

SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

October 10, 2023

7:00 P.M.

City Hall Council Chambers and Via Videoconference

**1. CALL TO ORDER**

Chairman John Chevalier called the meeting to order at 7:00 p.m.

A quorum of the Commission was present: Alderman Melissa Wilson, John Chevalier, Dennis Kathcart, Rob Scarborough, Deb Dotson, Billy Muessig and Mayor Damien Boley (Zoom).

Staff present: Jack Hendrix and Brandi Schuenger.

**2. MINUTES**

The September 12, 2023, Regular Session Meeting Minutes were moved for approval by SCARBOROUGH, Seconded by KATHCART.

Ayes 7, Noes 0. Motion carried.

**3. STAFF REPORT**

HENDRIX reported:

Fairview Crossing North is under construction. There were some issues with MODOT 4 months after we gave them the Development Agreement to review and approve. We have been working with the Developer and MODOT to resolve the issues. We met again today and believe everything has been resolved. There will be a requirement to amend the Development Agreement but this will not have to come back to this commission. With this resolved we should start seeing significant movement with the infrastructure construction. They are hoping to have the curbs in by the first part of November for the new street.

The Micro-brewery located at the corner of Commercial Street and East Meadow Street is hoping to have construction completed and be open by Thanksgiving.

The Transfer Station in the First Park subdivision is a few weeks away from getting final approval on their plans so they can start construction on the development side. Once that happens they will put up a bond for all of the infrastructure they have to install and will then be able to record the final plat.

The old Kay Furniture building is under construction on the inside. They are starting with the demolition work. Once construction is complete they will have some retail space in the front and the rest will be walk in indoor storage. They have not submitted anything for changing the exterior of the building.

DOTSON asked for an update of the progress on the development around the Post Office.

HENDRIX stated that the street, water and sewer are installed. He assumes that they are waiting on getting the first tenant setup. They would then finalize everything, record the final plat and pay the money required for their portion of the traffic light fund.

CHEVALIER asked if there were any updates on the old hospital building downtown.

HENDRIX stated that they are trying to identify the best financing package. The RFP for the parking lot is set to go out in a couple of weeks. Once this has been completed they will start the process with demolition and will then have to go through Planning & Zoning Commission and Board of Aldermen approvals for their site plan.

#### **4. ELECTRIC VEHICLE CHARGING REGULATIONS**

- **PROPOSED CHANGES TO THE BUILDING CODES TO ADDRESS ELECTRIC VEHICLE CHARGING STANDARDS**

MUESSIG motioned to discuss Electric Vehicle Charging Regulations. Seconded by DOTSON.

HENDRIX explained that the staff report has been provided to the commission and gave a brief overview of proposed changes.

The commission discussed the agenda item. It was decided that this item would be brought back to discussion next summer when the 2024 building code are released.

## 5. SHORT-TERM RENTAL ORDINANCE

- **PROPOSAL WOULD ADD REGULATIONSTO THE SHORT-TERM RENTAL INDUSTRY IN SMITHVILLE**

MUESSIG motioned to approve the Short-Term Rental Ordinance. Seconded by DOTSON.

### **DISCUSSION:**

HENDRIX stated that most everything that was discussed in our previous meeting in September has been updated on the ordinance presented tonight. The only thing that was discussed but never resolved was the number of licenses issued for units in apartments. The percentage decided upon was 12.5%. But was this per building or complex?

The commission discussed this issue.

MUESSIG motioned to amend the Short-Term Rental Ordinance Section 625.080 #2 to read: The number of licenses issued for units located in an apartment *complex* shall be one (1), or a maximum of 12.5% of the total units available, whichever is more. Seconded by DOTSON.

**THE VOTE:** MAYOR BOLEY-AYE, KATHCART-NO, DOTSON-AYE, SCARBOROUGH-ABSTAIN, MUESSIG-AYE, CHEVALIER-AYE, ALDERMAN WILSON-AYE.

### **AYES-5, NOES-1, ABSTAIN-1. MOTION PASSED**

ALDERMAN WILSON questioned section 625.100 which gives the number of adults allowed per unit but doesn't speak about children.

**Rob Scarborough---603 Quincy Blvd---** Stated that he has never had a scenario come up with his short-term rentals where 1 or 2 adults say they are going to bring an entire soccer team and want all 15 kids in one house.

HENDRIX stated that it would be easiest to adjust this to read:

**625.100 Maximum number of adult guests:**

The total number of adult guests allowed per unit shall equal (2) adults per bedroom plus (2) adults in common living areas (sleeper sofa, air mattress, etc.).

ALDERMAN WILSON stated that makes sense to her.

ALDERMAN WILSON motioned to amend the Short-Term Rental Ordinance Section 625.100 to read: **Maximum number of adult guests:**

The total number of adult guests allowed per unit shall equal (2) adults per bedroom plus (2) adults in common living areas (sleeper sofa, air mattress, etc.).  
Seconded by CHEVALIER.

**THE VOTE:** MUESSIG-AYE, CHEVALIER-AYE, ALDERMAN WILSON-AYE, SCARBOROUGH-ABSTAIN, DOTSON-AYE, KATHCART-AYE, MAYOR BOLEY-AYE.

**AYES-6, NOES-0, ABSTAIN-1. MOTION PASSED**

ALDERMAN CHEVALIER asked if there is any further discussion on the ordinance as amended.

**Discussion:** None

ALDERMAN CHEVALIER called for a vote on the main motion.

**THE VOTE:** ALDERMAN WILSON-AYE, CHEVALIER-AYE, MUESSIG-AYE, MAYOR BOLEY-ABSTAIN, KATHCART-AYE, DOTSON-AYE, SCARBOROUGH-ABSTAIN.

**AYES-6, NOES-0, ABSTAIN-1. MOTION PASSED**

**6. ADJOURN**

ALDERMAN WILSON made a motion to adjourn. SCARBOROUGH seconded the motion.

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 8:06 p.m.

NOT YET APPROVED