

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
August 21, 2025**

**SUMMARY**

A request by Steve Fleisher (agent), on behalf of VSP, LLC (owner), for approval of a Conditional Use Permit (CUP) to allow 11 Club Court to be used as a short-term rental for a maximum of 6 transient guests and up to 210-nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The 0.22-acre subject site is zoned R-1 (One-family Dwelling) located at the terminus of Club Court, and is addressed 11 Club Court.

**DISCUSSION - APPLICATION EVALUATION**

The applicant seeks to obtain a conditional use permit (CUP) to allow a property to be used as a short-term rental (STR) pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. As of June 1, 2025, any dwelling operated as an STR must fully comply with the provisions of the STR regulations which include acquisition of an STR Certificate of Compliance, Business License, and submission of accommodation taxes. Approval of this request is a required prerequisite to proceeding forward in obtaining the STR certificate and business license.

While final action on this request is pending, enforcement action on the operation of the dwelling as an STR will be suspended. Continued operation of the subject dwelling as an STR following City Council action without acquiring the STR certificate of compliance and business license would constitute an illegal land use and would be subject to revocation of the CUP, if authorized, as well as other enforcement actions identified in the City Code.

The following is a site-specific analysis of the property desired to be used as a short-term rental.

**Dwelling Unit Details**

<b>Property Address</b>	11Club Court
<b>Zoning</b>	R-1 (One-Family Dwelling)
<b>STR Request Type</b>	Tier 2, 210 nights
<b>Maximum Guests Requested</b>	6
<b>Bedrooms</b>	3
<b>Parking Spaces</b>	3 required, 3 off-street parking spaces provided, plus 1-car garage
<b>Abutting Properties</b>	R-1 immediately adjoining to the north, east, and south. R-MF across Charles Street to the west.

**Owner/Agent**

<b>Owner</b>	VSP, LLC
<b>Designated Agent</b>	Steve Fleisher (member VSP, LLC)
<b>Agent's Distance to Property</b>	1 mile, 5 minutes away

## Listing Information

Listing Links	<a href="http://www.airbnb.com/rooms/1038344090067131033">www.airbnb.com/rooms/1038344090067131033</a>
STR previously offered?	Yes, beginning December 2023. Operated 365 nights in 2024
STRs within 300 feet?	None
Primary residence?	No
Previous Violations?	None

## Conditional Use Analysis

This application triggers approval of a conditional use permit (CUP) and has been analyzed pursuant to the provisions found in Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. Staff's analysis of these provisions is shown below. The owner's analysis of the criteria are attached to this report.

### **Sec. 29-6.4(2)(i) General CUP Review Criteria:**

**(A) The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located;**

A short-term rental that is not a long-term resident's principal residence is permitted within the R-1 zoning district subject to approval of the requested conditional use permit (CUP). The submitted application (see attached) has illustrated compliance with the minimum regulatory standards established within Sec. 29-3.3(vv).

A site-specific inspection finds that the dwelling is capable of accommodating at least 3 UDC compliant parking spaces within the driveway on the property, which is sufficient to meet code requirements for the requested 6 maximum transient guests.

Additional regulatory review to ensure full compliance with the provision of Sec. 29-3.3(vv) and Chapter 22, Art. 5 (Rental Unit Conservation Law) of the City Code will occur if the CUP is granted prior to issuance of a STR Certificate of Compliance. The subject dwelling is not located within an overlay district that would otherwise prohibit the proposed use of the dwelling as an STR.

**(B) The proposed conditional use is consistent with the city's adopted comprehensive plan;**

The comprehensive plan does not speak directly to the use of residential dwellings for alternative purposes such as an STR; however, does contain policies, strategies, and actions relating to the topics of livable and sustainable neighborhoods, land use and growth management, and economic development. The adoption of the regulatory provisions governing the use of a residential dwelling for STR purposes is seen as addressing several of these policies, strategies, and actions.

With respect to the goal of creating **livable and sustainable neighborhoods**, approval of the requested CUP would support the mixed-use concepts of Policy # 2, Strategy # 1 (page 144) of the Plan. While this strategy focuses on the concept of creating "nodes" of neighborhood scale commercial and service uses as a high priority, the first "action" within

the strategy recommends using planning tools and decision-making to locate small-scale commercial and service businesses adjacent to residential development. STRs have been determined to be a commercial use and offer a "community-wide" service by providing

supplemental housing for visitors to Columbia. Staff believes adoption of the STR regulations and their requirement of a CUP are relevant planning and decision-making tools consistent with the intent of this Policy and assist to fulfill the idea of supporting mixed-uses within residential neighborhoods.

With respect to **land use and growth management**, Policy # 3, Strategy # 3 (page 146 of the Plan) would be fulfilled given the regulatory limitations on occupancy and rental nights that are contained within Sec. 29-3.3(vv).

And finally, with respect to **economic development**, Policy # 3, Strategy # 2 (page 149 of the Plan) would be fulfilled by supporting local entrepreneurial ventures. The adopted regulatory provisions governing the use of a residential dwelling for STR purposes were created with options to allow owners and/or renters the ability to participate in the STR market subject to reasonable regulation. This ability for participation not only supports individual entrepreneurial ventures, but also broader city-wide economic objectives relating to tourism and tourism-related activities.

- (C) **The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site;**

The properties surrounding the subject site are mostly improved with smaller, bungalow style, detached single family structures on similar lots. Of the 9 surrounding structures within 185-feet, 4 appear to be owner-occupied. The use of the subject dwelling as a short-term rental has not resulted in it being modified structurally to accommodate its current use. The dwelling still appears from the street frontage to be a single-family dwelling. If the requested CUP is approved, the only potentially notable changes in this dwellings character to those surrounding it would be the frequency of occupant turnover within the dwelling. It is worth noting that the transient guest occupancy is twice that allowed within the R-1 zoning district.

Based on a search of typical listing platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinders.com the dwelling is listed as a short-term rental on Airbnb. The applicant has stated as such as well, in addition to the property being listed on VRBO and FurnishedFinders. The applicant notes that the property was previously offered as an STR for all days of the year in 2024.

Any potential negative impacts can be mitigated through the adopted regulatory provisions that provide a means to report and address violations. The regulations permit imposition of fines and possible revocation of the STR Certificate of Compliance after 2 **verified** violations within a 12-month period.

- (D) **Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion;**

The site is accessed from Club Court via a private driveway. Club Court is classified as a local residential street and is a private street. It does not have sidewalks along either side of the street. On-street parking is allowed on both side of Club Court. Access to the property is facilitated through an ingress and egress easement on the property directly to the east of the subject property.

The site-specific evaluation has found that the existing driveway can support the required 3 on-site/off-street parking spaces necessary accommodate the desired 6 transient guests.

The site's available access is believed sufficient to support future traffic generation without compromising public safety.

- (E) Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided; and**

The site is sufficiently served with public infrastructure to support its use as an STR. There are no known infrastructure capacity issues associated with the site that would be negatively impacted by the approval of the CUP.

- (F) The proposed conditional use will not cause significant adverse impacts to surrounding properties.**

A CUP allowing the subject dwelling to be used as a 210-night STR with a maximum of 6 transient guests is a more intense use when compared to adjacent dwellings which are all located within the R-1 district and permit up to 3-unrelated individuals each. The restriction of 6 transient guests may result in greater intensity of use when compared to adjacent dwellings. Given the dwelling has operated as an STR since approximately December 2023 and there have been no identified code violations there is no evidence to suggest that such continued usage would create adverse impacts.

Potential negative impacts can be mitigated through the adopted regulatory provisions that provide a means to report and address violations. The regulations permit imposition of fines and possible revocation of the STR Certificate of Compliance after 2 **verified** violations within a 12-month period.

**Sec. 29-6.4(2)(iii) Supplemental STR CUP Review Criteria:**

- (A) Whether the proposed STR is used for any part of the year by the registrant as a residence. If so, for how long?**

The applicant has responded that the dwelling will not be occupied by them as a residence.

- (B) Whether or not there are established STRs within three hundred (300) feet of the proposed STR measured in all directions from property lines "as the crow flies."**

The applicant indicates that they are unaware of other established STRs within 300-feet of the subject dwelling. Staff reviewed the websites of AirBnB, VRBO, Booking.com, and Furnishedfinders.com and could not confirm any additional STR properties within 300-feet.

- (C) Whether the proposed registrant has previously operated an STR and if such operation has resulted in a history of complaints, a denied STR certificate of compliance, or revocation of an issued STR certificate of compliance.**

The dwelling has previously operated as an STR since approximately December 2023 without incident. Staff's review of city complaint records has not revealed complaints associated with the property.

- (D) Whether the proposed STR will increase the intensity of the use of the property and cause increased traffic or noise coming from the property.**

The owner stated the property was used as an STR previously, so it is unlikely this use will result in increased traffic. The applicant is requesting a maximum guest capacity that is greater than what is allowed in R-1 zoning district, but would be akin to guests being invited to visit a home in the R-1 district.

As a general staff observation, using the subject dwelling for transient accommodations for 210-nights annually with 6 guests could result in increases in activity due to higher occupant turnover; how significant is unknown. The impact is subject to many factors such as dwelling unit desirability, pricing, rental occupancy, etc. The current regulatory structure provides standards allowing for monitoring and mitigation of possible negative outcomes. Since the unit has been used as an STR in previous years, intensity of use will remain consistent to present conditions. If it were rented to a family or up to 3 unrelated individuals, as is permissible in the R-1 district, guests could be invited over resulting in similar or equal levels of occupancy at times.

**(E) Whether there is support for the establishment of the proposed STR from neighboring property owners.**

As of preparing this report, there have been **no written** comments in favor of or in opposition submitted with respect to this case. Three phone calls have been received expressing concerns about commercial vehicles using the property. Evaluation of the compliant records (Police & Neighborhood Services) did not identify these issues had been reported. The applicant has stated neighbors support this use, but no correspondence supportive of this statement have been received.

**CONCLUSION**

Given the submitted application and the analysis of the criteria stated above, staff supports granting a conditional use permit to allow 11 Club Court to be operated as a short-term rental for a maximum of 210-nights annually with 6 transient guests. The property is a single-family, detached dwelling that has previously been used as an STR. The use of the dwelling as an STR is not believed to be significantly more intense than what is otherwise be permissible for adjacent dwellings used as long-term rentals within the R-1 district.

Approval of the CUP would grant “legal status” to this existing use and afford neighbors as well as the City additional regulatory tools to ensure compliance with the adopted standards governing STRs. Authorization of the CUP is not seen as being detrimental to adjacent properties and would fulfill several policies, strategies, and actions of the Columbia Imagined Comprehensive Plan.

**RECOMMENDATION**

Approve of the CUP to allow 11 Club Court to be operated as a STR subject to:

1. Maximum occupancy permitted within the dwelling shall not exceed 6 transient guests regardless of potential occupancy allowed by the most recently adopted edition of the International Property Maintenance Code (IMPC); and
2. A maximum of 210-nights of annual usage

**ATTACHMENTS**

- Locator maps
- STR Application
- Supplemental “Conditional Accessory/Conditional Use Questions”

## HISTORY

<b>Annexation date</b>	1906
<b>Zoning District</b>	R-1 (One-family Dwelling)
<b>Land Use Plan designation</b>	Neighborhood District
<b>Previous Subdivision/Legal Lot Status</b>	Strawberry Hill SD Lot 1 Blk 1 & Part of Lot 7 Blk 2 Survey 527-867 (not legal)

## SITE CHARACTERISTICS

<b>Area (acres)</b>	0.22 acres
<b>Topography</b>	Flat
<b>Vegetation/Landscaping</b>	Mostly cleared
<b>Watershed/Drainage</b>	Hinkson Creek
<b>Existing structures</b>	Detached SF Home

## UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

## ACCESS

Club Court	
<b>Location</b>	Access from eastern edge of property through easement
<b>Major Roadway Plan</b>	Local Residential (Private)
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	None

## PARKS & RECREATION

<b>Neighborhood Parks</b>	Stephens Lake Park
<b>Trails Plan</b>	SLP Perimeter Train
<b>Bicycle/Pedestrian Plan</b>	None

## PUBLIC NOTIFICATION

23 unique “public hearing” letters were distributed with respect this matter. 18 letters were mailed to property owners, occupants and tenants within 185-feet of the subject property, 4 letters were provided to a City-recognized neighborhood association within 1000-feet of the subject property, and 1 letter was

provided to the Council Ward representative. All “public hearing” letters were distributed on August 4, 2025. The public hearing ad for this matter was placed in the Tribune on August 5, 2025.

<b>Public Notification Responses</b>	No responses or inquiries
<b>Notified neighborhood association(s)</b>	Country Club Estates, Benton-Stephens, Strawberry Hill, Hilldale Village
<b>Correspondence received</b>	3 phone calls, all concerned with commercial traffic using the private street from contractors who previously used the short-term rental and brought large vehicles

Report prepared by: David Kunz

Report approved by: Patrick Zenner