

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
March 6, 2025

Case Number 85-2025

A request by Mark Silveria (owner) for approval of a Conditional Use Permit (CUP) to allow 100 Gipson Street to be used as a short-term rental for a maximum of six 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 approximately 0.26-acre R-1 (Single-family Dwelling) zoned subject site is located at the corner of North Garth Avenue and Gipson Street and includes the address 100 Gipson Street.

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

Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 100 Gibson Street to be operated as an STR subject to:

- (1) The occupancy permitted within the dwelling being limited to a maximum of six 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 parties to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Wilson?

MS. WILSON: I apologize. Did you say that there were some open issues, but they had been resolved? And if there were open issues, what were they?

MR. HALLIGAN: They have been resolved, and they were from 2021, and it is related to the non-compliance with the City's landscape management and growth of poisonous sumac, but those were resolved in 2021.

MS. GEUEA JONES: Any further questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public are here to speak on this case, please come forward. Just as a reminder, name and address for the record, and three minutes for individuals, six minutes for the applicant and groups. Go ahead.

MR. SILVERIA: Good evening, Commissioners. Thank you. I'm Mark Silveria, and I'm the

applicant. I live at 3205 Alsup Drive here in Columbia. And I'm looking for the short-term conditional use permit and I'm here to answer any questions if anyone has any. We've been operating since 2018. I used to live in that house, and we were operating when I lived there, and then we moved out and we've continued to operate. And when we moved in, it actually had been previously used as a long-term rental, and there was lots and lots of deferred maintenance. And having in the short-term rental actually requires us to keep up on the maintenance and to keep the house in good order because you get reviews based on what you -- what you have. So I'm here to answer any questions and so just I'm in support of this.

MS. GEUEA JONES: Any questions for this speaker? Commissioner Loe?

MR. SILVERIA: Yes?

MS. LOE: Thank you for coming. So I did look up the listings, and agreed with staff's report that you appear to be or you had been listing both the upstairs and the downstairs separately?

MR. SILVERIA: Yes.

MS. LOE: You understand moving forward, that would not be allowed?

MR. SILVERIA: So I actually had a question on that, because I read that, and if you are using a short-term rental, are you not allowed to rent individual rooms, or does the entire house have to be a single -- okay. Then, yes. I do understand that.

MS. LOE: All right. And -- right. I mean, the other thing you're running into is that it's in an R-1 district --

MR. SILVERIA: Uh-huh.

MS. LOE: -- so it's a single unit. And under the rental, you can only have one rental agreement at a time.

MR. SILVERIA: Right.

MS. LOE: I mean, you could do one or the other, but you can't -- you're going to run into a problem doing both.

MR. SILVERIA: Right. That's understood.

MS. LOE: All right. I just wanted to make sure.

MR. SILVERIA: Yeah. Uh-huh.

MS. LOE: Thank you.

MS. GEUEA JONES: And just to clarify, you could rent out a single room if it were your primary residence, but what you can't do is rent to multiple people different rooms is what we're saying.

MS. LOE: Right. If you lived there --

MR. SILVERIA: Yeah. I understand the clarification.

MS. LOE: Yeah. Okay.

MS. GEUEA JONES: Yeah. Sorry. Just we're all muddling our way through this to some degree.

MR. SILVERIA: It's late, I -- you know.

MS. GEUEA JONES: Yeah. Any other questions for this speaker? Commissioner Stanton?

MR. STANTON: So that's currently on the listing right now?

MS. LOE: It is, though I think your listing is the one that says minimum of 31 days?

MR. SILVERIA: So since we have the -- we're looking for a minimum for long-term rentals, essentially, is what we're looking for.

MS. LOE: Right.

MR. SILVERIA: And our -- because we have the long-term rental license, the idea is just to fill in anytime when we don't have a long term with a short-term rental. So for longer outdates, we're looking for longer -- yeah.

MS. LOE: And I want to congratulate you because you did list it for 31 days, and that's good. The other case for us had a 30-day minimum--

MR. SILVERIA: Uh-huh.

MS. LOE: -- and it should be 31, as well, if they --

MR. SILVERIA: Right. Right.

MS. LOE: Good interpretation.

MR. STANTON: Madam Chair?

MS. GEUEA JONES: Go ahead, Commissioner Stanton?

MR. STANTON: So I was asking him -- so that's currently how he's listing it up and down. do you plan to change that, like, two minutes from now?

MR. SILVERIA: The 31 days?

MR. STANTON: Change your listing to being compliant with if you get this, like --

MR. SILVERIA: Oh.

MR. STANTON: -- you're going to do it, like, two minutes from now?

MR. SILVERIA: I can change it as soon as I am able to, yeah. I mean, I can't promise 30 minutes from now, but as soon as I can --

MR. STANTON: Like, five minutes from now?

MR. SILVERIA: -- you know, yes.

MR. STANTON: Like five minutes from now.

MR. SILVERIA: I -- yeah.

MR. STANTON: I'm saying that because just like that Commissioner --

MR. SILVERIA: Right.

MR. STANTON: -- they're looking at it.

MR. SILVERIA: No. I -- I understand, and I'm here because I want it to be in compliance with the City. And so if there's something I'm doing that's not in compliance with the City, then I'm -- I'm happy to take care of that, yes.

MR. STANTON: Like, real quick.

MR. SILVERIA: As soon as I can.

MR. STANTON: Okay.

MR. SILVERIA: Five minutes. Yeah. Yeah.

MR. STANTON: That's all my questions.

MS. GEUEA JONES: Commissioner Wilson had asked about the violations. It sounds like it was poison sumac. Was that while you were owner?

MR. SILVERIA: When I moved in, there was -- it -- the place was infested.

MS. GEUEA JONES: Okay.

MR. SILVERIA: So I -- I -- it took a few summers of removing and it still comes back, so this summer, I'll still be out there and I'll -- I'll be removing this summer again probably. I will hopefully not. I did -- we did a lot of work last summer getting rid of a lot of brush, so hopefully it's gone, but we'll see what happens.

MS. GEUEA JONES: Have you been successful doing monthly stays?

MR. SILVERIA: Yes. We had -- there are lots of traveling nurses that are looking for monthly -- monthly stays in town, yes.

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

MS. PLACIER: Yeah. I wanted to ask you about the one objection that we received.

MR. SILVERIA: Yes. And --

MS. PLACIER: It had to do with safety, and apparently this person was unaware that you were already in operation. They thought it was going to be some new thing with these transient guests.

MR. SILVERIA: So --

MS. PLACIER: Is there anything that you do to communicate with the neighbors about this?

MR. SILVERIA: Yeah. I can comment to that. And first, I'd -- I'll comment on the -- the one objection, and that was -- let me have my notes here. That was done by Greg and Joan Cason, and they own the property across the street, 101 Gipson, but that's been a rental property and they've never lived there, as far as I've known. They're -- and they signed it Cason -- Casey Rentals, LLC. It's been a rental property and it's actually been vacant for several months, probably four-ish, but I'm not exactly sure how long. So that -- that one has been vacant, and the neighbor across the street, when she lived there, she knew I was operating the short-term rental. Her husband, well, they -- they split up, but he was taking care of the lawn care for me while I was there. Our direct neighbors, we were also good friends with, and when we moved out, they -- they knew what we were doing there, too. So -- and then the one person behind us, like, shortly after we moved in and we started doing it, they asked us, and we said, yeah, we're doing this, and they said okay, great. We were wondering, because we see people, yeah.

MS. PLACIER: You're readily available if --

MR. SILVERIA: Absolutely. Yeah. Uh-huh.

MS. PLACIER: -- a neighbor did have -- they have a way to get ahold of you?

MR. SILVERIA: So, the direct neighbors have my phone number. The across-the-street neighbors are -- they're gone, so, but I am available. If I see them, I'll -- and someone moving in, I'm happy to say hi to them, so, yeah.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much for being here

tonight. We appreciate it.

MR. SILVERIA: Yeah. Thank you, guys.

MS. GEUEA JONES: Any other people to speak on this case tonight? Seeing none. We will close public hearing.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: We will close public hearing and go to Commissioner comments. Any Commissioner comments? Commissioner Stanton?

MR. STANTON: Do my colleagues have any additional questions? If my colleagues don't have any additional questions, Madam Chair, I'd like to entertain a motion.

MS. GEUEA JONES: Please go for it.

MR. STANTON: As it relates to Case 85-2025, 100 Gipson Street, STR conditional use permit, I move to approve the STR conditional use permit subject to the following: 210 nights of rental, and a maximum of six transient guests, unless -- regardless of allowance permitted by the IPMC.

MS. GEUEA JONES: Is there a second?

MS. LOE: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Commissioner Loe. Is there any discussion on the motion?

MR. WILLIAMS: I just --

MS. GEUEA JONES: Oh, sorry.

MR. WILLIAMS: Just for the record. Just for the record. I think we've previously put a lot of weight on someone who has been operating for a long period of time without any known complaints, and when neighbors say that there's an issue and they don't realize it's just because, theoretically, they don't like it and -- and yet, they're -- it's been ongoing without any -- any complaints from those neighbors, then we've put a lot of weight on that, and I don't see a reason to change it. Here, I'll note for the record -- thank you, staff, for identifying it's close to a school, which has been an issue that's been near and dear to hearts on this Commission and probably some consciences on trying to figure out what to do with that. But I just -- probably that one for the record, as well.

MS. GEUEA JONES: Thank you. Any other discussion on the motion? Seeing none. When you're ready Commissioner -- oh, sorry. Go ahead.

MR. STANTON: Continue.

MS. GEUEA JONES: Commissioner Williams, when you're ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Wilson, Mr. Walters, Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones, Mr. Williams, Ms. Loe. Motion carries 9-0.

MR. WILLIAMS: Nine to zero.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. Our last case for the evening.