

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL
701 EAST BROADWAY, COLUMBIA, MO
OCTOBER 24, 2024

COMMISSIONERS PRESENT

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

COMMISSIONERS ABSENT

Ms. Sara Loe

STAFF

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

I. CALL TO ORDER

MS. GEUEA JONES: I will now call to order the regular meeting session for the Planning and Zoning Commission for October 24th, 2024.

II. INTRODUCTIONS

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

MR. WILLIAMS: Yes, you may. Commissioner Brodsky?

MR. BRODSKY: Here.

MR. WILLIAMS: Commissioner Ortiz?

MS. ORTIZ: Here.

MR. WILLIAMS: Commissioner Placier?

MS. PLACIER: Here.

MR. WILLIAMS: Commissioner Stanton?

MR. STANTON: Present.

MR. WILLIAMS: Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MR. WILLIAMS: Commissioner Williams, here. Commissioner Loe? Commissioner Wilson?

MS. WILSON: Here.

MR. WILLIAMS: And Commissioner Walters?

MR. WALTERS: Here.

MR. WILLIAMS: We have -- see the numbers have changed. We have eight out of nine. We have a quorum.

MS. GEUEA NONES: Thank you.

III. APPROVAL OF AGENDA

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

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

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

MR. STANTON: Move to approve.

MS. GEUEA JONES: Is there a second?

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Ortiz. Is there a thumbs up approval on the agenda? Unanimous. Thank you.

IV. APPROVAL OF MINUTES

MS. GEUEA JONES: We all received a copy of our September 19th, 2024 regular meeting minutes. Is -- are there any changes or adjustments to the minutes? Seeing none. Is there a motion to approve?

MR. STANTON: Move to approve the minutes.

MS. GEUEA JONES: Is there a second?

MS. PLACIER: Second.

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

(Seven votes for approval; two abstentions.)

MS. GEUEA JONES: Unanimous with Commissioners Brodsky and Ortez abstaining. Thank you very much.

V. SUBDIVISIONS

Case Number 233-2024

A request by McClure Engineering (agent), on behalf of Fike Properties, LLC, (owner), seeking approval of a 4-lot Preliminary Plat of IG (Industrial General) zoned property, to be known as lots "Fike Subdivision, Plat 1A". The proposed preliminary plat represents a revision to Lot 1 of the 2022 final plat entitled "Fike Subdivision Plat 1". The approximately 5.3-acre subject site is located east of the roundabout for E. Prathersville Road and Highway 763, and includes the address 1365 E. Prathersville Road.

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 preliminary plat Fike Subdivision, Plat 1A, subject to technical corrections.

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. Thank you very much. We will now open the floor to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Is there any member of the public that is here to comment on this case tonight? If so, please come forward.

MR. FULLER: Good evening. My name is Ryan Fuller; I'm with McClure Engineering. We're the consultant working with the -- the Fikes on this plat.

MS. GEUEA JONES: Would you state your address as well? Sorry.

MR. FULLER: 2001 West Broadway.

MS. GEUEA JONES: Thank you.

MR. FULLER: The staff report does a pretty good job of, I think, highlighting all of the important things for you all to know when making your recommendation tonight. I would just add that as part of the preliminary plat, we looked at the location where this access easement or ingress/egress easement would be located on Prathersville Road. We found that sight distances were a concern, and so that is how we landed on the location that's really the -- the only spot on Prathersville Road along the frontage of this property where adequate sight distances could be met for safe traffic flow. Happy to answer any other questions you have, but nothing else from me.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much.

MR. FULLER: Thank you.

MS. GEUEA JONES: Are there any other members of the public that are here to speak tonight? Seeing none. We will close public hearing and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Are there any comments from Commissioners on this case? There aren't any comments? Commissioner Stanton?

MR. STANTON: Pretty cut and dried to me. I would entertain a motion.

MS. GEUEA JONES: Please.

MR. STANTON: As it relates to Fike Subdivision Plat 1A, preliminary plat, Case 233-2024, I move to approve pursuant minor technical corrections.

MS. WILSON: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton and seconded by Commissioner Wilson. Is there any discussion on the motion? Seeing none. Commissioner Williams, when you are

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, Mr. Williams, Ms. Wilson, Mr. Walters. Motion carries 8 to 0.

MR. WILLIAMS: There are eight yeses and one absentee, so the motion passes.

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

VI. PUBLIC HEARINGS

For our next case for the evening: Case Number 242-2024, I believe we have a recusal, Mr. Stanton?

MR. STANTON: Yes. I am going to recuse myself from this case.

MS. GEUEA JONES: Very good.

MR. STANTON: See you soon.

MS. GEUEA JONES: See you soon.

Case Number 242-2024

A request by Crockett Engineering (agent) on behalf of P1316, LLC, (owner) for approval of a PD Plan to be known as "Discovery Hotel - Lot 2," and an associated Statement of Intent permitting the subject site to be improved with a 4-story hotel. The approximately 2.07-acre subject site is located south of the Townplace Inn and Suites and east of Nocona Parkway, and includes the address 4408 Nocona Parkway.

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 proposed PD Plan entitled "Discovery Hotel - Lot 2" and associated Statement of Intent subject to the architectural renderings and the specified construction materials and their percentage of application on the future hotel exterior.

MS. GEUEA JONES: Thank you. And 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. Are there questions for staff? Seeing none. We'll open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward. I'll do my spiel this time. Name and address for the record. You get three minutes if you are an individual, six minutes if you are with a group or the applicant. Please start whenever you're ready.

MR. STEPHENS: Hello. I'm Jesse Stephens with Crockett Engineer, 1000 West Nifong. I won't take up too much of your time. I think it's a fairly straightforward request, but -- so just a couple of other things I might point out. Currently, the Tru Hotel which was previously approved is under construction. It's -- it's the lot that's located between our site and Highway 63, so if this gets approved, those two planning-wise may be under construction at the same. It's -- both the lots were pretty similar in

size, just a little over two acres. This is going to offer a Marriott product, it's a Fairfield Inn, is what this particular hotel will be. You've seen this. It's similar in size to the Tru Hotel that's being built adjacent to it, about 15 less rooms in the Tru. It does have a -- a portico -- a more elaborate portico share drive-in feature, but other than that, it's similar in makeup. You've already seen those images. There -- on the building finish materials, there's -- the ephesus is listed as a minimal, we will do no more than 45 percent ephesus. It's likely to be far less than that, probably comprising more stone and brick. That's all I really have to say on the matter, and I'm happy to answer any questions.

MS. GEUEA JONES: Are there any questions for this speaker? Just to clarify, this wasn't part of the overall Discovery PD Plan before, so this didn't have a designated purpose prior?

MR. STEPHENS: Correct. It was just -- the plat was approved as a vacant lot with a statement of intent, but no -- no fake plan, so to speak. This is the real plan, so --

MS. GEUEA JONES: Okay. Thank you. Any other questions? No. Thank you very much. Anyone else to speak on this case tonight? Seeing none. We will close public comment and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: I have a quick question for staff that I should have asked before. I'm sorry. This isn't going to affect the calculation issues that we were having with the overall Discovery PD Plan. Correct? Do you know what I'm talking about?

MR. HALLIGAN: Yes. No, they will not. Crockett provided us with tables and each of them, figures that are outlined regarding to each tract fit within the allowable area --

MS. GEUEA JONES: Okay.

MR. HALLIGAN: -- and do not exceed those, yes.

MS. GEUEA JONES: Thank you. I know we're running on that becoming a problem, and just want to make sure we're not there yet. Thank you. Any other Commissioner comments? Seeing none. Commissioner Wilson, would you do the honors?

MS. WILSON: In the matter --

MS. GEUEA JONES: Could we go back to the slide?

MR. ZENNER: It's there. It's in the --

MS. GEUEA JONES: Unless you don't need it.

MS. WILSON: I don't need it. In the matter of Case Number 242-2024, Discovery Hotel - Lot 2, I move to approve the proposed PD plan and associated Statement of Intent subject to technical corrections.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Wilson, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Williams, 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, Ms. Geuea Jones, Mr. Williams, Ms. Wilson, Mr. Walters. Abstention: Mr. Stanton. Motion carries

7-0.

MR. WILLIAMS: By seven votes, two abstentions or absences, the motion passes.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. And for the record, that was Commissioner Stanton recusing and Commissioner Loe absent. Very good. All right. Moving to our next case, as Commissioner Stanton rejoins us.

Case Number 248-2024

A request by Jessica Yankee (owner) for approval of a Conditional Use Permit (CUP) to allow 121 N. West Boulevard 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 Section 29-6.4(m) of the Unified Development Code. The 0.27-acre site is zoned R-2 (Two-family Dwelling) and is located at the southwest corner of N. West Boulevard and West Ash Street, and is addressed 121 N. West Boulevard.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the Conditional Use Permit to allow 121 N. West Boulevard to be operated as a 210-night STR for a maximum of four transient guests subject to:

1. No less than one garage parking space within the attached two-car garage and the single carport parking space or both garage parking spaces being made available at all times the dwelling is used for STR purposes; and
2. The maximum occupancy permitted within the dwelling shall not exceed four transient guests regardless of potential occupancy allowed by most recently adopted edition of the International Property Maintenance Code (IPMC).

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

MR. BRODSKY: Mr. Zenner, would it be -- in terms of the parking, would it be adequate for us to just say that there would be two parking spaces available, or do we need to get into the details there?

MR. ZENNER: I would prefer that you specify where those two parking places need to be. I mean, they can't -- I mean, generally speaking, you would say two parking places on site. I would probably be more specific than that, though. Two parking spaces either in the garage, or split between the garage and the carport.

MR. BRODSKY: Okay. Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. Thank you, Mr. Zenner.

We will now open the floor to public comment.

PUBLIC HEARING OPENED:

MS. GEUEA JONES: Please come forward. State your name and address for the record. Three minutes for an individual, six minutes for a group.

MS. YANKEE: All right. Hi, everyone, again. But my name is Jessica Yankee. I'm at 17 West Parkway Drive. In regards to the parking, I would not put two cars in that garage due to the way the garage door opens, it would be a real fiasco, so I do request that it's the carport and the garage. And then I just wanted to answer any more questions you might have about the property. I have no problem listing it for four individuals. I actively dissuade more than four at this point unless it's like a family with children, because I just don't want six adults in that home. And like Mr. Zenner said, the neighborhood truly does support this particular Airbnb even though -- even some of my neighbors who are staunchly against the concept of short-term rentals, they appreciate what we're doing with the Hobbit House, so that's been a nice blessing with this particular project. So I think everyone is familiar with the home, but I would love to answer any questions you might have about specifics.

MR. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Ms. Yankee, thank you for bringing the Hobbit House out of the Land of the Orcs into middle earth where Hobbits will dwell in it, and I just have one question.

MS. YANKEE: Yes.

MR. STANTON: Let's say more -- let's say the Hobbits get to partying too much and the Orcs come and visit. Who do I call? How fast are they going to get there, and is Gandalf coming to save the day?

MS. YANKEE: I was going to ask Mr. Zenner if the ghosts count towards the room or the occupancy. I live two miles away, maybe less. I am pretty much always around, and then my sister-in-law also lives directly across the street, as well as her husband, who is a retiree. So typically, like -- I mean, this week, somebody needed laundry detergent, and I was there in three minutes with laundry detergent. So we're actively available, but it would be me as your primary.

MR. STANTON: And that is on your application, one of those three is a designated person?

MS. YANKEE: Oh, sorry. Mr. Calvin is also on there, yes. And so Tara Calvin is his sister, who lives across the street, but Mr. Calvin, who also lives in the Park Hill neighborhood on Edgewood is also a backup.

MR. STANTON: They'll be able to take care of any Orcs or anything else that occurs?

MS. YANKEE: Correct.

MR. STANTON: Okay. Thank you.

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

MS. ORTIZ: Yeah. Out of curiosity, I notice that there's no sidewalk adjacent to the property where the carport is.

MS. YANKEE: Uh-huh.

MS. ORTIZ: Do you have any, like, accessibility features for folks that are staying at your property that may need to get into the house from the carport?

MS. YANKEE: So you're asking if the home is accessible to all at this point?

MS. YANKEE: Yeah.

MS. YANKEE: So, no, I would not say it is. However, Airbnb does not require ADA compliance, and you have to list in there if the home has stairs. So when people are searching for homes, they make sure to choose a home that's ADA accessible, and we're very transparent with our photos and our documentation that there are some step-ups. The home has been hodge-podged together over a period of 160 years, and so there's kind of different stairs all within the house, like, one step-up and stuff, so no, I would not say it's accessible. However, if -- I don't know if this Commissioner is overseeing the sidewalk development. I don't think so. Right? But there will be a sidewalk there.

MS. ORTIZ: The Ash Street improvement?

MS. YANKEE: Correct.

MS. ORTIZ: Yeah.

MS. YANKEE: As far -- if the current plan goes through, there will be a sidewalk and the big tree is going to get torn down.

MS. ORTIZ: I've heard a lot about that.

MS. YANKEE: Yeah.

MS. GEUEA JONES: Any other questions? So to follow up with what Commissioner Ortez was asking, if you park in the garage and/or the carport, how do you get into the house?

MS. YANKEE: Great. So I use the rear door as the primary entrance.

MS. GEUEA JONES: Okay. That -- so they don't have to walk around to the front?

MS. YANKEE: Huh-uh. I actually don't want them, because I'd love to give you guys a tour. The front door is pretty much original, and so there is a locking mechanism that requires, like, a very old school, like, if you're reading historical fiction where you can, like, pull up a plywood thing. So it -- it's interesting and very awesome and historic, but no, I would not want people trying to access that way.

MS. GEUEA JONES: Thank you.

MS. YANKEE: Yeah.

MS. GEUEA JONES: Any other questions? Seeing non. Thank you, Ms. Yankee.

MS. YANKEE: All right. Thank you. Any other member of the public to speak on this case, please come forward. All right. Name and address for the record, please, and then go ahead.

MR. STEENO: My name is Paul Steeno; I live at 409 Pershing Road, so I actually live within walking distance of both of these properties. I became aware of them when I drop off the children that are my neighbor's and pick them up. Ms. Yankee, this is nothing personal. Okay?

MS. YANKEE: Okay.

MR. STEENO: I used to work as the administrative assistant for the Director of Code Enforcement in Jefferson County, so I'm a bit familiar with procedures, and it sounds like it's been very well addressed. I have been -- fortunately, I have actually been in the Hobbit House. I had painting and paper hanging business for 27 years and I was invited to come and take a look. And believe me, it's aptly named. My point today is more along the lines of neighborhoods being inhabited by neighbors. I love all my neighbors, but I see the neighborhood obstructing the ability for individuals looking for affordable housing to be supplanted by businesses. And I wonder how many units that are STDs -- oh, is that right -- no -- STR. I beg your pardon. Can you strike that? No offense. Any one individual or entity or organization trust fund can have. So I could see someone who has several rental properties that decides all of a sudden that they want to have them be Airbnbs. Is there a regulation on how many units or -- there is? Good. And you keep track of that? Good. Do we have an estimate of how many STRs are in each ward? Do you find that there's a discrepancy between -- does that bother any of you? I'm expressing some concerns that you have. Glad to hear that. I'm just an old man. Okay? And sometimes we want to resist change. The romantic thing. My neighbor that I help with the delivery of the children to and from school is because she is currently going to school herself, and she's renting and would love to buy a house. And there are many like her. An associated concern I have, Mr. Zimmer -- Zenner, and we talked about this, is empty houses that are just left to stand. It seems that property is a commodity and investors and/or just say the son/daughter of the father and parents who occupied the house and then passed away will sit idle just because of the property values going up. And I see this as an encumbrance upon the affordability of houses. So I just want to say that I appreciate the work that you do. I don't necessarily have anything against Ms. Yankee. I just have a concern about the community development and whether that is really in the best interest of the City. One final question. Are there incentives on the part of the City in like increased revenue for a STR versus a rental unit and/or a individual owner? In other words, is there any benefit to the City financially for allowing a rental property or an STR because it's a business rather than just a single unit? I thank you for all that you do. It's a thankless job -- government. I wouldn't be in your chairs. I don't have the thick enough skin for it, and no matter what you do, there's going to be people that don't agree.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Commissioner Wilson?

MS. WILSON: I don't have a question, but I have a comment, and that's just thank you. I appreciate you sharing. Thank you.

MS. GEUEA JONES: Anyone else?

MR. STEENO: Unfortunately, there aren't a lot of people who get off the couch. They're too busy watching TV or playing with --

MS. GEUEA JONES: One moment, please. Commissioner Williams?

MR. WILLIAMS: I just want to -- just response to your concerns. I just want to provide you with

some comfort, perhaps, that your concerns about affordable housing are deeply shared by this committee. And I suspect if you were to speak with Mr. Zenner, he could inform you of some of the other initiatives that we -- we work on actively to try to create changes to the Code that -- that we hope will at least enable or incentivize in some way, affordable housing by reducing some of the burdens that might be placed on developers inadvertently by the current Code that would prevent them from -- it would create extra steps that might be useful in creating affordable housing -- more affordable housing. So since you were kind enough to take the time to come and present to us, I wanted to at least make you aware of that for your benefit.

MR. STEENO: Well, I happen to be or have in my past a direct connection with affordable housing because I worked for Job Point. And through our youth build program, we actually work with a city in building homes with students who are wanting to also get their HiSET, formerly known as a GED. I also am acquainted with Mr. Coil -- Randy. He's with HUD. And, boy, they are going to do some wonderful things. I'm also aware of the things that are being done by Love Columbia, and Habitat for Humanity, and hats off to Jimmy Carter.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: To your question about the short-term rental situation, it's a -- it's a delicate balance and Ms. Yankee could definitely testify, a delicate balance between property rights, overall good of the community. We have been on this road for almost five years coming up with the regulations and the framework of which you are part of today. So this conditional use is a result of the process of getting this under control because before these regulations, there were no regulations, and you probably had a lot more, you know, ST -- short-term rentals. You almost made me mess up -- short-term rentals around you then you may have even known. This process allows you to know who is around you, who your neighbors are, and what they're using their properties for. So this is just the first steps, and, you know, as the people that are going through this, these are kind of the first ones coming through the process, hopefully, they'll lead the way in a positive way and then, you know, we can become better cooperative neighbors, and feel each other's concerns on both sides. So thank you for coming and expressing.

MR. STEENO: I understand, and I appreciate your telling me that, Mr. Stanton, you know. One final comment, if you'll allow me. It seems to me that a lot of the ordinances are ignored knowing that they are in violation by doing whatever they do. Like, too close to a property line. It's known as, you know, do and then ask for permission later. I think that's a been a big problem.

MS. GEUEA JONES: One more. Sorry, sir. Commissioner Placier?

MS. PLACIER: Well, just very briefly because you asked if there's some kind of incentive for the City to have short-term rentals, long-term rentals, or owner-occupied homes. And as far as I know, there is not, but I will ask Mr. Zenner to confirm that. I don't think the City is making money from STRs unless something is going on I don't know about.

MR. ZENNER: So, no. There is not an incentive. We don't incentivize anybody to do any

particular land use. As with any other accommodation-related business, there are taxes that do need to be paid. So as Mr. Stanton pointed out, prior to February of this year, people that were utilizing their homes for a short-term rental were not subject to a business license, and they weren't subject to paying accommodation taxes like every other hotel. So we do, as a part of this regulatory process, should Ms. Yankee or any other applicant receive their conditional use approval, they would need to obtain a business license and then remit accommodation taxes for every night that they use it as an accommodation. That helps the City, not from a -- not from an incentivization perspective of incentivizing people to do this, but the revenue that does come in from accommodation taxes does help the City in promoting itself for tourists and a destination, so that's a benefit to us economically. And it also does help to defray costs associated with regulatory enforcement.

MR. STEENO: My question was I'm not -- I did not intend to imply that the City was underwriting, you know. You answered the question, you know, was that actually -- STRs do have -- they incur more in that they are considered more like a hotel. Right?

MR. ZENNER: Correct.

MR. STEENO: Thank you. I want to go home.

MS. GEUEA JONES: Thank you, sir. Any other members of the public to speak on this case? Seeing none, we will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Is there any Commissioner comment on the case? Commissioner Brodsky?

MR. BRODSKY: So when I previously lived in Columbia, I owned a home five doors to the east on Ash Street, so I'm very familiar with this property. Betty Brown and Herb Brown were friends. I went on a monthly lunch date with Betty. I don't think Herb was invited. But I've been in the house, and it really is just a cool property. And I commend you for -- for preserving it in the manner that you have. I don't see any reason or any problem with this -- with this request with the -- with the recommendations that -- that staff has included.

MS. GEUEA JONES: Any further comments? Seeing no further comments, would anyone like to make a motion? Commissioner Stanton?

MR. STANTON: Sure, Madam Chair. As it relates to Case 248-2024, 121 North West Boulevard, STR conditional use permit, I move to approve the STR CUP for a maximum of 210 days subject to no less than one garage space and the carport, or two -- two-car garage spaces are made available when dwelling is offered as STR, and a maximum occupancy shall not exceed four transient guests regardless of the occupancy allowed by the IPMC.

MS. WILSON: Second.

MS. GEUEA JONES: Okay. Motion made by Commissioner Stanton, seconded by Commissioner Wilson. Is there any discussion on the motion? I do have a point. Do we want to say

one garage space and one carport space as requested by the applicant?

MR. STANTON: I accept that amendment.

MS. GEUEA JONES: Okay. Are you good with that amendment?

MS. WILSON: I am. Second.

MS. GEUEA JONES: Okay. So we're going to amend that to say one garage space and one carport space will be available when the dwelling is offered for STR purposes. And that was accepted by both the maker and the second of the amendment. Very good. Now, any further discussion on the motion? Seeing none. Commissioner Williams, 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, Mr. Williams, Ms. Wilson, Mr. Walters. Motion carries 8-0.

MR. WILLIAMS: I have a vote of 8-0, with one member absent. The motion passes.

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

Case Number 249-2024

A request by Jessica Yankee (agent), on behalf of James and Betsy Waldman (owners), for approval of a Conditional Use Permit (CUP) to allow 316 N. West Boulevard 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 Section 29-6.4(m) of the Unified Development Code. The 0.16-acre site is zoned R-2 (Two-family Dwelling), and is located on the east side of N. West Boulevard approximately 180 feet south of Again Street, and is addressed 316 N. West Boulevard.

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

Staff report was given by Mr. Pat Zenner of the Planning and development Department. Staff recommends approval of the conditional use permit to allow 316 N. West Boulevard to be operated as a 210-night STR for a maximum of four transient guests.

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

MR. BRODSKY: Mr. Zenner, is the question -- and I know we're not going to decide this tonight necessarily. Staff will take care of this. But is the three versus four, is that just due to the small size of that second bedroom?

MR. ZENNER: That's correct. That bedroom is it -- stated on the application is a 72-square-foot bedroom, and that, based on the IPM standards of the table cited within the staff report, you have to have a minimum of 50 square feet per occupant in a bedroom when you have multiple occupants. So the one bedroom is over 100 square feet, which means it would meet the two-occupant classification. The smaller bedroom, the 72 square feet, only meets the minimum square footage for a single occupant, which is 70, and it doesn't have the extra 48 square feet to get up to 100 -- to have that 50 square feet.

So -- or doesn't have the extra 50. If you had 28 more square feet, you probably -- you would have 100 square feet, you would be able to do four, but right now, I think when -- when this was done, it was probably based upon what the bedroom -- bed configuration was. There's two -- you know, there's a bed big enough to put two people in it, and Ms. Yankee may be able to comment on that, as well. But I don't want to make that as a final determination there. We do have -- there are other provisions, as the Planning Commission is aware, that you do have sleeping spaces, so if it's a combined living-dining room, it may have enough space to have a pull-out sofa in it, and that may count. That's part of what -- that's part of what our neighborhood services staff needs to do the evaluation on, and they'll come up with what that final concrete transient guest number will be. But it likely -- the home, in and of itself, wouldn't be over probably four. It's a 744 square foot home, so I mean, it's a pretty tight structure.

MR. BRODSKY: Thank you.

MS. GEUEA JONES: Any further questions for staff? I have one. The first few of these that we did, we said subject to final inspections, et cetera, et cetera.

MR. ZENNER: Uh-huh.

MS. GEUEA JONES: We're no longer including that in the motion?

MR. ZENNER: We're not, and the reason I've opted to take that out of the recommendations is it's an understood. You have to go through the licensure process and that's why it is not in the recommendations. It was, in my mind, superfluous.

MS. GEUEA JONES: As long as legal is happy and we don't have to say the number can go down when we -- when we vote on this motion.

MR. CRAIG: I think, for the time being, we've got it in the record, that's fine, but I can -- I can talk with Mr. Zenner about moving forward whether we want that in there.

MS. GEUEA JONES: Yeah. I just -- we're still in the process of setting not really precedent, but I just want to make sure that no one is going to say, well, Commission approved four, you know, if we don't say something in the motion.

MR. ZENNER: And I -- I would encourage you, if you want to provide that level of clarity, you are more than welcome to do so. I mean, I think, based on the assessment that I'm making of the IPMC, three would be the least that would be likely permitted, maximum of four. I mean, if that's what you're -- if you're wanting that.

MS. GEUEA JONES: I am -- I am comfortable with the way the recommendation appears on the screen, as long as legal is.

MR. CRAIG: Yeah. That's fine.

MS. GEUEA JONES: Okay.

MR. CRAIG: I'm -- I'll approve moving forward with it --

MS. GEUEA JONES: Very good.

MR. CRAIG: -- but just as a general matter, I mean, the more clarity, the better, so maybe

moving forward we do. But I'll speak to Mr. Zenner about that.

MS. GEUEA JONES: Yeah.

MR. CRAIG: But I think for -- for the time being, we're -- we're squared away.

MS. GEUEA JONES: It's okay.

MR. CRAIG: Yeah.

MS. GEUEA JONES: Thank you. Any further questions for staff? Seeing none. I will open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If anyone is here to speak, you know the drill, Ms. Yankee.

MS. YANKEE: I'm back. Jesse Yankee, at 17 West Parkway. So especially for our new Commissioners, I wanted to clarify, like, my involvement in this property. There are two retired couples that both have Airbnbs that they come to visit their grandchildren and their friends, and co-host for both of them. We already saw the one at 400 Clinkscales earlier in the year. So after this, you shouldn't see me for probably ever again. This is the last one I will be talking on. This particular property, as mentioned, prior to the application had not been used as a short-term rental. It since has been activated, but this one is primarily long-term nurses. So we've actually only ever had one short-term qualified guest, and because of the size limitations and some of the other proximity to the University and other things, we are marketing to nurses. And so some of this was strategic because it's still listed on Airbnb, so I didn't want to be constantly checked upon about not having a short-term rental license because we're on the platform, even though we're primarily seeking 30-plus day stays. Also, as whenever we were working together on these regulations, it's nice to have some filler stays between those guests. So most often, this will be one to two guests as traveling nurses. In terms of the small bedroom, it is very small. There is a twin bed in there with a trundle bed. So when they do have a fourth person, they can pull out the trundle, and then we do have a sleeper sofa if they want to use that instead. Otherwise, yeah, it's just she comes. It's a -- like I said, a retired couple. They come to visit their grandchildren frequently, and -- and otherwise it's used as the nursing lodging.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much. Is there anyone else here to speak on this case? Seeing none.

MR. WILLIAMS: I would like to ask a question.

MS. GEUEA JONES: We will -- oh, for Ms. Yankee?

MR. WILLIAMS: Yes, I do.

MS. GEUEA JONES: Would you mind returning? Go ahead.

MR. WILLIAMS: I am just wondering if the -- if the owners were satisfied with -- with four -- it looks -- transient guests, or if they were contemplating a situation where they would use between the trundle and the --

MS. YANKEE: I am the one -- again, I hate over-packing the places, so no. I said absolutely

never would I host more than four there.

MR. WILLIAMS: Okay.

MS. YANKEE: And I do want to point out, I think this has already been communicated to the Commission, but the word transient is very confusing to a lot of our population, including somebody that was hear earlier tonight. He was very upset that we were going to be offering a homeless shelter in this home, so there might be consideration for maybe a future amendment to clarify that to the general public. Just -- it's been -- with the Hobbit House and this one, I've had about 1.7 million phone calls, so I just wanted to just off that up as a piece of consideration. Thanks. Anything -- okay.

MS. GEUEA JONES: Thank you. Any other questions before you run off?

MS. ORTIZ: I actually do.

MS. GEUEA JONES: Oh, sorry. Commissioner Ortiz?

MS. ORTIZ: I just wanted to say thank you for clarifying, kind of introducing us new commissioners to who you are. I appreciate that. Thank you.

MS. YANKEE: Oh, absolutely. There will be -- and you'll see more of those coming. Because of the new regulations, people do need co-hosts if they're not living in town, so I have actively been training up other co-hosts to help people. So if there's ever questions about co-hosting or how that works, I'm happy to answer those.

MS. ORTIZ: Great.

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

MR. STANTON: You brought it up.

MS. YANKEE: Sure.

MR. STANTON: Well, does co-host mean you're responsible for finding the person that we call when the stuff hits the fan? That's my main concern.

MS. YANKEE: We're listed as the registered agent in the application, so you can call us, absolutely. I think it's more about that we're available around the clock essentially to make sure the problems are taken care of. But, yeah, either us or the owner. I don't -- I don't know the right way to answer. I think either one is appropriate.

MR. STANTON: Thank you.

MS. YANKEE: Yeah.

MS. GEUEA JONES: Anyone else? Are we sure?

MS. YANKEE: Shall I back up a couple of steps?

MS. GEUEA JONES: Thank you very much, Ms. Yankee. All right. With that, we will close public hearing and go to Commissioner comments.

PUBLIC HEARING CLOSED

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

MR. STANTON: Madam Chair?

MS. GEUEA JONES: Yes, Commissioner Stanton?

MR. STANTON: If my fellow Commissioners don't have anything else to say, I would like to entertain a motion.

MS. GEUEA JONES: Anybody else? Seeing none. Please go forth.

MR. STANTON: As it relates to Case 249-2024, 316 North Boulevard STR conditional use permit, I move to approve the requested the 210-night STR CUP for a maximum of four transient guests.

MS. GEUEA JONES: Is there a second?

MS. WILSON: Second.

MS. GEUEA JONES: Commissioner Stanton made the motion, Commissioner Wilson seconded. Is there any discussion on the motion? Seeing no discussion, Commissioner Williams, 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, Mr. Williams, Ms. Wilson, Mr. Walters. Motion carries 8-0.

MR. WILLIAMS: The motion passes unanimously, 8-0.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. That ends our cases for the night, and brings us to public comment.

VII. PUBLIC COMMENTS

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

VIII. STAFF COMMENTS

MS. GEUEA JONES: Staff comments, Mr. Zenner?

MR. ZENNER: Why, of course. And for our newest Commissioners, this is the comedy hour that follows after the serious business. So your next meeting is on November 7th, and that will be at -- starting at 5:30, we will have another work session. We will -- haven't quite decided on what we'll discuss. I think we may continue our conversation as it relates to the application content and forming a set of questions, more standard questions that we will ask as it relates to short-term rental hearings just so we are creating a consistent public record. We'll come back to you all, so I think, with some revisions to the application form so you can see what we're looking at releasing as what I would refer to as version 2.0 of that application. Just so you are informed, I will not be here on November 21st. Mr. Kunz will be making a presentation of the lot analysis between inside the Stadium loop and the outer portions of the City which he has pulled together. So we will be looking at having that work session dedicated to that topic. And we potentially may have a guest speaker at the first meeting in December to talk about a project that our public works and design staff have recently acquired a consultant for that will probably interest the Commission and the consultant has requested an opportunity to describe what their work will entail, just so you're aware of that because it will potentially result in necessary changes to the Unified

Development Code. At our regular 7:00 p.m. meeting, we have two business items that will be discussed. There are no short-term rental applications, but you will see Mr. Teddy in my stead to present the two that will be on November 21st. So you can grill him. The first two that we have, one should be very familiar to certain Commissioners that have been around. This is 4414 Smith Drive. This was a request that came in for a rezoning from R-1 to M-OF, probably about a month ago, two months ago, maybe, that M-OF request was denied by City Council. This is immediately south of the Westbury Commercial Development. If you recall correctly, staff was offering the applicant an opportunity to have amended that application to the R-MF zoning district after being denied by Council, the M-OF they had resubmitted, and have gone through the appropriate procedure to get this case added to the Commission's November 7th agenda. So this is an R-1 to R-MF rezoning. Mr. Kunz will be delivering the staff report on this, and Mr. Kunz, for Ms. Ortiz and Mr. Brodsky, was the staff, my planner that was here that did the first subdivision action this evening, so he is the one that originally handled the first request for this particular property. He is also completing the second. And then Rusty Palmer, my senior planner, will be talking to you about what is an anomaly now these days. This is 5201 Ewing Drive. This is down at Legacy Farms off of South Sinclair Road. It is a rezoning request for an open R-MF zoning district, our most permissible residential zone, to a planned district with a development plan. Some here may say why a planned development plan? Well, let me make you informed citizens and Commissioners. This project was originally proposed to be a cooperative housing development. And so in the R-MF zoning district, the way that the infrastructure was laid out within this project, it had multiple detached single-family homes on the R-MF zoned land. Unfortunately, due to circumstances beyond the developer's control and the economy, the developer lost the property, and the bank has reacquired the property at this point, and would like to develop this in a more conventional manner for lotted single-family construction. And the only way in order to address many of our Unified Development Code related issues would have had to have been to have asked for a raft of design adjustments from our subdivision standards, because all of the public infrastructure is in place, or come through a planned development district and ask for a series of design exceptions, which would be shown on the PD plan. And so what Mr. Palmer will describe and present for you is a PD plan that is basically somewhere between a cottage housing development and a standard multi-family project, and it was the only way that we could figure out from a staff perspective to allow the property to be able to be re-utilized with the existing improvements that were there. Trust me, staff is not taking its -- reversing its stance on planned districts. We still will prefer to not see them like the plague. This, however, is the only means by which to get to an end. And so I think you, as a Commission, will be satisfied to see this. It actually does promote a housing style and a topology here in a neighborhood that is of mixed use. This is immediately behind actually the commercial development at Legacy Farms, and then it is adjacent to what would be more conventional multi-family housing to the north, and the community center that is immediately to the south of this. So this is a pretty good use of this property in using the PD to do so. It was not our first choice, nor the

applicants, so don't shoot the messenger when he gives the staff report or Crockett Engineering who is the engineer on this. They didn't have much choice.

MR. WALTERS: Is there another address? I can't find this in the --

MR. ZENNER: No, there's not another address. This is the address that was assigned only because it -- it's what we have in our addressing system, and it's probably for a utility meter of some nature. I don't believe -- there is no individual lot or structure built on the property today, and therefore, there is no individual address.

MS. GEUEA JONES: If you search Legacy Farms, you'll find it in Google Maps.

MR. WALTERS: Yeah. Okay.

MR. ZENNER: So just so you familiarize yourself with what we're going to be talking about on the 7th, left-hand map is our Smith Drive property, right-hand map is Ewing Industrial -- or Ewing Lane, not Ewing Industrial. Ewing Industrial is up off of -- by the landfill. This is a -- that would be our residential area. And this is actually just up the street from John Warner Middle School on Sinclair. So if you're familiar with where John Warner is, Heritage Meadows, this is right in that general area. Those are your only two cases for the November 7th agenda, and again, I will be present during work session. We'll have a meal, and we'll have some more excellent discussion. I appreciate your attention and your input for this evening. Mr. Williams brought up an e-mail that was sent to me, and I think I will look at that in a little bit greater depth, and Mr. Craig and I will try to figure out how we can incorporate that also into the discussion. We believe that it is a scrivener's error in the ordinance, and I'll make sure that we've corrected whatever references we're making in the actual staff reporting that may cause concern associated with that, as well. Welcome aboard Commissioner Ortez, Commissioner Brodsky, and hopefully you will enjoy your terms with us, and we look forward to bringing you on and into the fold. For Mr. Brodsky, this may just be -- it's like he said, it's his second tour, so maybe it won't be as dry as the first one, but I don't think the first one was dry, because he got to work on the comp plan. So -- and he may get that a second round Commissioner, as well, because we will be hopefully starting and launching the Comprehensive Plan updates in the first quarter of '25 is what we're hoping for.

MR. BRODSKY: You mentioned that right after you talk about planned developments.

MS. GEUEA JOONES: Thank you. Any -- thank you, Mr. Zenner.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: Are there any Commissioner comments this evening. Commissioner Brodsky?

MR. BRODSKY: Just real quick. Really looking forward to working with everyone. I'm excited to be back on the Commission. And I say that, I did want to put out there, I will be missing one meeting coming up December 5th. I think Mr. Zenner is already aware.

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

MS. PLACIER: Yeah. Several of us did attend the housing summit today all day. That's why we look tired. But there was much in that report that was presented from Dr. Boston -- I don't think we ever found out his first name, but --

MR. ZENNER: David Stephen Boston.

MS. PLACIER: Okay. That should be part of our upcoming discussions on affordable housing.

MS. GEUEA JONES: Thank you. We will add it to the long list of tasks. It never seems to stop growing. Anyone else? Commissioner Ortiz?

MS. ORTIZ: I also want to say thank you for having me here. I'm very excited and I realize I have a lot of learn, and I'm excited to learn with you all. Also the -- the Boone County Housing Study is available to the public. I know some people are probably watching. You can find it online. It's 300 pages, but a lot of those are graphs and maps, but there's a lot of great information in there. Yeah. I would encourage anyone that's interested to check it out.

MS. GEUEA JONES: Thank you. I will just echo welcome to our two new Commissioners. Feel free to ask all the questions you want, and feel free to contact Mr. Zenner. He is very helpful at any time.

X. ADJOURNMENT

MS. GEUEA JONES: With that, would anyone really like to let us go for the evening?
Commissioner Stanton?

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

MS. GEUEA JONES: Please.

MR. STANTON: I move to adjourn.

MS. GEUEA JONES : Second? By Commissioner Wilson. We have a motion to adjourn without objection. We stand adjourned.

(The meeting adjourned at 8:43 p.m.)

(Off the record.)