

NOTICE OF OPEN MEETING
AGENDA
PLANNING AND ZONING COMMISSION
City of Moberly
City Council Chambers – Moberly City Hall
101 West Reed Street
April 29, 2024
6:00 PM

Date/ time posted

I. Roll Call

II. Approval of Agenda

III. Approval of Minutes

1. Approval Of Minutes for the February 25, 2024 P&Z meeting.

IV. Public Hearing Items

2. Notice of Public Hearing for a conditional use permit application submitted by Lanna Gatts on behalf of K&L Investments, LLC for a Short Term Housing Rental located at 828 Concannon Street.

V. Other Business

3. Appoint a Council Member To The Commission

4. Appoint a Member To The Historic Preservation Commission.

VI. Adjournment

The public is invited to attend the Planning and Zoning and Work Session meetings. Representatives of the news media may obtain copies of this notice by contacting the City Clerk. If a special accommodation is needed as addressed by the Americans with Disabilities Act, please contact the City Clerk twenty-four (24) hours in advance of the meeting.

MINUTES OF PUBLIC HEARING
February 26, 2024
6:00 P.M.

The Planning and Zoning Commission for the City of Moberly met on Monday, February 26, 2024, at 6:00 p.m. in the Council Chambers of City Hall. The meeting was called to order by Chairperson, Sam Tadrus.

Members Present: **Connie Asbury**
 Mike Skubic
 Sam Tadrus
 Don Burton
 Bob Riley
 David Byland
 Lorna Miles
 Gary Duncan

Members Absent: **Austin Kyser**
 Rich Duley
 Tim Brubaker

City Staff Attending: **Tom Sanders, Director of Community Development**
 Aaron Decker, Building Inspector
 Carla Beal, Administrative Assistant

Visitors: **Robert Cross**
 Catherine Monti
 Carolyn Fleming
 Joynee Erickson
 Dustin McCormick
 Sherri McCormick

A roll call was taken, and eight (8) members of the Commission were present, with three (3) members absent.

Sam Tadrus asked if everyone had reviewed the February 26, 2024, agenda. Don Burton made a motion to approve the agenda. Lorna Miles seconded the motion. Agenda was approved.

Sam Tadrus asked if everyone had reviewed the October 30, 2023, minutes. Connie Asbury made a motion to approve the minutes. Mike Skubic seconded the motion. Minutes were approved.

Sam Tadrus read the second item on the agenda; a conditional use permit submitted by Robert & Jaelyn Cross for a short-term housing rental located at 800 Gilman Street. This property is currently zoned R-1 (Single-Family Residential District).

Sam asked if there was anyone present to answer questions on this item. Robert Cross came to the podium and explained they have a short-term housing rental in the carriage house over their garage. He stated they rent to couples only, no children or pets. Sam Tadrus asked how do you advertise? Robert stated they were advertising on AirBNB and Vrbo and once he was notified that he would have to apply for a conditional use permit he had removed it from both sites. Lorna Miles asked how many times a year they rented it. Robert stated they rented it on an average of twice a month. Gary Duncan asked if they had any trouble with any of the renters. Robert stated they had a problem one time, and he did not elaborate on the issue. Sam asked if there was anyone in the audience with any questions or concerns. Catherine Monti came to the podium and stated her, and several other neighbors did not like the idea of strangers being in their neighborhood. She stated she knew nothing about a short-term rental being there until she received the letter that was sent by P&Z. Gary Duncan re-stated that she was unaware of the Rental until the letter was received and that it had been 9 months according to the Cross'. Catherine confirmed that. Tom Sanders stated he believed it had been a rental before. Catherine said Carolyn Fleming would know better as she had lived there longer. Carolyn Fleming came to the podium and stated she did not know of it ever being a rental property. There was a brief discussion.

Sam Tadrus asked if there was anyone else with questions or concerns and Joynee Erickson came to the podium and stated she was against there being a short-term rental in the neighborhood. David Byland asked if any of the neighbors had any complaints about the time it was being rented as a short-term rental. The neighbors stated they did not know it was being used as a short-term rental. The neighbors expressed their concern of random people in the neighborhood as reason against the request. Mr. Skubic then repeated the same question as Mr. Byland to the neighborhood and they all confirmed that they did not know it was being used this way, nor did they have any conflict to report related to this use.

Sam asked if there were any other questions or concerns and if there was anyone in the audience with any questions or concerns. There being none, Don Burton made a motion to approve the motion. David Byland seconded the motion. Sam asked for a vote, all voted yes. The motion was approved.

Sam Tadrus read the third item on the agenda; a site plan review application submitted by Dustin McCormick for a new commercial building located at 1620 N Buchanan Street. Sam asked if there was anyone to address the Commission. Dustin & Sherri McCormick came to the podium and stated they were moving their business within the City Limits. Sherri stated they would store their equipment and tools in the building. Gary Duncan asked if they would have an office in the building and how big the building would be. Sherri stated not at this time but there would be space for an office if they decided later to put one in. Dustin stated the building would be 52' by 100'. Gary asked about sidewalk fee in lieu of. Dustin confirmed they would pay into the sidewalk fund instead of installing public sidewalks. There was a brief discussion.

Sam asked if there were any other questions or concerns and if there was anyone in the audience with any questions or concerns. There being none, Bob Riley made a motion to approve the motion. Don Burton seconded the motion. Sam asked for a vote, all voted yes. The motion was approved.

Sam asked if there was any other business to come forward, there being none, Lorna Miles made a motion to adjourn. Don Burton seconded the motion. Sam asked for a vote, all voted yes. The motion was approved. The meeting was adjourned.

DRAFT

CITY OF MOBERLY, MISSOURI - PROCEDURES MANUAL

Article 11 - Conditional Uses

CITY OF MOBERLY
CONDITIONAL USE PERMIT APPLICATION

Return Form To:
Community Development Director
City of Moberly
101 West Reed Street
Moberly, MO 65270-1551
(660) 263-4420
(660) 263-9398 (fax)

For Office Use Only
Case ID: _____
Filing Fee: _____
Date Filed: _____
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT INFORMATION:

Applicant: K+L Investments, LLC Phone: 319-651-7615
Address: 16608 County Rd 2350 Zip: 65270
Owner: Lanna Gatts Phone: _____
Address: SAME Zip: _____

PROPERTY INFORMATION:

Location of Property: 828 Concannon St.
Legal Description: All of lot 3 in block 3 of Barrow's addition to the City of Moberly, Randolph County, Missouri.

Present Zoning Classification: R-2 Acreage: .15
Present Use of Property: Residential Rental

Proposed Land Use Activity: Short Term Housing Rental

Article, Section and sub-section (if applicable) allowing for said conditional use to be applied for: Use Standard Table Section 46-118

CITY OF MOBERLY, MISSOURI – PROCEDURES MANUAL

Article 11 – Conditional Uses

ADJACENT ZONING AND LAND USE:

	<u>Land Use</u>	<u>Zoning</u>
North	R-2	Residential
South	R-2	
East	R-2	
West	R-2	

Should this conditional use be valid only for a specific time period? Yes _____ No

If Yes, what length of time? _____

DOES THE PROPOSED CONDITIONAL USE MEET THE FOLLOWING STANDARDS? IF YES, ATTACH A SEPARATE SHEET EXPLAINING WHY.	Yes	No
Does the proposed conditional use complies with all applicable provisions of the regulations, including intensity of use regulations, yard regulations and use limitations?	<input checked="" type="checkbox"/>	
Does the proposed conditional use at the specified location will not adversely affect the welfare or convenience of the public?	<input checked="" type="checkbox"/>	
Does the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located?	<input checked="" type="checkbox"/>	
Does the location and size of the conditional use, the nature and intensity of the operation involved or conducted in connection with it, and the location of the site with respect to streets giving access to it have been planned so that the conditional use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations?	<input checked="" type="checkbox"/>	
Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect?	<input checked="" type="checkbox"/>	
Adequate utility, drainage, and other such necessary facilities will be provided?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Adequate access roads or entrance and exit drives will be provided and designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Adjoining properties and the general public will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors or unnecessarily intrusive noises?	<input checked="" type="checkbox"/>	

CITY OF MOBERLY, MISSOURI – PROCEDURES MANUAL

Article 11 – Conditional Uses

ATTACHMENTS REQUIRED:

- 1. A site plan as specified in Section of the Zoning Regulations as well as any other information which would be helpful to the Planning and Zoning Commission in consideration of the application. *– Attach Property Aerial that shows parking areas (Residential)*
- 2. List of property owners located within 185 feet of the property.

Doesn't need stamped site plan

City will Do

Janne Letts
Applicant's Signature

9 Feb 2024
Date

*Meetings are last Monday of month
Deadline is 30 days prior*

Planning + Zoning Review

*then
City Council Review (1st/3rd Monday) after meeting*



Memorandum

To: Planning and Zoning Commission

From: Planning Staff

Subject: 828 Concannon St Short Term Housing Rental Conditional Use

Meeting: April 29, 2024

Public Hearing to consider:

Notice of Public Hearing for a conditional use permit application submitted by Kelly and Lana Gatts for a Short-Term Housing Rental located at 828 Concannon Street. This property is currently zoned R-2 (One and Two Family Residential District).

Comments:

Location: 828 Concannon St

Zoning Compatibility: Use is compatible with the district. Requires Conditional Use

Intended Use: Main residence has been rental property for some time. Owners are seeking use as a Short-Term Housing Rental on platforms such as AirBnb and VRBO.

Landscaping design: Property is in current compliance with parking and landscaping.

Public areas: There is adequate off-street parking for an additional one or two cars based on two-bedroom dwelling unit.

Submission requirements: Site Plan Review waived when associated with Residential homes and short-term housing rentals. Conditional Use for the property has been submitted in accordance with zoning regulations.

City Staff Review:

The City Staff Review did not yield any additional concerns with the operation as a short-term housing rental.

City staff recommend acceptance and approval of the Conditional Use for the property associated with 828 Concannon St.

Conditional Use approvals do require additional approval by the City Council for acceptance as an ordinance into the Code of Ordinances in Moberly, MO.

Respectfully Submitted
Aaron Decker

828 AirBNB

Updated two bedroom house with a fully furnished kitchen. A cozy home with a couch that folds out into a bed and a loveseat that reclines on both sides for more sleeping and/or to relax at the end of your day. This home is very close to downtown Moberly which has various eateries and shops for you to enjoy. It is also close to Hwy 24 giving you access to more restaurants, stores and Hwy 63.

The house offers:

Bathroom:

Tub/Shower combo
Hair dryer
Towels/wash cloths
Washer/dryer

Kitchen and dining:

Furnished kitchen where guests can cook their own meals
Refrigerator/freezer
Stove/Oven
Microwave
Cooking basics (Pots, pans, oil, salt, pepper)
Dishes and silverware
Bowls, plates, cuts, etc.
Coffee maker: Keurig coffee machine with various coffee(s) provided
Wine glasses
Toaster
Baking sheets/pans
Kitchen table
Dining table

Bedrooms:

One King bed with extra bedding
One Full bed with extra bedding
One couch which folds out into a queen bed with bedding
Two cots
One queen size air bed (auto air fill included)
Dressers
Closet/Armaur

Location features:

Private entrance (front or back)
 Rocking chairs on front porch
 Back porch
 Free Four parking spaces in back (2) or street parking in front
 Fast internet
 TV(s)
 Books/games

House rules:

You'll be staying in someone's home, so please treat it with care and respect.
 Check in after 3:00 pm
 Check out by 11:00 am
 Quiet hours: 10:30 pm to 7 am - Respect your neighbors
 8 guests maximum
 Dogs allowed if pre-approved – No cats
 No parties or events
 No commercial photography
 No smoking or vaping in house
 Directions will be provided on day of, prior to check in.
 If you damage the home you could be charged up to \$300 or additional damage charges.

Before you leave:

Gather used towels & place in laundry basket (provided)
 Leave trash in bag & place on back porch
 Turn lights/things off
 Lock up

Moberly, MO

You are minutes away from local dining options as well as local establishments that serve delicious adult beverages. Moberly's Downtown historic Depo District is a few blocks away with shopping within walking distance. Moberly offers beautiful Rothwell Park with walking trails, Heritage Hills Golf course and Randolph County Raceway just to mention a few things.

Please check out our "Guidebook" for all the things to do and eat in and around the community!
 Seasonal events and activity information can be found at moberlychamber.com.
 Please sign our Guestbook!
 Enjoy your stay!!

MEMO TO: City of Moberly
FROM: K & L Investments, LLC
DATE: February 9, 2024
SUBJECT: 828 Concannon as an AirBNB

To whom this may concern: 828 Concannon is a residential home in the Barrows Addition of Moberly, a few blocks from downtown, City of Moberly.

We would like to designate 828 Concannon as an AirBNB, short term rental. The home will be treated like any other residential rental in the area. The tenants will have Rules (see attached) to follow as to Not disturb any neighbors or break any city rules or regulations.

Adequate parking is provided in the back, off the alley, and in the front on the street, 4 cars total (if needed) by current tenant.

828 Concannon provides and meets All zoning regulations in accordance to City code and has been inspected, and will be inspected annually, by the city.

Please allow 828 Concannon owners' permission to proceed in making this property an AirBNB.

