

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
April 24, 2025

Case Number 161-2025

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

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

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

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

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

PUBLIC HEARING OPENED

MS. GEUEA JONES: If anyone has come to speak on this case tonight, please come forward. Please come on. State your name and address for the record, and we'll give three minutes if you're an individual, six minutes if you're here for a group or the applicant.

MR. ODETTE: I'm an individual. Madam Chair, Commissioners, thank you for the opportunity to comment. My name is Mike Odette. I'm a recent retiree and homeowner at 1101 Sunset Lane where my family and I have lived for 15 years. This is the property directly behind 1010 West Broadway, the property in question. As you can see, the subject site is figuratively right in my backyard. The property in question is advertised on Airbnb as accommodating ten guests. It's been addressed. Thank you. There's a game room in the detached garage with a bar, ping-pong, darts, and foosball. The backyard has a large hot tub, a large dining table, two seating areas and two fire pits. As you can imagine, it's a great place for outdoor socializing. It's actually a really nice setup for groups to enjoy. They did a nice job of it, and groups do make frequent use out of it. As mentioned, 210 nights out of 210, it's hopping.

Over the two years that 1010 has operated as a short-term rental, I feel that my family's quiet enjoyment of our backyard has been compromised. My children no longer want to use the backyard for croquet, badminton, disc golf practice, other family activities that we used to enjoy when there's a gathering going on at 1010. I refrain from doing yard work, such as mowing when I see guests in the 1010 backyard, which is a little bit inconvenient for me, but I'm an old Boy Scout, and I try to be friendly and courteous and kind. My bedroom is at the back of the house, and it's unsettling for me to be awakened in the middle of the night by voices in our backyard where the guests at 1010 are enjoying the hot tub or fire in the fire pit or late night games in the garage. In the interest of our family becoming better neighbors with the property owners, I propose that Stealth Rentals be asked to install a noise-mitigating and visual barrier solution, such as a privacy fence between our two properties that would restore our family's privacy and quiet enjoyment of our home in our backyard. I'm sure their guests wouldn't mind the added privacy feature, as well. For what it's worth, I do appreciate that Stealth Rentals requests in their listing that no parties or events happen, even though the request is made to preserve the home's pristine condition for future guests rather than to be considerate of the neighbors. Nevertheless, for whatever reason, I do hope their guests will honor this request. I don't think the consideration of a privacy fence is a whole lot to ask. If their CUP is approved, I do wish Stealth Rentals continued success in their business. Madam Chair and Commissioners, thank you again for your time.

MS. GEUEA JONES: Thank you.

MS. WILSON: Wait.

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

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

MR. ODETTE: That's a great question. Thank you for asking that. I see people back there and I will put a business card in my pocket with my phone number on the back and go back, and it's -- every time I've gone back there, it's been housekeepers or people working on the property. I would love to meet somebody over the fence and shake hands and talk about this. I'm all for being good neighbors, and we're that kind of neighborhood.

MS. WILSON: Thank you. Thank you.

MS. GEUEA JONES: Commissioner Loe?

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

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

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

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

MS. LOE: Thank you.

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

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

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

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

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

MS. GEUEA JONES: Mr. Stanton?

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

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

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

MR. ODETTE: Thank you.

MR. STANTON: Yes.

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

MR. ODETTE: Thank you for the opportunity.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward. And I'm just going to tell you from experience, you're going to have to pull that microphone way up for us to hear you. Name and address for the record, please.

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

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

MR. HALL: So, first of all, thank you -- thank you so much for considering this application. A couple of things. I don't think we hit the 210-night maximum. I think we were around 180. I may have misspoken to you, but I would need to go back and recalculate that. But I don't think we were near that. And I want to say thank you so much for being here and speaking up on -- I'm so happy that he came up and said that. So -- because really, more than anything, my wife and I, when we operate -- when we

bought this property, it was to -- you know, and we want to be good neighbors to everyone around us, too. And so if a privacy fence or some sort of noise mitigation thing would help, then we are 100 percent on board and we'll get it done immediately because we want to be good neighbors to everybody around us and we don't -- for sure don't want, you know, people to not have -- you know, not be able to enjoy their backyard. So any questions?

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

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

MR. HALL: It does? Okay.

MS. ORTIZ: Yeah. Yeah.

MS. GEUEA JONES: Commissioner Walters?

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

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

MS. GEUEA JONES: Commissioner Stanton?

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

MR. HALL: Yes, sir.

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

MR. HALL: Yeah. That will be --

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

MR. HALL: Yeah. Like -- yes.

MR. STANTON: -- they would change.

MR. HALL: Oh.

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

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

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

MR. HALL: A hundred percent, yeah.

MR. STANTON: -- communication, and, you know, everybody is kind of helping everybody, and everybody understands where everybody is at with the situation. So I definitely appreciate that and thank

you for coming up, and thank you for addressing that. And I can't wait to make sure that your advertising is reflective of -- if you -- you know, you haven't got it yet, you're not there yet.

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

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

MR. HALL: Yeah. Immediately.

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

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

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

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

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

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

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

MS. WILSON: Thank you. Thank you.

MS. GEUEA JONES: Commissioner Stanton

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

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

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

MR. HALL: Thank you so much.

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

MR. HALL: Thank you. Thank you.

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

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

MS. GEUEA JONES: Wonderful.

MR. HALL: So thank you so much.

MS. GEUEA JONES: Thank you.

MR. HALL: Thank you.

MS. GEUEA JONES: Okay. And anyone else to speak from the public on this case? Seeing

none.

PUBLIC HEARING CLOSED

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

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

MS. GEUEA JONES: Commissioner Brodsky?

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

MS. GEUEA HONES: Anyone --

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

MS. GEUEA JONES: Yes.

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

MS. GEUEA JONES: Thank you very much, Counselor. Any other Commissioner comments? I would -- oh, sorry. I would say how I would phrase it to provide the most flexibility between the neighbors is to say that the condition is he communicates with his neighbor about possible screening. Those two homes are very close to each other. You can see that in the pictures in the advertisement, so I think it's reasonable in this case to say the two neighbors need to have that discussion. And as long as they have that discussion, whatever they come up with between them, we don't need to be overly prescriptive. Are you amenable to that, Commissioner Wilson?

MS. WILSON: Uh-huh.

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

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

MS. GEUEA JONES: Uh-huh?

MR. ZENNER: -- is far too broad for us to be able to lock down as to what it is that is considered acceptable. We have multiple screening standards in the Code, which I would prefer that if we're going to

attach a condition of this nature, we attach it to something that is measurable that we already have, so as a part of the inspections process before licensure is fully granted, we are assured that the minimum of what you have established as the condition has been met, if the owners agree to do something far more significant, yahoo. But, at a minimum, we can't just leave it to, well, talk, and we don't know what they talked about, and we don't know if they've met the requirement, and then they walk away and the owner of the -- the affected owner may be not satisfied.

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

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

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

MR. ZENNER: Level two.

MS. GEUEA JONES: Thank you.

MR. ZENNER: And then the next -- if the Commissioner wants to entertain, if you're not satisfied with that level, the next level up in the buffering and the screening table is a level 3 buffer, which is an eight-foot-tall screening device, but a ten-foot-wide landscape buffer which may be excessive given what's going on.

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

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

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

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

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

MS. GEUEA JONES: Okay. I -- anyone else have a comment to that? If not, I do. I would be more comfortable sticking with the six-foot, four-foot, and allowing the applicant and the neighbor to

decide what's appropriate. I'm trying to give them as much flexibility as possible. We're talking about two pieces of private property that are both residential R-1. I think they're both adults. They can work it out amongst themselves. I don't want to be overly prescriptive. Anybody else? Yes. Commissioner Placier?

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

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

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

MS. GEUEA JONES: Satisfied, Counselor?

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

MS. GEUEA JONES: Yeah. Yeah.

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

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

MS. ORTIZ: Second.

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

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

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

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

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