

Draft Minutes for the September 7, 2022 Planning Commission Regular Meeting

D) SUP22-326 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 0.24 acres from “M-1” Light Industrial District to “C-O” Commercial Office District with a Special Use Permit to allow short-term rental of a residence in the Starlight Terrace Subdivision, Unit 1, Block 1, Lot 7, addressed at 1031 Seidel Street. (Owner/Applicant: Mark Lemmons; Case Manager: Laure Middleton)

Mrs. Middleton presented the case and recommended denial as stated in the staff report.

Chair Edwards asked if there were any questions for staff.

Mrs. Snell clarified the request and discussed the options for the Commission.

Chair Edwards asked for further clarification on if the Commission could deny the zone change and approve the SUP for STR.

Mrs. Snell confirmed the Commission could recommend denial of the zone change and approval of the SUP.

Discussion followed on zoning districts, short-term rental restrictions, nonconforming uses and zoning in the area.

Commissioner Tubb asked if the property was rezoned to C-O and house burned down could they replace the residential structure.

Mrs. Snell answered yes.

Chair Edwards invited the applicant to speak.

Mark Lemmons, 26610 Forest Link, elaborated on the request and stated that he has owned the property since 2014 and it has been a long-term rental that entire time. He discussed being a real estate professional and the need for a short-term rental for folks who need a place to stay while waiting for their home purchase to finalize. He further explained that hotels are expensive for those families. Mr. Lemmons stated that he also wanted to offer the home for weekends as well since the home is located near a park. His hope is to continue serving the neighborhood as a residence. Mr. Lemmons discussed speaking with the neighbors and about the other properties including several duplexes in the area as well as vacant lots.

Chair Edwards opened the public hearing and asked if anyone wished to speak in favor.

William Baker, 214 E Zipp Rd, stated he is the owner of property #2 on the map and is in favor of this request.

Lori Hansen, 1039 Seidel St, stated that she is the owner of property #8 on the map and that she was initially opposed to the request but now that she understands she wants to change her response to be in favor of it.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were further discussion or a motion.

Commissioner Anderson Vie asked for further clarification on staff recommendation for denial and on rezoning and the SUP.

Chair Edwards clarified that they could approve the SUP alone but if they were to approve the zone change, they would be potentially changing the character of the area.

Commissioner Anderson-Vie stated that he would like to make a motion to approve the SUP for the purposes of the short-term rental and deny the zone change.

Commissioner Sonier asked if the property owner would be okay with this motion.

Mr. Lemmons stated yes.

Motion by Commissioner Anderson-Vie, seconded by Commissioner Sonier, to recommend approval of the Special Use Permit to allow a short-term rental and deny the proposed rezoning to City Council regarding a proposed rezoning of approximately 0.24 acres from "M-1" Light Industrial District to "C-O" Commercial Office District with a Special Use Permit to allow short-term rental of a residence in the Starlight Terrace Subdivision, Unit 1, Block 1, Lot 7, addressed at 1031 Seidel Street. Motion carried (8-0-1) with Commissioner Allen abstained.

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