS: Yeah. That's a comment. I did find it on Apartments.com, and it is advertised at \$2,000 a month.

MS. GEUEA JONES: Yeah.

MR. WALTERS: Just for what it's worth. And it's very attractive on the inside.

MS. GEUEA JONES: Yeah.

MR. CRAIG: I would also like to remind the Commission that rejection would not be a bar for re-application, unlike some other applications for STR.

MS. GEUEA JONES: Exactly, yeah.

MR. CRAIG: There would be no minimum waiting period of time --

MR. STANTON: Oh, okay.

MR. CRAIG: -- after which -- so in case of a rejection of the application --

MS. GEUEA JONES: They could resubmit.

MR. CRAIG: -- there could be immediate re-application, yeah.

MS. GEUEA JONES: Yeah. I thank you for that, Jesse. I would -- if it were the owner themselves who was applying and putting their name out there, and I know the owner also signed the application, but they've gone to the extra step of having a manager for this property. It seems an agent of some kind, and sorry, Commissioner -- or Mr. Zenner, do you have something to add?

MR. ZENNER: I can add -- I can add to that because I'm the one that talked with the agent on behalf of the property owner which is Spillman Homes. So Ms. Shepherd is their office manager, and she probably -- she is the designated individual that they wanted to have responsible for managing this property. She probably is involved given the fact that Spillman, the organization that owns the property, does own other multiple -- they own other properties, they are a land developers within the City of Columbia. And so, and while that may be interesting, he is not -- the owner, they are not required to obviously appear. They can have their designated agent. Now I think to the point to just clarify for the Commissioner, the applicant -- well, the agent was notified of this hearing. So let's -- I want to dispel that they didn't -- they weren't aware. They were. And as far as for you not being able to find this on Airbnb, that is where we are asking where will you have it listed, not where are you listed. And so part of what our evaluation is is we go to find out where it is listed to ensure that that listing is complete. So it is not uncommon maybe to find a single listing on Furnished Finders, and it is typically by that website that's normally a long-term -- what would be considered a long-term rental. So I think the points that you all are making this evening are relevant, and this is why we encourage and, in essence, mandatorily tell people when we send out confirmation of their application that they must attend this meeting. If they choose not to, that's -- that, obviously, may bear on your -- on the decision that's made, and they're made aware of that.

MS. GEUEA JONES: But the -- that actually adds something else to my concerns about this case, and to what Commissioner Stanton said about something shady going on. That's a different owner than what is listed on the application. And -- because this is listed as Kelso Holding.

MR. ZENNER: Kelso Holdings is the Spillmans.

MS. GEUEA JONES: Is the Spillmans?

MR. ZENNER: Is the Spillmans. That is their corporate name by which they have the property's ownership.

MS. GEUEA JONES: Sure. So my point is that the owner took the step to go get an agent, who is the designated agent who we have said in our zoning code to allow these STRs needs to be available 24/7 to answer calls, answer complaints, answer issues, and that agent isn't here, either. And as I was -- where I was going with that is if it were an owner who it's their, you know, sometime vacation home, their kids are here, something like that, they're out of town, but they're the ones doing it, and

they've got a -- there might be a reason for them to not be here. The fact that this is someone who engages in commercial properties regularly, has an office manager who is supposed to be the designated agent to show up, and that person is not here either, makes me very concerned about the responsiveness that we're going to see out of this owner. And to Commissioner Placier's point, this is a duplex next to I think what looks like it's probably another duplex with a very similar setup. We don't --

MR. STANTON: He built them both.

MS. GEUEA JONES: Yeah. He built them both. We don't know how the other residents in this little area feel about this. We don't know if the parking is all for just that side of the duplex, or if it's a shared parking lot. We have no one to answer these questions. And so I -- I can't find -- you know, I don't know that it's true that they fully comply with the Code, because I have a lot of questions about non-compliance that I can't get answered. So that -- that's where my concerns are. It's not so much that the owner doesn't have a representative here, it's that I have concerns about the parking requirement. I have concerns about privacy, about security, about the impact on the people, you know, the other three dwelling units that are in very close proximity, none of which I can get answered to my satisfaction because as good as staff is, and thank you, by the way, for including links to the listings that you find. That's a great improvement. Staff doesn't know the answers to those things, because those are things that only the person operating it can answer. So I -- I don't mean to go on at length and belabor the point, but I don't think it's that we're saying if you're not here, we're going to vote no. I think it's saying when we have concerns and no one here to help answer those concerns, we have no choice but to say no, or I have no choice but to say no -- I'm not speaking for the other Commissioners. With that, I'll stop. But Commissioner Stanton?

MR. STANTON: I agree. Are there any more questions? I would just --

MS. GEUEA JONES: Oh, sorry. Commissioner Wilson, and then we can --

MS. WILSON: I got sidetracked earlier. I also wanted to make the point that on the supplemental questions, the last question, E, because all of these are just marked true/false, and the last one is marked false, so I can't even ask if they have talked to other people in the neighborhood to find out how they feel about it. I just feel very frustrated.

MS. GEUEA JONES: Yeah. Commissioner Stanton?

MR. STANTON: Did you have --

MS. GEUEA JONES: Commissioner Ortiz, go ahead.

MS. ORTIZ: Thank you. I -- yeah. I -- I agree with your point, Commissioner Wilson, and especially this neighborhood being -- I believe it was 19 rentals in the area. I want to be mindful and sensitive to -- to that fact, that it is rentals. That's all.

MS. GEUEA JONES: Anyone else? Commissioner Stanton?

MR. STANTON: Statement, and then I would like to entertain a motion. Okay. So if there were a system where, you know, this would be where it would have to come in front of us technically and

this could just go through a process without coming before us, administratively, no problem, because, technically, it meets all the requirements. But because we're at the pioneer phase of this, I don't want to set a precedent that if we let this ride as is, I feel like everybody else that applies is, like, well, shoot, we ain't going to come. And I don't want a bunch of -- of these to come before us and people are not here to defend it. These are the pioneers of this process still, and -- and if they don't represent this, and I can't hold the people accountable for this stuff being in their neighborhood, and defending and standing on their business decisions. So I plan to not support this, and I'm willing to -- I'm ready to make a motion right now. All right. As it relates to Case 97-2025, 206 Third Avenue, STR, conditional use permit, I move to -- can you switch to the -- your recommendation, staff, please? I move to approve the requested STR CUP subject to the following: 210 nights of rental, a maximum of four transient guests, regardless of allowance permitted by IPMC.

MS. GEUEA JONES: Do we have a second?

MS. PLACIER: Second.

MS. GEUEA JONES: Made by Commissioner Stanton, seconded by Commissioner Placier. Is there any discussion? Commissioner Stanton?

MR. STANTON: I know we have a lot of lawyers out there. I have made that in the affirmative.

MS. GEUEA JONES: Correct.

MR. STANTON: Okay. Just to make sure.

MS. GEUEA JONES: Yes. For those who are maybe watching and confused, we make all of our motions in the affirmative. That does not necessarily mean that the motion maker supports the motion. Are we ready, or any other discussion? If you're ready, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting No: Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones, Ms. Loe, Ms. Wilson, Mr. Walters. Motion fails 8-0.

MR. STANTON: Eight nos, Madam Chair.

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

Case Number 98-2025

A request by Jesse and Megan Walters (agents), on behalf of THE JAM Group LLC, (owner), for approval of a Conditional Use Permit (CUP) to allow 2301 Primrose Drive, Unit 7D, to be used as a short-term rental for a maximum of four transient guests and up to 210 nights annually pursuant to Section 29-3.3(vv) and 29-6.4 (m)(2) of the Unified Development Code. The approximately 0.01-acre subject site is located in the R-MF zoning district, is located approximately 350-feet to the east of the terminus of Tulip Court within the Primrose Town Homes subdivision, and includes the address 2301 Primrose Drive, Unit 7D.

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 2301 Primrose Drive, Unit 70, to be operated as an STR subject to:

1. Maximum occupancy permitted within the dwelling shall not exceed four transient guests regardless of potential occupancy allowed by the most recently adopted edition of the International Property Maintenance Code (IPMC);
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 parties to this case outside of a public hearing, please disclose so now. Seeing none. We will go to questions for staff. Are there any questions for staff on this case? Seeing none. We'll go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If anyone is here to speak on this case, please come forward. State your name and address for the record, and be sure to adjust the microphone so you're speaking into it. Thank you.

MR. WALTERS: Jesse Walters, one of the owners of this property. Our address is 717 Cherry Street, Columbia, Missouri. Everything you said, all accurate. One thing I will say, this is within a 36-unit complex. The other 35 units are owned by one LLC, and that we reserve -- we got a verbal approval from him that he is okay with this, too.

MS. GEUEA JONES: Any questions for this speaker? Commissioner Wilson and then Commissioner Ortiz.

MS. WILSON: First, thank you. Secondly, thank you for your thorough answer of the supplemental questions because that's very helpful. Most of the time, my concern is have you spoken to your neighbors so that, you know, you're a good neighbor. And so I noticed on the application that you did, and I appreciate that, and that's -- that's all I have, but thank you for being here.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: Well, you spoke to the property owners or the property owner adjacent to your unit, but have you spoken to any renters or people that actually live there?

MR. WALTERS: No, not directly. No.

MS. GEUEA JONES: Any other questions for this speaker? Before you step away, quick question for staff. Do we only notify owners still, or are we notifying tenants? I'm getting a nod that we notify tenants.

MR. KUNZ: We are notifying owners, occupants, and tenants of all structures.

MS. GEUEA JONES: Thank you. I just wanted to clarify that.

MR. KUNZ: Yeah.

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

very much for being here. We appreciate it.

MR. WALTERS: Thank you.

MS. GEUEA JONES: We're going to stand at ease for just a moment until Commissioner Stanton gets back for comment. It should not take very long.

(Off the record.)

PUBLIC HEARING CLOSED

(On the record.)

MS. GEUEA JONES: Very good. I will call us back to order, as Commissioner Stanton has reentered the room. Commissioner comments on this case; are there any? Seeing --

MS. ORTIZ: I -- sorry.

MS. GEUEA JONES: Go ahead, Commissioner Ortiz?

MS. ORTIZ: Thank you. So the reason why I asked about the renters is when I lived in Kansas City, I -- we rented a condo, and most of the -- like, all of the condos were owned by different individuals. But a lot of them used them as short-term rentals, and they don't have a beautiful, like, short-term rental code like we do. I mean, and this was years ago, so that's why I asked because I think it would have been very nice if my neighbors would have asked me or just given me a heads up, and I appreciate that the City does notify tenants, as well as the property owners, but that is why I asked that question, and I appreciate your transparency and your effort to talk to the property owner. Thank you.

MS. GEUEA JONES: Any other comments from Commissioners? Would anyone like to make a motion? Commissioner Loe?

MS. LOE: Sure. In the case of 98-2025, I move to approve the requested STR CUP subject to the following: 210 nights of rental and a maximum of four transient guests regardless of allowance permitted by the IPMC.

MR. STANTON: Second.

MS. GEUEA JONES: Motion made by Commissioner Loe, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're ready, 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, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 8-0.

MR. STANTON: Eight yeses, Madam Chair.

MS. GEUEA JONES: Thank you. That recommendation for approval will be sent to City Council.

Case Number 104-2025

A request by Matthew Spence on behalf of Spence Investments, LLC, for approval of a Conditional Use Permit to allow 504 Campusview Drive to be used as a short-term rental for a

maximum of eight transient guests for up to 210 nights annually pursuant to Section 23 -- 29-3.3 (vv) and Section 29-6.4(m)(2) of the Unified Development Code. The approximately .22-acre subject site is zoned R-1 (Single-family Dwelling) and is approximately 200 feet west of the intersection of Bennett Springs Drive and Campusview Drive, and includes the address 504 Campusview Drive.

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 this CUP to allow 504 Campusview Drive to be operated as a short-term rental 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. 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
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 any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Placier?

MS. PLACIER: I may have misheard this. Did you say that in conversations with the applicant, they either own or manage multiple STRs in this area?

MR. KUNZ: Own. Actually I probably should defer to the applicant if they are here.

MS. PLACIER: Yeah.

MR. KUNZ: They are listed on Airbnb, and the LLC that applied for this application is also listed under other properties. Yeah.

MS. GEUEA JONES: Any other questions for staff? I have a question and I don't -- I don't want to derail everything. But I'm missing the line in the application where they have to sign the bottom as an attestation where it says they don't own another STR. I thought that was on the application somewhere?

MR. ZENNER: No. They're -- that is not.

MS. GEUEA JONES: It's just part of the approval process?

MR. ZENNER: That -- yes. I mean, in -- as they're -- that has never been a portion of the applications that have been submitted to you that they own another. Keeping in mind the suspension of the regulations, full enforcement is June -- until June 1st of this year. You could be operating multiple short-term rentals within the City of Columbia unregistered until that point. I think the applicant needs to speak to what his intention is with other properties that he may own, and how those will be used moving forward. He is seeking a specific licensure for the subject property at 504 Campusview.

MS. GEUEA JONES: I understand that. And the -- somewhere in this licensing regulation

system that you are setting up on the back end, you have a list of everyone who signed an attestation, or everyone who submitted an application?

MR. ZENNER: Of the -- yeah. You're referring to the ownership interest form. That is correct.

MS. GEUEA JONES: Yes.

MR. ZENNER: Yes.

MS. GEUEA JONES: Yes. That may be what I was thinking of.

MR. ZENNER: Yeah. That is the form -- that's the form you're looking for and we do -- that has not been supplied, but if you would like that moving forward where it has it --

MS. GEUEA JONES: No.

MR. ZENNER: -- we do have it and, yes, we are maintaining a database.

MS. GEUEA JONES: I am just confirming because I was confused for a minute, so I'm just confirming that that -- how that is happening, because I knew it was happening.

MR. ZENNER: It is. I apologize.

MS. GEUEA JONES: I just couldn't remember how.

MR. ZENNER: I apologize. I misunderstood the question.

MS. GEUEA JONES: Thank you. That -- you didn't misunderstand the question. I'm tired. Thank you. Okay. Any other questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward, state your name and address for the record.

MR. SPENCE: My name is Matthew Spence; I'm -- I live at 110 State Route U, Caruthersville, Missouri. I own the property in Spence Investments LLC. I'm the sole member of the LLC. I recently transferred it out of a different LLC to comply with your regulations that I'll be the sole owner. My wife and I co-own other properties, and as was mentioned, we do have other short-term rentals that we plan to stop operating. One of them is listed for sale and is under contract currently to sell. We may do midterm or long-term rentals. We haven't decided completely yet, but we plan to comply by June 1st. We have no reservations on any of our properties after June 1st, as we wait to figure out this whole deal.

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

MR. STANTON: Music to my ears. Boy, I had a speech for you, but you've answered all my questions.

MS. GEUEA JONES: Any other questions for this speaker? Seeing none. Thank you very much. Well, I don't know if I want to ask this in this case or the next one, but I guess you did say that you are not going to be an owner in the other STRs?

MR. SPENCE: Right. So it's a single member LLC. We had them together, and so my wife owns one and a single member LLC now separate.

MS. GEUEA JONES: Got it. And we knew -- we knew this was likely to happen. You are the pioneers of the people who are married are also each individual human's world.

MR. SPENCE: Yeah.

MS. GEUEA JONES: So thank you very much. Any -- so one last call. Very good. Thank you. Anyone else to speak on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments. Any Commissioner comments on this case? Commissioner Loe?

MS. LOE: In the case of 104-2025, move to approve the requested STR CUP subject to the following: 210 nights of rental, maximum of eight transient guests regardless of the allowance permitted by the IPMC.

MS. GEUEA JONES: Any second?

MR. STANTON: Second.

MS. GEUEA JONES: Motion made by Commissioner Loe, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Stanton, if you're ready.

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 recommendation for approval will be sent to City Council.

Case Number 105-2025

A request by Jennifer Spence (agent), on behalf of JLT Reeves LLC (owner) for approval of a Conditional Use Permit (CUP) to allow 801 Norman 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 29-6.4(m) of the Unified Development Code. The approximately 0.15-acre subject site is zoned R-2 (Two-family Dwelling), is located east of the intersection of UMC Drive and Norman Drive, and is addressed as 801 Norman 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 CUP to allow 801 Norman Drive to be operated as a short-term rental subject to:

1. No less than two parking spaces within the attached two-car garage be made available at all times the dwelling is used for STR purposes; and
2. Maximum occupancy not to exceed eight transient guests regardless of potential occupancy allowed by most recently adopted edition of the International Property Maintenance Code (IPMC) or on-site/off-street parking;
3. 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? Seeing none. Excellent work. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public wish to come forward, please do so now. You're going to have to pull that down. Thank you. Sorry. Yes.

MS. SPENCE: Okay. Yeah. My name is Jennifer Spence, and my address is 110 State Route U in Caruthersville, Missouri. And I want to make a point that we -- we are -- really have made friends with our -- our neighbors in the neighborhood. We stay there quite often, and -- because I know that has come up. They all have our phone number and our house manager's phone number. And we've really, we've had no complaints.

MS. GEUEA JONES: Very good. Commissioner Stanton?

MR. STANTON: Who hosts this property, your proposed property, as we're looking at the listing?

MS. SPENCE: Who hosts it? Like --

MR. STANTON: Yes. Let me get to the point. Make sure that your listings are transparent. We're looking at your listing that shows Matthew --

MS. GEUEA JONES: Yeah.

MR. STANTON: -- as your host for property.

MS. SPENCE: Well, yes. I guess I just -- you are listed as -- I'm a -- I'm listed as administrator on the account, on our Airbnb. I send the messages.

MR. STANTON: So if I were out and you don't have to.

MS. SPENCE: Uh-huh.

MR. STANTON: Don't know much about how that listing/hosting works, but as a pioneer, I want that clean. To me that looks like -- How do I want to say it? I want it clean. Your property, you host, you -- you know, his property, he hosts. I would like the listing clean.

MS. SPENCE: You would like it separated?

MR. STANTON: Yes. Because if not, then it looks -- you know. And it's legal. You have yours, he has his, make it look that way.

MS. SPENCE: Okay.

MR. STANTON: My suggestion. But you're a pioneer, so people are looking at how you do it, especially as a couple. Right?

MS. SPENCE: Right.

MR. STANTON: So if it's not clean, it brings up questions. Like, if we had -- that's why I looked at it, you know.

MS. SPENCE: Right. I can --

MR. STANTON: Clean.

MS. SPENCE: I can appreciate that.

MR. STANTON: If it's yours -- if it's yours, it's yours. You're the host. You have your own contact person. It's yours. His is his, yours is yours. You're both allowed to have one license; do you hear where I'm coming from -- as if you didn't know each other. Get me?

MS. SPENCE: Yes. I'll accept that it's mine.

MR. STANTON: See what I mean?

MS. SPENCE: Yeah.

MR. STANTON: So we're going to get that done real soon?

MS. SPENCE: Yes.

MR. STANTON: Okay. Thank you.

MS. SPENCE: Thank you. So --

MR. STANTON: We're fine here.

MS. GEUEA JO9NES: Commissioner Wilson?

MS. WILSON: Oh, so -- thank you.

MS. SPENCE: Thank you.

MS. WILSON: Your statement was that you're friends with your neighbors, which is great, because it's great to be a good neighbor. And so we have some information from Linda Ladd. Do you know Linda, and have you communicated with Linda?

MS. SPENCE: Linda Ladd, no. I do not.

MS. WILSON: All right. Thanks.

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

MS. PLACIER: Oh. I wanted to follow up on Commissioner Stanton's statement about separating the ownership. Just as a matter of fairness, it's a big deal in Columbia that people are allowed one license.

MS. SPENCE: Yes.

MS. PLACIER: And if somebody started investigating and said, oh, they've got two, you know, we have to be absolutely fair and go by the ordinance, so --

MS. SPENCE: I completely understand and appreciate that.

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

MR. STANTON: I'm going to piggyback off what Commissioner Wilson is kind of alluding to -- less than two. Great neighbors because you're pioneers. So if you are unaware who Ms. Linda is, it would be a good idea maybe -- I don't know if they're close neighbors. I don't know. I don't know. But --

MS. SPENCE: I'm not really sure exactly where -- I mean --

MR. STANTON: Yeah. Because --

MS. SPENCE: -- I'm not going to say that I know every single person around me. I'm just saying in the neighborhood and in the vicinity of the house, I have made very good friends with.

MR. STANTON: For both you and I know your husband is back there, but this -- so I can kill two birds with one stone. Great neighbors, knowing who they are, communication, how they can get ahold of you if something goes wrong, who your agent is. I didn't -- I usually ask this question like if the stuff hits the fan, who is it that I call and how fast are they going to get there. That's -- make sure all that -- we don't have to get into it, but I'm just telling you --

MS. SPENCE: Well, I mean, to ease your mind, we get there immediately, and I think that's why we have -- we have not really had any issues. And really, we go above and beyond, and our manager is really amazing and has been with us since the very beginning, and takes it all very personal, just like it's her house. And so if a phone call is made, really we all three are on it all hours of the night if need be.

MS. GEUEA JONES: Other -- Commissioner Walters?

MR. WALTERS: I think in fairness to -- to you, as Ms. Ladd owns two properties there nearby. She is the one who has complained and she's -- those two properties are -- have multi-year leases, apparently, so the chances that you might encounter her would be slim.

MS. SPENCE: Oh, okay. Thank you.

MS. GEUEA JONES: It sounds like maybe Connie Carpenter lives across the street. You don't know her? I think she's a --

MS. SPENCE: I think -- yeah. We boosted their car off, I believe, the last time we were here.

MS. GEUEA JONES: So, yeah. She -- she also reached out and said that she did not want short-term rental across the street, which leads me to a question we often ask when we get neighborhood feedback like that. You've been using this as a short-term rental since 2003; is that right?

MS. SPENCE: Yes.

MS. GEUEA JONES: And honestly, if -- if the staff report is correct, which I have no reason to think it's not, a much heavier use than we've seen in any other application, 254 nights?

MS. SPENCE: I'm going to -- I'm going to say yes. We're -- it's pretty busy.

MS. GEUEA JONES: And that was just last year, maybe, in 2024; does that sound right?

MS. SPENCE: Yes.

MS. GEUEA JONES: Yeah. So it is -- it is comforting to me to hear that you know the name Connie, you've been -- helped her out -- been neighborly as -- as you say, and she doesn't seem to have any idea that -- what's happening right across the street, which means that you're not impacting her in a way that she has noticed because her -- her comments are she doesn't want to see it set up, and it -- it has been.

MS. SPENCE: Right.

MS. GEUEA JONES: It's already there. It's already been operating.

MS. SPENCE: So we try to -- what we've learned throughout the years, you know, how to screen -- or better screen to get the type of guests that, you know, is respectful of -- of our property, and of the neighborhood and -- and our neighbors.

MS. GEUEA JONES: Very good. Any other questions? Commissioner Ortiz?

MS. ORTIZ: I -- I kind of want to push back on Commissioner Stanton's recommendation to do two separate profiles because you've been operating for -- for a while. You're going through this process. You're doing an above-board, and you've put in a lot of effort on your Airbnb. You have a great rating. So me, personally, my comment would be I don't see a problem with it because you're doing it the right way, even if it is under Matthew, her husband, in my opinion.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I counter, Ms. Ortiz, is that people that are opposed to this, people that are looking to see if everybody is playing the game, at first look at that, like, oh, they're not separate, they're -- they're just acting like they are, and he's renting hers and she's renting his. And make it clean and then there's no -- there's no debate, there's no discussion, there's no none of that. Yes, they've been doing it. The only, you know, they're great business people.

MS. SPENCE: And I guess my only question, and that's probably an Airbnb question, is that it would take away my super host status. And a question for you guys, would it be okay to do -- if you wanted me to do that immediately, we, of course, would comply. But if it were to be when everything is in effect June 1st, that we're completely separate.

MR. STANTON: I get -- well, excuse me.

MS. GEUEA JONES: Go ahead.

MR. STANTON: I kind of get where Ms. Ortiz -- what you're saying, you have a super host status for your property. Right? This property?

MS. SPENCE: For all of our properties, yes.

MR. STANTON: Okay.

MS. SPENCE: And if I were to separate, I would kind of just be -- thrown to the bottom.

MS. GEUEA JONES: Commissioner Loe, go ahead.

MS. LOE: Just a clarification. The host is not the owner.

MS. SPENCE: Right.

MS. LOE: Our requirement is for an owner have one, but we have no requirement that only one host.

MR. STANTON: But the host -- we've only got one for the host.

MS. LOE: And we have some managers that we're already aware of that are managing multiple STRs.

MR. STANTON: Multiple hosts. Okay.

MS. LOE: So we're going to have some managers on Airbnb that have multiple listings on them.

So I noticed that Matthew was listed as the agent, and it was listed you as the owner, but that wasn't in conflict in my mind because he can -- Matthew can manage both of them, and our ordinance does not restrict that.

MS. SPENCE: Right. And our house manager is also listed on our account as an administrative -- so she can answer questions and, you know, we're all kind of backup.

MS. GEUEA JONES: I don't think it's that --

MR. STANTON: It's a perception. I know --

MS. SPENCE: I know. I mean, I completely understand, and I know you guys have -- have been through the wringer with all of this, and --

MS. GEUEA JONES: And, honestly, not even our perception. I think the concern is that it opens you up to be a target of complaints, especially if the other people in the neighborhood try to enforce the HOA or whatever. I mean, that's not our -- that's not our purview.

MS. SPENCE: And I do. We did check with the HOA.

MS. GEUEA JONES: So you're good?

MS. SPENCE: Yeah.

MS. GEUEA JONES: Okay. But I -- I think it's what Commissioner Stanton is trying to say is that it immediately jumps out, if you look at both properties, that they're both hosted by the same person, and I -- I agree, like, seven years hosting is a long track record to just throw out the window, but it may be something to consider if you start having issues with neighbors or something like that. But I don't -- I agree with Commissioner Loe. I don't think it's a legal requirement. I also agree with Commissioner Stanton, it -- it has a certain perception. Weigh those two things and decide -- make a business decision, I guess, but that's not our -- our business. That's your business. Any other comments or questions for this speaker? No. Thank you very much.

MS. SPENCE: Thank you, guys.

MS. GEUEA JONES: This is what happens when we go late. We start pontificating. Any other members of the public to speak on this case? Seeing none. I will close public hearing.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Any Commissioner comments on this case? Commissioner Stanton?

MR. STANTON: If there's no other questions, I'd like to entertain a motion, Madam Chair.

MS. GEUEA JONES: Please.

MR. STANTON: As it relates to Case 105-2025, I move to approve the requested STR CUP subject to the following: No less than two parking spaces within the attached two-car garage be made available at all times if the dwelling is used for the STR purposes, 210 nights of rental, and a maximum of eight transient guests regardless of the allowance permitted by the IPMC.

MS. GEUEA JONES: Is there a second?

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Ms. Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're ready, 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, Ms. Loe, Ms. Wilson, Mr. Walters. Motion carries 8-0.

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

MS. GEUEA JONES: Thank you. Recommendation for approval will be forwarded to City Council.

VII. PUBLIC COMMENTS

MS. GEUEA JONES: If anyone would like to make comments of a general nature from the public, please step forward to do so now. Seeing none.

VIII. STAFF COMMENTS

MS. GEUEA JONES: Mr. Zenner?

MR. ZENNER: Well, we are finally at the end of the meeting. Your next one, however, is going to be coming up on April 10th, and it will be potentially more painful than this one. So -- because we have more short-term rentals. However, this evening's meeting, I will say this much, was actually much shorter than I had budgeted. We are finishing maybe two hours and 15 minutes earlier than I had the video set up for.

MS. GEUEA JONES: Sorry to ruin the pool.

MR. ZENNER: So here is your list. Don't gasp now, you can gasp later. So these are your projects. We have a good cornucopia of different projects to discuss. One subdivision plat in an area of high controversy. This is over in East Campus off of Wilson Avenue. This is a -- and this is a preliminary plat, and the reason it is a preliminary plat is the property is proposing to reorient a property line to, in essence, place an existing home on the corner of the property on its own lot, but in the process of doing so, a required public utility extension of a sanitary sewer must be made. And so because the public utility is being required to be extended, it must go through both preliminary and final platting, and that is why it will show up at your first, and then it would be approved, if the preliminary plat is approved, it would then go directly to City Council for final plat approval. Again, an existing home on the lot already, we're reorienting what is an east-west lot line to a north-south lot line to create two buildable lots. The second request was a tabling request from two meetings ago, if I recall correctly. This is the property at the northwest corner of Vandiver and Rangeline. This is the former gas station site that is at that northwest corner that is vacant today. It does have a design adjustment as it relates to driveway access locations along both Vandiver and Rangeline, a city and a state route, respectively, and there is a final plat with this. This is not a previously platted property and that is why it is coming before the Planning

Commissioner for final plat approval, but in order to get to final plat approval, they must first obtain design adjustment approval. This project was originally tabled to allow the applicant to have greater conversation with MoDOT as it relates to the Rangeline access. I'm not quite sure if they have made headway on that. This project may not be on the agenda, but, at this point, it's too early to tell. You have two general public hearings, a traditional CUP, so what we should be delegating a significant amount of our time to in the I-G zoning district at 801 North College Avenue. The conditional use is to allow for a bar or a nightclub to be in the I-G zoning district. So that is -- it is a corner parcel, as well. Currently, if I'm not incorrect, a vacant parking lot that is proposed to be improved with a new building. And then we have a rezoning request that is immediately north of the southern terminus of Merideth Drive, so this is just to the northwest of the intersection of Cherry Hill -- or Chapel Hill -- I apologize -- Chapel Hill and Scott Boulevard. The parcel immediately to the south is the Daniel Boone Little League property. This property is currently split zoned, very small sliver along the Merideth Drive frontage that is PD, that was associated with R-2 development further to the north, and the balance of the property is -- I'm sorry -- duplex development in a PUD -- in a PD or it was probably a PUD, too, at the time. The balance of this particular property was zoned out of that PUD into R-2. The applicant is seeking to develop this with two buildings, parking in the center of the two structures, as an R-MF request. And then the gaggle of the cases. Again, we're almost through all of our influx of short-term rentals. You have these eight. 3411 Goldenwood. This was a -- a tabled request. It is an R-1 zoned STR or would be an R-1 zoned STR, 212 Park DeVillie, again another R-1 property. You're on 608 Northwest Boulevard, R-2 property. 310 Sanford, another R-2 property. 1617 Highridge, another R-1. And then it had to happen at some point, two short-term rentals within 90 feet of each other, one at 9 McBaine, which came in first, and then just down the street to the south at 5 McBaine. One is in an R-MF zoning district; however, the other one is in an R-1 zoning district. So we will have a showdown at the OK Corral and probably a meltdown, but both parcels actually I will say 5 McBaine, the R-1 zoned property, in talking with the applicant, they're a local resident, they are not looking at using this property as it is not their principal home, and they are not looking at using it as a maximum 210-night short-term rental. This is one of the few applications that we have received, I believe it's the second that is required a conditional use that is actually choosing to self-restrict to 120 nights. It will require, if the Commission is favorable in approving it after the analysis and the reports are provided, it would need to be -- the 120 nights would need to become part of a special condition because it is atypical from anything that we do. Both parcels, just as an overview, have enough parking to support the requisite guest occupancy, but Mr. Halligan will present those two. He has those, and then the rest are distributed amongst Mr. Kunz and Mr. Orendorff. Just so you know where we are, most of you probably do. This is our Wilson Avenue on the corner of Wilson and South William. As I said, that is an east-west property line switching to a north-south property line. Then our northwest corner of Vandiver and Rangeline, that is the former gas station site, MFA site. Our property there at 801 College, and that graphic does show that it does appear to be two

buildings on the property presently, and one may -- I think the parking area to the very north is what is being proposed to be used as a new structure. And then as we move forward, our -- our Merideth Drive property just north of the Daniel Boone Little League acreage. And then our Goldenwood Drive property for short-term rental, our Park DeVille property, your 608 West, 310 Sanford, and 1617 Highridge, and finally rounding out the short-term rentals, 9 McBaine, and then 5 McBaine. Tonight we had a good productive conversation as it related to our short-term -- or our small lot integration project. As indicated during work session, we are at a point right now where staff will prepare to consolidate all of the dimensional and the zoning requirements. As I noted during work session, we will proceed forward to start to evaluate the subdivision requirements, so this will be Article 5 standards that may need to be amended. We have several topics that we will need to introduce or at least cover at the April 10th meeting, one of which is an overview of a request that you are all aware of that I think we have brought to you previously, just in general commentary, as it relates to revisions to the definition of family. So we are going to bring that forward, and that is not for -- it is more for discussion than an overview, so it is going to be a very small component of the meeting of the remaining portion of that work session will hopefully be devoted to talking about Article 5 changes. We will not get you the full zoning Article 4 changes that we have got until I have an opportunity to be able to sit down and compile all of that, but we cannot lose momentum as it relates to the rest of the project. We are out of the business, I think at this point, of having to talk about particular things that are use-specific standard related, the rest of what we're talking about in the way of amendments are going to be more technical because we are going to need to change platting requirements, so hopefully they will be a little bit easier to digest and understand why X needs to be changed to Y so we can get to Z. We will continue to make progress forward in trying to get the small lot process. This calendar that I gave you several weeks ago had an August public hearing date estimated and that allows for public design professional evaluation of the Code to break the Code, and then allows us time to come back and say, well, this is what the design professionals have said won't work based on their knowledge of the development world and what we have to do, so that is why it is pushed out that far. I believe that there is a desire to have something faster, and in talking, many of you may have noticed this evening that Councilman Waterman was during -- was at our work session, he was very interested in understanding where we, as a group, are in relationship to this particular process, and it was precipitated partially by the fact that the Wyatt Lane project is coming forward and it's got to go through this awkward gyration of having to do multiple approvals. So there is some desire, I think, and some movement at the Council level that they'd like to see this sooner, but as I expressed to Mr. Waterman, we can't rush this process. We need to make sure that we've been methodical in getting it done. He understood that. I think we need to stay to task and focused, so I -- I will attempt to do that myself to be able to keep you in material. And then I think after we voted on the -- the request at Highway 63 and Vandiver, the question was asked -- the tie vote, Ms. Geuea Jones asked me what that really meant, and at Monday night's Council meeting, a decision was made, and was conveyed to the

Council members via Nancy Thompson, our City's legal counsel, that a no recommendation presented by the Planning Commission, it, in essence, constitutes a super majority vote, which is equivalent to a no vote. So the applicant, the applicant's agent, was informed of that this evening before they left the building. Your recommendation of a four-four tie with the minutes will be presented as you have acted. However, from a technical perspective in following analysis of Robert's Rules of Order, which neither body has adopted as an order, as procedure, when there is not a clear outcome, it is considered a denial. And so that is how Council is going to handle this case. It will require five out of the seven Council members to vote in the affirmative to approve that case over what ostensibly is viewed as a negative recommendation by this body. Hence the reason why we hate having an even number of Commissioners present. I am aware that on the 10th, Mr. Brodsky will be gone, and we may run into this issue as we come to the appointments process with Commissioner terms ending at the end of May. And so as you look at your schedules, moving forward, if you will please let Ms. Geuea Jones and myself know when you will be absent. If you know that in advance, it would be greatly appreciated. We need to advise our applicants of that, and they choose to schedule their projects accordingly if they want a full house or if they're willing to take a vote with less than a full contingent of the Commission. With that, that is all I have to say. It's been a long evening. I thank you very much for your attention, and we will see you in two weeks.

MS. GEUEA JONES: Thank you very much.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: With that, we will go to Commissioner Comments? Any Commissioner comments? Seeing none. Anyone like to make a motion to adjourn so we can do this official?

X. ADJOURNMENT

MS. LOE: Move to adjourn.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commission Stanton.

Without objection we stand adjourned.

(The meeting adjourned at 10:44 p.m.)

(Off the record.)