

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**October 9, 2025**

**Case Number 296-2025**

A request by Kevin Dickherber (agent), on behalf of Par Five Properties, LLC (owner), to allow 1306 St. Michael Drive to be used as a short-term rental for a maximum of eight transient guests and up to 210-nights annually pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The four-bedroom, two-bath home has an attached one-car garage and sufficient driveway capacity to support one UDC-compliant on-site/off-street parking space. This request, if approved, would be subject to expansion of available on-site/off-street parking for two additional spaces to permit the eight desired guests. The dwelling is presently limited to four guests given available parking. The 0.23-acre subject site is located on the south side of St. Michael Drive approximately 510-feet west of the intersection of Crestland Avenue and South Christopher Street.

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

Staff report was given by Mr. Kirtis Orendorff of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow the dwelling at 1306 St. Michael Drive to be operated as a STR subject to:

1. The maximum occupancy of eight transient guests regardless of occupancy permitted by the most recently adopted edition of the International Property Maintenance Code (IPMC);
2. A maximum of 210 nights of annual rental usage;
3. One parking space within the attached one-car garage be made available while the dwelling is in use as a short-term rental;
4. The construction of a driveway/parking pad on-site accommodating two additional parking spaces prior to issuance of an STR Certificate of Compliance or Business License for more than 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 to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Wilson?

MS. WILSON: I am doing the mental exercise of trying to understand where we actually fall. I see your recommendation of where we fall with regard to the maximum occupancy, but I'm looking at the recommendation of the report in item Number 4. And so, I'm just -- I'm trying to balance this out and understand, you know, are we saying they can only have four unless they do the construction, and if they do the construction, then they can have eight. What is the actual thing you're saying?

MR. ORENDORFF: Yes. That is the recommendation we're making. That is as presently constructed and laid out, they could have a maximum of four. If they wanted the eight that was in their request, they would need two additional parking pads before we would issue the Certificate of Compliance for that.

MS. WILSON: And so, just to follow up, and I apologize. Whenever we make this motion, I just want to make that clear because it's not clear in the recommendation that's on the screen, at least not in my opinion.

MS. GEUEA JONES: Uh-huh. Commissioner Stanton?

MR. STANTON: Yeah. I needed further clarification, because the way I'm looking at this, if I give you eight before you -- so he can't operate at four?

MR. ZENNER: They would be able to operate at four, because that is what he is compliant for.

MR. STANTON: Right now.

MR. ZENNER: He hits the maximum of eight, so what you are -- what you are approving is the maximum amount once he's fully compliant with all of the other regulatory standards.

MR. STANTON: Okay.

MR. ZENNER: Meaning he then does not have to come back to go through this process again once he has added those compliance features.

MR. STANTON: Got it. Okay.

MR. ZENNER: He will not be issued a certificate of short-term rental compliance or a business license for anything greater than what the capacity of the property is as of today.

MR. STANTON: Got it.

MS. GEUEA JONES: Commissioner Darr?

MR. DARR: The violations, were they all with the same owner?

MR. ORENDORFF: Yeah. That was from 2022 to now.

MR. DARR: Thank you.

MS. GEUEA JONES: I'm looking at street view, which I think was one of the slides that you had, as well. I'm not sure they could add two more parking spaces, given our other codes. Am I misunderstanding that?

MR. ZENNER: So based upon the lot frontage that this parcel has, it is a relatively wide lot. And so we allow parking within the required front yard setback provided you are not over the impervious surface that is created is the greater of 30 percent of the lot frontage within the -- or, yeah -- 30 percent of the required front-yard setback not -- or 500 square feet, whichever is greater. So adding two additional compliant parking spaces in this picture to the right of the van where the mailbox is is possible and it still would rely -- it would still allow the property to be in compliance. You would not have paved over 30 percent of the required front yard. It definitely will change if that is what would be pursued. It will change the characteristic of this street based upon that. Now again, as we had talked in the development stage of these regulations, this is an option that we needed to consider to be made available. And if you can

maintain compliance with the UDC and the parking standards that are within for a driveway, an owner who wants to expend this money that is either potentially not going to be the long term owner of the property has just put in a very large expense. However, if they intend on holding this property for a length of time, that expense may very well be worth it. The other alternative way to look at that is if you put in a driveway that actually has capacity to support the actual use of the home as a typical residential development, you have probably also provided a benefit to the neighborhood you have pulled parking off of the street, but you are changing the composition and the character of the street with that type of improvement. But an owner can pave over the front yard. They can park within 30 percent or the greater of 30 percent or 500 square feet of their front yard. That's what the Code says today and that's what the applicant would be able to do. We -- I calculated that myself when we took the application in, and identified the issues associated with this property.

MS. GEUEA JONES: Thank you. Any other questions for staff? Commissioner Gray?

DR. GRAY: Thank you. I know that with the STR CUP, we have the ability to impose additional conditions if they are reasonable. Does that also apply to potentially the number of guests?

MR. ZENNER: So as a conditional use, yes. So everything is open for option here. You could reduce it from the 210 that has been asked to 90 nights if you so chose. You could ask and you could -- you could recommend for Council's consideration a reduction in the total occupancy. That is entirely within the purview of the conditional use.

DR. GRAY: Thank you.

MS. GEUEA JONES: Anyone else? Commissioner Walters?

MR. WALTERS: Real quick question. Do you know the width of the street, St. Michael's?

MR. ORENDORFF: Off the top of my head, I don't recall. If I had to guess, probably 36.

MR. WALTERS: Yeah. We rotated a camera here on -- it looks like it's, like, 26 feet, 28 feet, do you think?

MR. ZENNER: I would suggest probably 28, back of curb to back of curb.

MR. WALTERS: All right. Thank you.

MS. GEUEA JONES: Anyone else? Commissioner Darr?

MR. DARR: Just measuring on Google maps, it's 28 feet.

MR. WALTERS: Twenty-eight. All right. Thanks.

MS. GEUEA JONES: Final thoughts? No. Okay. We will open the floor to public comment then.

#### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Would the first member of the public that wishes to speak on this case, please come forward.

MS. DOYLE: Good evening, Commissioners. I am Mary Kay Doyle, the owner of the house at 1308 St. Michael Drive. I am appearing here in opposition to the application. I also have sent a letter in which you should have your packet which has some additional information which I shall not include in my remarks. I'm concerned about the quiet peacefulness of the neighborhood. It will become a very loud

and difficult place for my tenants and my neighbors who live on the dead-end block of St. Michael Drive. Despite the statement that the neighborhood is predominantly rental, there is no excuse to inflict an STR of up to eight unrelated guests on -- on a home that is about 1,400 square feet, including the basement. The application notes the usual party for the residents is four and it will go to eight. During the last four months, there have been four and like -- and most likely 12 guests at one time inhabiting this home. And there have been eight to ten cars of those guests parked on the street. The number of guests make a lot of noise when they party outside late in the evening. It's disruptive to the usually quiet family neighborhood. The requirement for four additional parking places on the property will destroy the single value -- I'm sorry -- single family residents' ambience. The place will look like a parking pad for an apartment. The application points out prior violations are not a prediction of future events. I disagree with that. When you eight or more people standing in a 1,400 square foot home on a quiet street, the partying will be at the same level as noisiness as had occurred in the past. Regarding the 10:00 p.m. banging on the door, there was no indication from the City staff a need to have a written document about the police reported incident. I thought the information from the police department would be sufficient. When it takes two letters from the City and three months for the agent to respond to a code violation, according to the application, I am doubtful about the neighborhood continuing to be a quiet refuge for the inhabitants of St. Michael Drive and its surroundings in a short-term rental is allowed. Please vote no on this application. Thank you.

MS. GEUEA JONES: Thank you. Are there any --

MS. DOYLE: I'll go for questions.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker?

MS. WILSON: I have a question.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: Thank you for coming. You had mentioned the 10:00 p.m. knocking at the door. Was that your residence?

MS. DOYLE: Yes. I do not live at -- at this residence. It is my second home. My sons live there now currently. Previously, I've had tenants that are not related to the family in that home, also. But my son, who is going to speak after me, will tell you he was the one at -- that responded to that banging.

MS. WILSON: I have another question. How long ago was this estimated 12 guests?

MS. DOYLE: It -- it happened between June of this year and now.

MS. GEUEA JONES: Thank you. Next person to speak?

MR. DOYLE: My name is Jeffrey Doyle, and I'm the one who was witnessing what she described. Members of this body, neighbors and the public, my name is Jeffrey Doyle. I have come to express my adamant opposition to --

MS. GEUEA JONES: I'm sorry, Mr. Doyle. I know that we know where you live because of what your mother said, but could you say it for the record?

MR. DOYLE: I am -- okay. And was just -- I live at 1308 St. Michael Drive, and I have lived there

for 23 years.

MS. GEUEA JONES: Thank you very much.

MR. DOYLE: Members of this body, neighbors, and the public, my name is Jeffrey Doyle. I've come to express my adamant opposition to 1306 St. Michael as a short-term rental. My letter has already been submitted, and I make these remarks to highlight the main points. I have lived at 1308 St. Michael, a property immediately adjacent to 1306, for 23 years. I grew up on Rollins Road nearby, and as a boy, I spent a great deal of time in the neighborhood I presently live in. Friends live there. We rode bicycles there in 1970s. I value this neighborhood and I don't wish to see it degraded by a limited liability corporation's aim to profit from it for the benefit of a group of shareholders, the expense of our way of life, our property values, and our peace of mind. This is a neighborhood that once has had as a resident Darwin Hindman, a name you might be familiar with. Parking issues have been made much of, but that's only the tip of the iceberg. It is fundamentally incompatible to have a short-term rental in this family-child neighborhood. These transients treat this neighborhood as a vacation place with their loud parties, marijuana smoke coming over the fence, and their loud boom-boom stereos waking us from sound sleep even late or night or early in the morning where we live, raised children here, tried to live out our peaceful lives. That's why we moved here, to have peace and quiet. I take exceptions to two counts in the Commission's report, one, that my -- one that my past experiences are not relevant because the law had not yet been applied. And I have seen 12 people exit this because I happen to live next door and I went outside and worked in the yard and I counted 12 get into those cars, and that was not that long ago. And I wanted to talk about that. I was the victim of an attempted forced entry. This was not a mere, you know, accident on their part. They attempted to force my door down. They were pulling as hard as they could, they were loud, they were big guys. I'm also 60 years old and I have bad arthritis. I was forced to call the police to deal with that. That's the only time in my entire life that I ever feared for my safety in this city -- only time. And I don't -- and let me see. Let me get back to what I was having to say. Everyone I've spoken to in this neighborhood, and that's many, is likewise adamantly opposed to this. The choice -- your choice is stark, clearly delineated. You can choose to side with an old established family neighborhood, or you can choose to side with an accumulation of capital, of Par Five, LLC of St. Louis, they can further enrich their shareholders the expense of one of Columbia's finest neighborhoods. And lastly, to those in other neighborhoods that feel nothing could be done to fight City Hall, I submit we can fight back and must to defend our way of life. I await your vote. You can take one of two sides, and I hope you will pick the sensible choice for our neighborhood. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you very much for being here tonight. Next speaker on this case?

MS. GRAHL: Hi. My name is Teki Grahl; I live at 1303 St. Andrew Street, which is directly behind this property.

MS. GEUEA JONES: Would you pull the mic a little bit closer? I apologize.

MS. GRAHL: Sorry. I live at 1303 St. Andrew, which is right behind this property. This is a very

sweet neighborhood. It's sleepy, it's quiet, it's full of, you know, starter families and older people. We would really like to keep it that way. I can see into their windows, so I know that this is going to impact my life further. And I'm not trying to be the fun police, I'm here for everybody to make their buck, but not on the backs of the rest of the residents of our neighborhood. We do know each other. We do have each other's back. And we really would like to keep it as a nice residential area. By allowing this many nights, 210 nights, you've turned this into a small hotel and we don't need that in our neighborhood. We need more small families. We need more children. We need, you know, retired people so that we can have that community and continue with it. And I appreciate that they want to improve, and that they would keep the property nice. I have no doubts about that, but I do have concerns about the transient nature of people coming in and not caring about the rest of us. So I appreciate you taking the time. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker -- oh, before you run off?  
Commissioner Ortiz?

MS. ORTIZ: You said that you know your neighbors. Do you know the owner of this home?

MS. GRAHL: I knew the owner previously, the couple that lived there.

MS. ORTIZ: But not the current owner?

MS. GRAHL: No.

MS. ORTIZ: Okay. Thank you.

MS. GEUEA JONES: And, ma'am, I'm sorry. I also have a question.

MS. GRAHL: I'm sorry.

MS. GEUEA JONES: Oh, it's okay. This has been in operation for three or four years. Have you seen problems increase, decrease, stay the same?

MS. GRAHL: I've seen there was a significant decrease after the couple passed away, like, their son kind of stayed there. And the yard got worse and worse and worse, honestly, and it hasn't really improved until we started hearing about this and then things started to improve on the exterior of the home.

MS. GEUEA JONES: And when you say started hearing about this, do you mean, like, in the last couple of months or --

MS. GRAHL: When I started receiving notification that they wanted to have a short-term rental.

MS. GEUEA JONES: Thank you. Commissioner Stockman, did you have something. No? Okay. Sorry. I thought somebody down -- I thought you were trying to get my attention. No? Okay. Thank you very much. Anyone else to speak on this case, please come forward.

MR. COLTON: Tim Colton, 1307 St. Andrew. I appreciate the chance to express my opinion on this. We talked with a few neighbors around. That St. Michael's is a dead-end street, and that intersection there is a kind of a -- can be a nightmare getting around. No sidewalks, and there are children up and down the street, bicycles, walking. It's just a family activity up and down through there and a lot of extra traffic won't be a good thing for that area. I oppose it. I guess I should have said at the start of it.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you. Next speaker to come forward?

MR. RODEMAN: Zack Rodeman; I live at 1311 St. Andrew Street. My wife and I bought the house in 1999. In terms of knowing the neighbors, I know both Teki and Tim who just spoke. In terms of St. Michael's, the people that own the home directly behind me, don't know the gentleman's name, but I've talked to him quite a bit. My concern is, I guess, echoing everything that everybody else has already said. What I would like to add is that despite the nature of property values, if we're always concerned about profits rather than the people, we lose the tenor of our neighborhood. The idea that this person who owns this home -- have not met them, but if they are not responsive in the last two years at this level with four residents, what is indicating that they're going to be responsive in the future even though these safeguards are in place if they're expanding it? And so that's my concern. This has not been proven over the first two years that this person's incorporation as an LLC to be responsive to the issues heretofore. Echoing everything about the children, I raised my two sons, along with my wife here. There are kids everywhere. As I was coming down here -- I teach at Hickman. Stayed late tonight. Right? My kids were out of school, working till almost 7:00, come home and grab a bite to come down here and try to speak, four kids out on their bikes with their families, and the intersection that Tim was talking about, people roll through there as it is right now, not stopping at the stop signs. And so echoing those concerns. That would be the only addition I would have.

MS. GEUEA JONES: Thank you. Are there any questions? Commissioner Brodsky?

MR. BRODSKY: Just real quick, because I missed it. You live at 1311 St. Michael?

MR. COLTON: Yeah. So my property, if you're looking out the backyard of the property that is applying for this, I guess I would be on the southwest corner.

MR. BRODSKY: Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much, sir. Next speaker, please come forward.

MR. MORRIS: Tim Morris, 1312 St. Michael Drive. I'd be just two doors down from the 1306 property. I'm here to oppose this proposal and to support my neighbors. I think they've said concerning security, trash, children. But I am curious how this parking would work, and I do disagree with you, sir, that -- that paving over the front yard is going to advance anything in our neighborhood. I don't think that's true. And I'm curious, you know, how this parking is determined. You had a slide up earlier with a van parked. I mean, you can clearly get two cars. I've seen two cars in that driveway multiple times, and we have had numerous guests, well over four guests in that property for the last year or more. And I'll support what the Doyles had said, over the summer, I think we have a football camp there. We had a dozen big guys there with six, seven, eight cars. It's a -- it's a -- you all have touched on that. I appreciate it. It's a narrow land, it's a dead-end lane. Any more congestion to that is going to make it all the more tougher, and we are going to lose our -- our community, our sense of community in a neighborhood that means a lot to the rest who have been there over 20 years. So I -- that would -- hope

that you would oppose this.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you. Okay. Next speaker on this case?

MS. BROWN: I'm Marilyn Brown, and I live at 1308 St. Andrew Street. I would be one street across, but, you know, my back -- they don't touch my -- their back fence doesn't touch my yard, but I'm just across the street. I have lived in this neighborhood since 1983, raised three children and two grandchildren there. And we had so many children on that street over the years. Then for a period of time, there weren't too many, but we have lots of new families who have come in with small children. We have no sidewalks on either of these streets, and we -- the children ride their bicycles. They play basketball. They have these little motorized vehicles and maybe they're four years old, similar to that, almost catty-corner from me. And they have to play in the street if they're going to use those vehicles, even if you teach them to be on the side of the street. And then there are -- you know, we have a 25 mile-per-hour speed limit; however, not everyone goes 25 miles-per-hour. And St. Michael Street, being a dead-end street, and the location of the property where it is with the cars, when they leave that street, how many of those are going to go to the end of the dead-end street or go into other people's driveways to turn around so they can get out, since that is not a through street. And again, that corner or that -- that intersection is really kind of a caddy-wampus kind of cross. I mean, it's not like a typical four-way where two streets come together. It's caddy cornered. And there are a lot of close calls even with cars there if people don't stop, which they usually don't stop. So I'm very concerned about the safety for the children and the walkers in the neighborhood. A lot of people walk dogs. Older people as well as younger people jog and, you know, take walks. I'm not saying they have a right to walk in the middle of the street, but, you know, it's still, when a car comes down pretty fast and especially in the evening or when it's getting close to dark, I think it's -- can be -- could be very tragic.

MS. GEUEA JONES: Thank you, ma'am. Have you noticed any problems with this property in particular, or I know you don't touch it, but --

MS. BROWN: I don't touch it, no. So --

MS. GEUEA JONES: Okay.

MS. BROWN: I have smelled marijuana, whether it's coming from that place or somewhere else, I'm not sure.

MS. GEUEA JONES: Okay.

MS. BROWN: Significant smell of marijuana in the evening sometimes. But I haven't heard -- I mean, I haven't had any other. I do walk up and down that street with my dog, but it just -- you know, I just can't imagine cars having to turn around.

MS. GEUEA JONES: Uh-huh.

MS. BROWN: There's no -- I think the fact that it's not a through street is -- adds to the traffic problem and the congestion.

MS. GEUEA JONES: Okay.

MS. BROWN: And I am against this. So for those reasons, as well as other reasons I had in my letter that I sent, which other people have already addressed.

MS. GEUEA JONES: Yes, ma'am. Any other questions for this speaker? Seeing none. Thank you very much. Anyone else to speak on this case, please come forward. Is the applicant or one of their representatives here? Would you please come forward?

MR. DICKHERBER: Good evening.

MS. GEUEA JONES: You're going to need to pull that way up. Thank you.

MR. DICKHERBER: My name is Kevin Dickherber; I am the owner -- one of the owners of this property. I've been a resident in Columbia since January of 2012. I -- while I stand here and obviously, I'm listening to everybody speak, and I appreciate everybody coming and -- and speaking towards my property. I will not sit here and, you know, go back and forth with residents of the area. I'm not disregarding anything that they're saying. I will say that I can certainly make very good rebuttal statements to every statement that's made on this property. I don't think that that's productive. I think going towards the security, the overall security of the property, we have security cameras. We do have very strict property code rules. In terms of partying, we do not allow parties. So is -- could there be an isolated incident? I'm sure there could be, but we have very strict rules against parties. We have very strict rules against smoking, not just marijuana, but cigarette smoking. We have fines that are imparted on guests that have been caught doing that. We have not had to assess any fines. I've heard more than one person talk about smelling marijuana. Okay. I don't have any proof that I can say that that came from our property. We don't have proof that that came from another property. So again, I don't think it's prudent to sit here and just argue meaninglessly against any of these statements, but I will say that our purpose with this home is not to bother the neighbors, it's to improve the neighborhood, improve the home, make the home beautiful, but also provide adequate accommodations for the City of Columbia. Again, as I said, I've been in Columbia for almost 14 years now. I know that everybody here has seen the improvements going on in the City of Columbia; namely, Faurot Field, and The District. My office was off of Fay Street for some time. I had an office off of Wilkes Street for some time. My personal opinion, I don't think that there's an adequate amount of accommodations for the different events that we have in the City. You know, with football games, forget about it. We're in the SEC. We can't -- we just simply do not have the capacity to provide accommodations for the SEC that comes in for football games, let alone basketball, baseball, and all the Division I sports that come through Mizzou. And that's not to mention we have Columbia College here. We've got Stephens. You know, down the road, we've got colleges down the road, as well. You have events like True/False that take up a week-long -- you know, they go through The District for an entire week. Where are these people staying? There is not enough room in hotels for these individuals. So speaking -- being here as a representative of this property, obviously, I'm for the property's, you know, proposed conditional use. But as a resident of Columbia, don't we think that we need more accommodations for these guests? We have a fantastic town. We have fantastic sports. We have fantastic events. Are these people just going to stay in Jeff City or in Montgomery City or in Fulton,

or where are these people going to stay? Wouldn't it be better for our town for these people to stay here in Columbia, spend their money and their time here in Columbia?

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Commissioner Stanton, you can start.

MR. STANTON: I'm a strong believer that you play like you practice, and you did bring up points about things that are kind of on the fence and that couldn't be proven. But we have a list of violations and other things that can be proven. I'm going to make a statement. It is almost essential that the owner speak upon their property. I thank Madam Chair for even -- if you hadn't have came up here, my vote would have been no -- automatic. So you being up here is greatly helping your case. So we're in the ninth inning. You're down by three runs. You have two outs. Make your case based on what you've heard tonight and what we have in the records right now concerning violations -- or property violations, noise violations, police reports, citizen testimony. How are you going to -- how are you going to win this game?

MR. DICKHERBER: Thank you. I would -- addressing the violations, the trash is -- is -- first and foremost, is the most -- I mean, what did we have, nine?

MR. ORENDORFF: Eight.

MR. DICKHERBER: Eight trash violations. I would make the comment that those all happened prior to the new trash system that we have. Correct?

MR. ORENDORFF: Yeah. They were all, I believe, before roll cart implementation, and if my memory serves of our discussion, a lot of those were, like, overflowing trash, because you were trying to contain it.

MR. DICKHERBER: Right. Right.

MR. ORENDORFF: But, anyway --

MR. DICKHERBER: We made arrangements not knowing that you weren't allowed to have a trash can. I've never lived in the city, essentially. I lived downtown, but I -- trash was very different for me back then. Outside of that, I did not know that you couldn't have a trash can, and that was one of the biggest issues that we had. Now that we have the new system, I -- I think that's going to alleviate that. The violation for parking, again, we are doing everything that we can. We have made notices on our listing. It is not allowed. We do not allow people to park in the street. If it comes up on the camera -- we can see the street parking. If it comes up, we immediately notify the guests that they are not allowed to park in the street, make -- make due with the parking that we have. We have reduced our number of -- of guests to four. If and when this -- this expansion does happen, then we will expand that, but until then, it will be stuck at four, which we have adequate parking for -- for four guests. So with parking, you know, the only thing I would say to that is if I lived in this house personally, I'd be allowed to park on the street. That's not what I'm saying that we want to do, but that's kind of a legitimate statement. There are cars that are parked on this street, so that's all I'll say about parking. As for the police report with the guest that was trying to get into the neighbor's home, I hate to say this, I was not made aware of that. I did not

receive a letter on that, didn't receive a call on that. I didn't receive a call from the neighbor on that. I did not know that that happened. What I will say is that looking from the street to the homes, they look -- they do look identical. So what I will do, given that situation, we are making plans to identify our house better, painting the front door a bright color, making a big sign that goes onto the mailbox, something that -- some kind of a -- I call it a decoration, just call it a sign, whatever we need to do to identify this house so that that doesn't happen again. I have ten properties. Okay? I have never had a situation like that happen prior to this. That's a one-off isolated incident. What I can say about these guests is they're not here to bother the neighbors. They're here to go to a football game. They're here to go to graduation, to see their kids graduate. They're here to see family. They're here to go to True/False. They're here to go to the Show-Me Games. They are not here to bother the neighbors. It's just as much as I appreciate the neighbors in the neighborhood, and I want to do what's right by those individuals, these guests are not here to bother them. They did not pay us money to stay in this home to torment the neighbors. That just is not the case. They're here to be in Columbia, visit -- they're tourist or they're family. They're here to support Columbia.

MR. STANTON: Of the people that testified, how many do you know?

MR. DICKHERBER: Personally, I do not know the residents in the neighborhood.

MR. STANTON: Have you made any effort to talk to or create a relationship with any of the surrounding adjacent or surrounding neighbors of said property?

MR. DICKHERBER: When we first bought the property, we did a neighborhood campaign just walking -- and I say neighborhood loosely -- the street that we are on. Did not visit St. Christopher or St. Andrew's, but the street that we are on. We made a campaign to walk around and knock on the doors and just give our information out.

MR. STANTON: The way this works is you have every right, because it is a legal use of the property, you have every right to apply -- to have a short-term rental. The success of this is that you're a good neighbor. It's essential because as these increase, and you've heard the testimony, the view of you is that you're a corporation. You know, and I understand LLCs. To protect corporate veils, I would do the same.

MR. DICKHERBER: Sure.

MR. STANTON: But it's essential that you're a good neighbor. It's essential that you communicate. At this time, what I see and what you're -- what the evidence shows me, that you haven't been. So convince me. I want a win-win, but I'm not --

MR. DICKHERBER: I appreciate that. I -- I -- my partner and I will do everything in our power to make our names, our faces, our phone numbers, our e-mails, everything known to the neighbors, whether that's again taking another campaign around the neighborhood, expanding that to the streets surrounding our street, as well as sending a mailer out to everybody, here's our name, here's a picture of us, here's our phone numbers, e-mails. We want to be that first point of contact. The last thing I want is a neighborhood that's unhappy with me. I just -- I don't want that. That's not good for me, that's not good

for them, that's not good for our guests, it's not good for Columbia. That's not what I want. I want to make every single effort so that every neighbor in the area, if they have an issue, they come to me first.

MR. STANTON: Start in this room tonight.

MR. DICKHERBER: Okay.

MS. GEUEA JONES: Commissioner Gray?

DR. GRAY: Hi. So you said that you didn't know about the police incident and you didn't know about the trash can situation. I'm curious if you knew about the regulations and the enforcement starting back in June.

MR. DICKHERBER: Sorry. I may have mis-spoken. I did know about the trash can issues.

DR. GRAY: Okay.

MR. DICKHERBER: Yeah. Those -- we knew about those. We were actually called about those. Joe Cagle, I believe, is the -- is the guy that was running that, and he came -- he gave us a call personally, so that's how I knew about the trash situation. As far as the regulations for the conditional use permit, those were sent to my partner's house, so we knew about it, we just weren't sure how we were supposed to go about -- there were so many different things that we had to get done first, namely, the parking. We were actually under the impression that we had to get the parking done before coming here, which kind of threw us through a loop because we've been through that situation before with another property, but it's been corrected now. It's been better communicated now. We understand how it needs to -- we need to proceed with that.

DR. GRAY: Thank you.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I'm looking at your application, and there's a question that asks has this been used as a short-term rental before. It's marked as yes. And then there's a follow-up question that says, if it has, how many days in the previous calendar year was it a short-term rental? And your answer is two years. So can you give us the number of days that it was used as a short-term rental?

MR. DICKHERBER: It -- we corrected that. It's 190 nights is how many nights it was used last year.

MS. WILSON: Okay. And I do have another question.

MR. DICKHERBER: Sure.

MS. WILSON: Given the information that you have received, and I appreciate you coming. And like my fellow Commissioner said, thank you, because, yeah, I was a no. I was a hard -- hard no. But given what you've heard from your neighbors, the concerns about the children, and the fact that it is a terminal street, all of the things. Would you consider fewer days as a rental to sort of help ease the tensions and work with your neighbors and kind of work with their concerns?

MR. DICKHERBER: What I would say to that is it's very difficult to identify the nights that are necessary. I will say that reducing, because I don't know that this was made mention, but prior to going through this process, it was, I believe, at 12 was how it was listed. So that may have been sort of the

issue at hand. Bringing it down to four and, ideally, bumping that to eight at some point when the parking is situated, that, in and of itself will reduce the number of nights the house gets used. Just simply the number of -- of guests that it can accommodate will, in my professional experience, that will reduce the number. But reducing the number from 210, I think is what you're asking, I don't know that that's going to really effect anything, because it's -- last year, it was used 190 nights, and that number is quite high because we did have a -- a concrete company, I believe, that was in for, like, three of those months consecutively. So had they not been in the house for those three months, consecutively, you're probably looking at more like 150 nights that the house would be used. But reducing the number from 210, I -- I don't know how that really works because I can't say one way or the other is it going to be -- how are the nights going to get used. But again, it would be my professional opinion that it's going to get used less with lesser listed accommodations.

MS. WILSON: Then that brings up another question, if a -- curiosity. So do you also have a long-term rental license?

MR. DICKHERBER: I have a -- I have ten total. I have two that are -- one that's a long-term, one that's a mid-term, so it's 30 nights or more or 28 nights or more, and then the others are short terms.

MS. WILSON: Yes. I meant specifically for this property, because you said that there was a concrete company that was there for 90 days?

MR. DICKHERBER: Right.

MS. WILSON: So that's greater than the short-term rental time, so that would require --

MR. DICKHERBER: Right. They just happened to book on the platform, yeah.

MS. WILSON: Okay. Okay.

MR. DICKHERBER: It wasn't like a leased situation, it was -- they booked through the platform.

MS. WILSON: So they booked for 29 days, and then --

MR. DICKHERBER: They actually booked for, like, three weeks, and then called us after the fact and said our job was extended significantly, can we stay longer?

MS. WILSON: Okay. Okay. Thank you.

MS. GEUEA JONES: So you have ten properties. Two of them are in Columbia?

MR. DICKHERBER: I have a residence in Columbia at this property. I have seven in St. Louis. I have one in Branson.

MS. GEUEA JONES: I'm looking on Airbnb. You have two in Columbia.

MR. DICKHERBER: That property is my personal residence that I use -- I use when I'm in -- sorry. My girlfriend lives in St. Louis. Sorry. Not to just disclose my personal information, but --

MS. GEUEA JONES: You're listing two properties on Airbnb?

MR. DICKHERBER: That house is outside of the city limits.

MS. GEUEA JONES: It's outside of the city limits.

MR. DICKHERBER: Yes. Yes.

MS. GEUEA JONES: Okay.

MR. DICKHERBER: I was made aware that you can't have more than one in the city limits.

MS. GEUEA JONES: Yeah.

MR. DICKHERBER: That's -- wouldn't be here if that were the case.

MS. GEUEA JONES: Just making sure we're all clear, because we did have to come find you.

MR. DICKHERBER: Yes.

MS. GEUEA JONES: To get you to get in compliance, so you understand why I'm, like --

MR. DICKHERBER: I do, yes. I do understand.

MS. GEUEA JONES: Okay. If we were to say you can only have four guests, period, would that -- I mean, that puts you where you're at now; right -- where you're advertising now?

MR. DICKHERBER: Yes. Yeah, it does. I would -- obviously, I would be against that. And this is -- I should preface. This is my livelihood. Reducing the property from where it's at now to four, we've seen a significant downturn in the -- in the bookings in the house. So that's immediately taking money out of my pocket. This is what I do for a living. I -- you know, you're asking would I take less money, would I take a lower salary. The house is a four-bedroom. It does have the space to accommodate at least eight guests. Now, we are more than happy to comply with what the regulations are, and we're fine with eight.

MS. GEUEA JONES: Uh-huh. Our -- our whole job is to balance your right to use the property that you co-own with others with the rights of the neighbors to be able to enjoy and use their property and not be disturbed by your guests.

MR. DICKHERBER: Absolutely.

MS. GEUEA JONES: By the very nature of this business, you are responsible for your guests' behavior.

MR. DICKHERBER: Absolutely.

MS. GEUEA JONES: And it's not been great. And so trying to balance those two things, because we're not interested in just randomly and, you know, without real thought, denying people the right to use their property as a short-term rental.

MR. DICKHERBER: Sure.

MS. GEUEA JONES: That's why we have you come before us. It sounds like this has not been a good track record on this property. And I'm not saying that you're doing it maliciously or that you're not a good business owner. I understand the things that you're saying. It's had an impact on your neighbors, they all showed up. So we're -- that's what we're -- you're going to hear us struggle with is how do we balance these two rights and needs. So that's why I asked about the four. But I understand what you're saying. It is -- it is by the math, half as many people.

MR. DICKHERBER: Right. Right.

MS. GEUEA JONES: Thank you. Any other questions? Thank you very much.

MR. CRAIG: Mr. Dickherber, before you step down, it was pointed out to me. I think we established for the transcript and record here that we got your name and that you owned the subject property, but we didn't get your address for the record -- I believe your home address.

MR. DICKHERBER: 7571 North Fall Creek Drive.

MR. CRAIG: Thank you.

MS. GEUEA JONES: Thank you, Jesse. That's my job, I messed up.

MR. DICKHERBER: That's okay. Sorry.

MS. GEUEA JONES: Thank you very much for being here tonight.

MR. DICKHERBER: Got it. You got it.

MS. GEUEA JONES: Anybody else -- yep. You're good. Anybody else to speak tonight? Oh, you're -- thank you.

MR. DOYLE: May I make a statement of rebuttal?

MS. GEUEA JONES: We don't allow people to come up a second time. I'm sorry. But if anybody who hasn't spoken yet tonight would like to speak, please come forward. Seeing nobody else. We will close public comment.

### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Commissioner comments? Anyone want to start? Commissioner Darr?

MR. DARR: I'm in support of four. I don't know that I'm in support of eight guests just because I think the -- the number of neighbors that came out and the testimony, it just doesn't seem like infrastructure supports eight. He would have to build additional driveway and parking. It's not in the character of the neighborhood. So I would be support of four guests.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: I am not liking this one. Thank you to all the neighbors that came out today and to the applicant for coming up to speak, but I do think that this has an adverse impact on the surrounding properties and there's insufficient infrastructure to support a short-term rental on this block.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I agree with my colleagues. I don't like eight, but I'm sure that our motion will be as it is written, and I think the applicant made it clear that he wants to ride or die on eight transient guests. I think we need to let the voting gods go from there.

MS. GEUEA JONES: Commissioner Brodsky, anything?

MR. BRODSKY: I'll go next. Yeah. I'm leaning towards no on this one, but I could be convinced of four. For me, this is very similar to the case that we had over by Stephens Lake -- dead-end street, narrow road, lots of families, no sidewalk. And a lot of those -- those things are even more so with this case. So I'm leaning towards no, but I could be convinced of four.

MS. GEUEA JONES: Anyone else? Commissioner Stockton?

MS. STOCKTON: I know I'm flipping, but I think the nature of West Boulevard South and this neighborhood are different cases, and that's the whole reason we're sitting here today because it's not just an automatic robot that says yes or no. We're humans and making this evaluation, and I agree with what's been said about the nature of the community. And looking and studying this a little bit, in combination with the violations, I'm leaning towards no. I'm not even sure. I think I'm with Ortiz on this

with the four residents. It just doesn't seem like it's going to add quality to the neighborhood, and I think there's other ways to make money in other -- in other locations. And I know that this one was probably -- met the budget, but in this case, I don't think it's worth it, so --

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: I'm voting no regardless, and a big reason why is the owner could be -- could have been proactive. It's not that hard to develop a mailing list of labels, send out postcards twice a year, just to make sure everyone around you is aware of how to reach you, and they haven't done that. They haven't made much of an attempt at all, so I'm voting no.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I have concern. My concern, the first is all of the violations, and I cannot just allow that to pass. That's number one. Number two, the statement regarding the construction workers who were there for 90 days, but there's no long-term rental license bothers me very much because that then lends itself to another violation. So this is -- this one is very tough for me. I am struggling.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I just want to say this for the record, that owners of properties have the right to have a short-term rental. Conditional use is the buy-in from the community. Yes, the residents had great weight. Technically, he has met all the criteria, but I feel, again, I'm going to say, you practice how you -- you play how you practice, and a practice isn't there. Had not Madam Chair asked him to come up, I don't think he would have came up here, which speaks volumes, and I say this for anybody else that's doing STRs. If you're here, and you own this place, it's detrimental for my decision. Speak, and, yeah, we have to be good neighbors, and you have to make those moves, and you have to make those calls, you have to make those relationships because you are acting as a business in a commercial -- I mean, you're acting like a business in a residential area, so you have additional responsibilities. And I'm just saying that for the record for other people that hear me over the TV or in the room that are going to speak, and ignorance is not innocence. I'm flabbergasted when I hear you didn't about the regulations. This stuff has been on the news. It has haunted me for four years. I -- there's just no way you didn't hear about STRs being a hot topic in Columbia, Missouri. There's no way, unless you're not here, or unless you're not paying attention to your business. So with all that being said, looking tough.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I have a question for staff. A denial of this application this evening, would that be prohibitive of the applicant trying again with different criteria?

MR. ZENNER: No, it would not. So they would be able to revise their application and be able to resubmit. Circumstances for compliance are still going to be the same, obviously. And because it is not their principal residence, the only method by which to be able to operate this dwelling as a short-term rental is through the conditional use process, regardless of what level of usage. Because it is not their principal residence, they must come through this process.

MS. GEUEA JONES: I -- anybody else, or if not, I'll say something. I am very concerned. This is

certainly the agent's business. He's got ten properties across the state. He seems to be very interested in making this business work. And yet, to Commissioner Stanton's point, did not seem aware we were working on regulations, did not come forward until after a second notice, has eight trash-related violations, plus a police report that one of his guests -- or a set of his guests were apparently unable to get ahold of him to find out why they couldn't get into what they thought, giving them the benefit of the doubt, was their Airbnb. All of this gets me to a point where I don't think this is an example of a good neighbor. I think this is someone who has already had a detrimental impact on the neighborhood, and will continue to do so. And the whole point of the conditional use process is to allow us to evaluate the individual who is asking for the license and what they're wanting to do with their property, and determine whether it fits with not only the technical specifications of the short-term rental regulations, but also our conditional use criteria part of which is about neighborhood impact. And I think the neighborhood impact here is very detrimental. Perhaps I might be convinced to do four. Applicant doesn't want to do four. Even at four, I'm not 100 percent there. I'm certainly not there if we're going to pave over what is the walkway to the house right now so that there can be additional parking so we can get eight in there. There is a different impact from eight people living in a house especially when we're talking about a four-bedroom. They're not going to be, you know -- I don't know. There -- it just -- there is definitely a different impact on the parking, on the way that you would arrange yourself if that were the case, and you lived there full time and had to figure it out day in and day out versus you show up, had no idea that there wasn't going to be a place to park, and you've got to figure it out spur of the moment. So all that to say, to my mind, we put the CUP criteria in place so we could measure neighborhood impact. This has a pretty strong negative impact based upon the violations history, based upon the lack of coming forward at the beginning of the CUP application period, and based upon the fact that it would appear that people are not able to get ahold of the agent when they're trying to get into the home that they think they rented. So I'm not assigning any kind of intention to any of that, but the record speaks for itself. And, to me, it indicates denial. With that, I'll stop talking. Anybody else have any comments or would like to make a motion? For the audience, we make all motions in the affirmative. We have to do it that way so we don't confuse ourselves with the record. Commissioner Stanton?

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

MS. GEUEA JONES: Please.

MR. STANTON: As it relates to Case 296-2025, 1306 St. Michael Street, STR conditional use permit, I move to approve, and request the STR CUP subject to the following: Maximum occupancy of eight transient guests; a maximum of 210 nights annual rental use; one parking space within the attached one-car garage to be made available while the dwelling is used an STR; and the construction of a driveway parking pad on site accommodating two parking spaces prior to issuance of an STR Certificate of Occupancy or Business License.

DR. GRAY: I'll second.

MS. GEUEA JONES: Motion made by Commissioner Stanton; seconded by Commissioner Gray.

Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting No: Ms. Geuea Jones, Dr. Gray, Ms. Ortiz, Mr. Stanton, Ms. Stockton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr. Motion fails 9-0.**

MR. BRODSKY: The motion fails.

MS. GEUEA JONES: That recommendation will be forwarded to City Council. Because that was unanimous but for denial, it will appear on old business; is that correct, Mr. Zenner?

MR. ZENNER: That is correct, ma'am.

MS. GEUEA JONES: Thank you very much. Which means it will have a full hearing at City Council, and not be included on the consent agenda. With that, unless there is any further business on that case, we will move on to the next one. Very good.