

ZONING ORDINANCE ADVISORY COMMITTEE

MINUTES February 19, 2014

The Zoning Ordinance Advisory Committee of the City of University Park met on Wednesday, February 19, 2014 at 12:00 Noon in the South Conference Room, Peek Service Center, 4420 Worcola, Dallas, Texas. The following are minutes of that meeting.

Committee Members Attending:

Robert F. Spies, Chairman
Robert Rhoads
Syd Carter
Gretchen Henry
Corbin Crews
Kitty Holleman
Terry Skartsiaris

Staff Members Attending:

Robbie Corder - Director of Community Development
Harry Persaud - Chief Planning Official
Amanda Hartwick - Planning Technician
George Ertle - Assistant to City Manager
Rob Dillard - City Attorney

Excused:

Jim Mills
Phillip Philbin
Bob Clark (Council Liaison)

Chairman Bob Spies opened the meeting at approximately 12:15 PM, and introduced the following item:

ZOAC - 13-002: Discuss short term rental in single family homes and provide direction to staff.

Chairman Spies then opened the floor for a briefing from city staff. Mr. Harry Persaud addressed the committee to explain a handout that was distributed prior to the meeting. The handout summarized nine weeks of tracking short term rental advertisements on the following websites: Air Bnb, Homeaway, and VRBO. Attached is copy of this documentation.

Mr. Persaud then circulated copies of police reports for each of the addresses that were found to be advertising short term rentals, including 2932 Dyer, 3201 Northwest Pkwy, 3537 Marquette, and 3320 Westminster. Ms. Gretchen Henry asked if the reports were directly related to the rental of the properties. Mr. Persaud explained that it appeared that all of the complaints involved the owners of the properties, and not renters. A discussion ensued regarding the relevancy of the reports, as it could not be determined if the complaints were linked to the rental of the property.

Mr. Terry Skartsiaris asked if there were any current ordinances prohibiting short term rentals. Mr. Rob Dillard replied that there is an ordinance prohibiting the rental of garage apartments, but there is currently nothing prohibiting specifically short term rentals. Mr. Robbie Corder added that it is difficult for city staff to enforce the ordinance for garage apartment rentals, but there are some areas around SMU that are monitored by code enforcement.

Mr. Corbin Crews asked why short term rentals are happening now in the city of University

Park. Mr. Rob Dillard replied that initially the Super Bowl may have attracted short term renters to the area. Mr. Robert Rhoads added that SMU football games likely attract renters as well. A discussion then ensued regarding the initial complaint at 3320 Westminster. Mr. Robbie Corder explained that surrounding neighbors initially approached City Council, asking for them to regulate this activity. City Council then sent the issue to ZOAC to research further.

Mr. Corder added that there has not been an increase in emergency calls to these properties. Chairman Spies stated that it appears no major issues have arisen as a result of the short term rental properties, and he does not feel that the city should punish all homeowners as a result of one bad example. Mr. Syd Carter asked if Ms. Susan Wilson had called the police regarding the renters on Westminster, prior to bringing the issue to City Council. Mr. Corder replied that she had not.

A discussion then ensued regarding short term rentals in other areas. Mr. Rob Dillard explained that the city of Austin began losing hotel/motel tax income due to the popularity of short term rentals. For this reason, the city began licensing the rentals so that this income could be recouped.

Chairman Spies explained that he believes city staff should continue to monitor the short term rentals being advertised, especially through upcoming football season. He added that it would be helpful for the neighbors to call in complaints to the police so that the city could more easily track them. Chairman Spies asked for input from other Committee members. All expressed agreement with this sentiment.

Mr. Robbie Corder added that the Community Development Department could work with the Police Department to make them aware of short term rentals, so that officers could ask appropriate questions when responding to calls that may be related to this activity.

Mr. Rob Dillard advised that in order to regulate a lawful activity such as renting property, there would need to be evidence that there is a negative impact to a substantial part of the community.

Chairman Spies stated that the Committee has not found enough evidence to warrant regulating short term rentals at this time. He then made a motion for city staff to continue to monitor the short term rental advertisements, including throughout the upcoming SMU football season. The motion passed with a unanimous vote.

Chairman Spies then made a motion to approve Minutes from the February 26, 2013 and December 12, 2013 meetings. The Minutes were approved with a unanimous vote.

With there being no further business before the Committee, Chairman Spies adjourned the meeting at approximately 12:53 PM.

Robert F. Spies, Chairman
Z.O.A.C.

Date