

MEETING DATE: August 22, 2023

STAFF: Brian Harker, Planner

PROJECT NAME: The Oasis Hideaway

CASE NUMBER/REQUEST: Case 23-400-11 – Short-Term Rental – 400 W. Southside Boulevard – A request by Kevin Wendt for a Short-Term Rental.

PROPERTY ADDRESS: 400 W. Southside Boulevard

APPLICANT/OWNER/PROPERTY MANAGER: Kevin Wendt
Chancellor and Wendt, LLC

PROPERTY MANAGER ADDRESS: 12014 E. Lexington Avenue

PROPERTY ZONING: R-6 (Single-Family Residential)

SURROUNDING ZONINGS/LAND USES:

N/S/E/W: R-6...single-family residences

PUBLIC NOTICE:

- Letters to property owners within 185 feet were mailed August 4, 2023
- Notification signs were posted on the property August 4, 2023

FURTHER ACTION:

Unless a valid protest petition is submitted, or the applicant seeks to appeal the action of the Planning Commission, this application is not reviewed by the City Council.

RECOMMENDATION

Staff recommends **APPROVAL** of this Short-Term Rental with the following conditions:

1. The Short-Term Rental shall obtain a business license in accordance with the City Code and comply with Article 3, Chapter 5 of the City Code. The occupation license number shall be listed on all advertisements and online platforms.
2. The business must comply with all safety and other standards established by Section 14-424 of the City Code.
3. The maximum occupancy of the premises shall be limited to six adults (8 total persons).
4. The maximum number of bedrooms permitted is three.
5. A noise monitoring system shall be installed in a central part of the house and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.
6. The parking area north of the shed is gravel and shall be paved if used as parking. Otherwise this gravel area shall be removed.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

Kevin Wendt seeks approval of home business permit to operate a Short-Term Rental at 400 W. Southside Boulevard.

Current Zoning: R-6 (Single-Family Residential)

Current Use: Single-Family Residential

Proposed Use: Short-Term Rental

Former Zoning: Prior to July 2009 – R-1b (Single-Family Residential)

Prior to March 1998 – R-4 (High-Density Residential)

ANALYSIS**PROPERTY HISTORY:**

The Oasis Hideaway, located at 400 W. Southside Boulevard, was constructed as a single-family home decades ago and continues to be a single-family residence in use and design.

PHYSICAL CHARACTERISTICS OF PROPERTY AND PROPOSAL:

The 2,438-square foot, yellow and tan brick, one-story single-family residence is sited on a 0.26-acre lot. The house has four bedrooms, but only three will be used for the Short-Term Rental (two upstairs and one in the basement). The master bedroom and two other bedrooms set immediately adjacent with hall access to a common bathroom. The kitchen, dining and living room areas set across the hall. The basement bedroom, laundry room and garage are on the basement level.

CHARACTERISTICS OF THE AREA:

The surrounding single-family neighborhood has small homes on small, narrow lots. Most of the area houses are post-1920's cottages and bungalows. Southside Boulevard has sidewalks but lacks curbs.

PARKING:

The property has a single-car driveway and garage. Two cars could be parked completely on property (one on the paved driveway and one in the garage) and two on the paved pull-off area in front of the house. The parking spot beyond the shed to the north is gravel and would have to be paved if used. If not used for parking, this gravel shall be removed.

NOISE MANAGEMENT PLAN:

- Educate guests about the City of Independence Noise Ordinance and quiet hours (10pm to 8am).
- Encourage guests to be respectful of neighbors and keep noise levels down as per the posted "STR Good Neighbors Guidelines."
- If a guest is too loud, contact them immediately and remind them about the noise ordinance. If they are non-responsive or disagree, contact Airbnb to resolve the issue. If the problem persists, notify the police.

SHORT TERM RENTAL REQUIREMENTS:

The applicant will have to address the following topics:

- Noise monitoring – The applicant will install a WYND Noise Monitoring System which will notify the applicant if the decibel level is above 85db for more than five continuous minutes.

This system shall be installed in the central part of the house such as the living room, kitchen and dining room area.

- Trash Removal - Trash pick-up is scheduled for a weekly pick up (on Tuesdays) via Ted's Trash Service.
- Property listing - The property will only be listed on the AirBNB web site.
- Business operations/security – The Oasis Hideaway will be responsible for most of the business operations including site security, screening customers, and coordinating bookings.
- City's Short Term Rental checklist – The form was completed by the applicant covering licensing, future inspections, insurance, on-site information posting, and so forth.
- Fire safety – A fire evacuation plan had been submitted along with floor plans of the house. The fire escape plan must also be posted per Code requirement.
- City inspection - The property has been inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.

There are no other Short-Term rentals in this area, therefore this application follows the density limitations of the City Code.

EXHIBITS

1. Application Letter
2. Application
3. Notification Letter
4. Address List
5. Affidavit
6. Floor Plan
7. Evacuation Plan
8. Parking Plan
9. Supplemental Application
10. Attestation Form
11. Nearest Short Term Rental Maps
12. Fire Department Inspection