

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
October 24, 2024

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.