

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL
701 EAST BROADWAY, COLUMBIA, MO
NOVEMBER 6, 2025

COMMISSIONERS PRESENT

Ms. Sharon Geuea Jones
Mr. David Brodsky
Mr. Anthony Stanton
Ms. McKenzie Ortiz
Ms. Shannon Wilson
Mr. Robert Walters
Mr. Cody Darr

COMMISSIONERS ABSENT

Dr. Les Gray
Ms. Kate Stockton

STAFF

Mr. Ross Halligan
Mr. Kirtis Orendorff
Mr. Jesse Craig

I. CALL TO ORDER

MS. GEUEA JONES: Good evening. I will now call the November 6, 2025 meeting of the Planning and Zoning Commission to order. Commissioner Brodsky, may we please have a roll call?

II. INTRODUCTIONS

MR. BRODSKY: Commissioner Ortiz?

MS. ORTIZ: Here.

MR. BRODSKY: Commissioner Stanton?

MR. STANTON: Here.

MR. BRODSKY: Commissioner Stockton is absent. Commissioner Walters?

MR. WALTERS: Here.

MR. BRODSKY: Commissioner Wilson?

MS. WILSON: Here.

MR. BRODSKY: I am here. Commissioner Darr?

MR. DARR: Here.

MR. BRODSKY: Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MR. BRODSKY: Commissioner Gray is absent. We have a quorum of seven.

MS. GEUEA JONES: Thank you.

III. APPROVAL OF AGENDA

MS. GEUEA JONES: Are there any changes to our agenda this evening?

MR. ORENDORFF: No, ma'am, there are not.

MS. GEUEA JONES: Thank you. Are there any motions to approval the agenda?

MR. STANTON: I move to approve the agenda.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Ortiz.

Thumbs up approval of the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous. Thank you.

IV. APPROVAL OF MINUTES

MS. GEUEA JONES: We all received a copy of the October 23, 2025 regular meeting minutes.

Are there any changes or adjustments to the minutes? Seeing none. Is there a motion to approve?

MR. STANTON: I move to approve the agenda.

MS. ORTIZ: Second.

MS. GEUEA JONES: Move --

MR. STANTON: Minutes. I'm sorry.

MS. GEUEA JONES: Minutes. Thank you, yes.

MS. ORTIZ: I second as amended.

MS. GEUEA JONES: Thank you. Moved by Commissioner Stanton, seconded by Commissioner Ortiz. Thumbs up approval of the minutes?

(Six votes for approval; one abstention.)

MS. GEUEA JONES: Unanimous with Commissioner Wilson abstaining because of her absence at our last meeting. Wonderful. First case for the evening.

V. PUBLIC HEARINGS

Case Number 331-2025

A request by Kevin Frank, (agent), on behalf of Tiger GameDay Escape, LLC, (owner), to allow 1906 Grant Lane to be used as 210 night maximum seven guest short-term rental (STR) pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The three bedroom, three-bath home has a two-car attached garage and driveway with sufficient capacity to support four UDC compliant onsite parking spaces. The .45 acre subject site is located on the east side of Grant Lane approximately 165 feet south of Chapel Hill Road.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Kirtis Orendorff of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow the dwelling of 1906 Grant to be operated as a STR subject to:

1. The maximum occupancy of seven transient guests;

2. A maximum use of 210 nights of annual rental usage;
3. The two-car garage be made available when the dwelling unit is used for STR purposes.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of the public hearing, please disclose so now. Seeing none. Are there any questions for staff on this case? Commissioner Brodsky?

MR. BRODSKY: You mentioned the other STR down the street you said is 500 feet away?

MR. ORENDORFF: Five seventy-five, I believe, yeah.

MR. BRODSKY: It is a registered STR or nonregistered?

MR. ORENDORFF: I don't -- I have to double-check. Let me check the staff report real quick here, just to clarify for you. It's a licensed STR. Correct.

MR. BRODSKY: I'm sorry?

MR. ORENDORFF: It is licensed, yes.

MR. BRODSKY: Okay. Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will open the floor to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: When you come forward, we don't have a list, so come as you want. List your name and address for the record. Please speak directly into the microphone as we do have people who watch online and are transcribing this. We allow six minutes for the applicant and for representatives of groups, and three minutes for individuals. Whenever you're ready.

MR. FRANK: Thank you. I am the applicant, Kevin Frank. My wife, Hilda, is right there. We are here, of course, to answer any questions that you might have. We did provide information prior and also in case you have additional questions at a different time other than this -- this meeting --

MS. GEUEA JONES: For the -- for the transcript, the applicant is handing out books to the members of the Commission. Thank you. Oh. You can have your receipt. Thank you.

MR. FRANK: But really, we're here to answer questions and also tell you a little bit about ourselves. We are --

MS. GEUEA JONES: You're going to have to get to the microphone before you tell us about yourself.

MR. FRANK: Okay.

MR. CRAIG: And, Mr. Frank, before you get back to your -- back to your comments, can we get your address for the -- for the record? Thank you.

MR. FRANK: So my home address is 23 Chesterton Lane in Chesterfield, Missouri, and obviously 1906 Grant Lane, as well. So we're out of St. Louis, and our daughter, Lily is now a freshman at Mizzou. And my wife and I have been real estate investors now for a few years and we have short-term rentals all over the country. This would be our sixth one, And once Lily made the decision to come here, we knew we would probably end up buying a property here for use to stay in for ourselves and visit, which we have

done every week since we bought the house in September, but also then to rent it out to families. alumni, to go to, you know, Mizzou events, visit family, et cetera. So before we bought property, we spent a lot of time with Patrick Zenner and really wanted to better understand the dynamic with you, the City, who we're working with on this to make sure we followed all procedures and policies and any guidance that could be provided to us for this process. You guys did a -- a great job with -- I really appreciate that. You were very professional and quick to answer questions for us. But to get into really just quickly the house itself and the rental process, we have luxury properties around the country. We put these properties together with the utmost of care. For instance, with this property on Grant Lane, we've already spent \$35,000 fixing the exterior of the house. The siding was deteriorating, very visible from the street. The landscaping was out of control -- dead trees. We've already replaced and corrected all of those issues. We also avoid parties by not allowing one-night rentals. We have party signs -- no party signs. We also operate with respect for neighbors, so you'll see that in all of our listings online. We also have signs, both digital and physical signs throughout the house to respect neighbors, to follow noise control or noise policies for the City, and we really want to avoid any issues with our neighbors, of course, because we're there, too. And so we did reach out to all of our neighbors, as well, with two separate letters, one introducing ourselves, the other letting them know that we would love to meet them if they want to come by and look at the house and talk to us and get questions answered, so we did that as well. It was a meet and greet that we actually had today, and we had a few neighbors come by and they saw the property, and we answered questions and everything was great there. So we just try to be transparent with the neighbors and give them a better feel for what we're really doing. In terms of accepting reservations, we don't accept reservations without a high level of confidence that that person has great reviews on the platform they're on as a guest, and that we -- we don't allow one-night rentals, two-plus, sometimes three-plus, and we've never -- we have 250 reviews, 247 of them are five star. We have three four-star reviews. That's with all of our properties. We've never had a complaint in any city we've been involved in, and I think it's mostly because of the type of guests that we attract based on how we -- how we handle the property. So I'm going to stop. That's a lot, I know. So, please, if you have any questions, I'm -- I'm here to answer them for you.

MS. GEUEA JONES: Are there any questions for this speaker? Commissioner Stanton?

MR. STANTON: Good evening. How are you doing?

MR. FRANK: Good evening. I'm well; how are you? Real good presentation, but why do I have a number of opposition to your --

MR. FRANK: I only saw two that the City provided me, so why there would be five, I don't know. I only received two. One was our direct neighbor, and then the other one was someone across the street. When I read them, I think the main reason is I don't think your average, everyday person really understands what a short-term rental is and how they work. If they did, they probably would have less concerns, but they also don't know how we work and what we do, because there are people out there that will buy a property and they'll rent it out for parties every single night, you know, and that does happen,

but that doesn't happen with our properties. You can look publicly and see how we -- how we present our properties to the public, as well as what they say about them when they go to those properties. And you'll see that it's just -- part of it is in how you handle the property, and part of it -- part of it is also what you say in your listings -- no parties, respect the neighbors. People read that and if they're going to come in and do something stupid, they're not going to rent from you.

MR. STANTON: So you have been -- no one is going to come up here and say that you haven't talked to them, you haven't engaged the neighbors, you're --

MR. FRANK: Oh, we tried to engage the neighbors, absolutely, yeah. We sent two letters out and then there were two -- there were only two letters that I received that you received in opposition. One of them had a name and a phone number, so I called the number, left her a voicemail. She did not call me back. She was also invited to our meet and greet today, which was 100 feet away from her house. Some of her neighbors came and thought she would be there. She wasn't. I can't really explain why she has opposition, other than the letter she sent, which --

MR. STANTON: I guess I'm getting to the point, what -- the way, because this is a new thing for us as far as regulation in Columbia. So it's very important that you're a good neighbor.

MR. FRANK: Absolutely.

MR. STANTON: So have you touched your neighbors, at least the ones -- you know, how engaged are you? Are you just going through a process you go through with all your nationwide properties, you send --

MR. FRANK: No.

MR. STANTON: -- postcards, you send letters, how are you doing, we're going to do this. Hey, come to the -- or have you actually knock, knock, knock --

MR. FRANK: We knock on doors. We sent two letters.

MR. STANTON: Okay.

MR. FRANK: And then for any opposition, we called, which we can only call one because the other one didn't have a phone number listed, so we didn't -- we didn't want to try to look her up and freak her out, I guess, you know, by contacting her.

MR. STANTON: I've got one question I ask everybody. When the stuff hits the fan, and I need immediate response to a problem, who is it and how fast are they getting to your property due to the fact that you don't live here?

MR. FRANK: Well, we have Dylan Smith, who is about 25 minutes away. We haven't hired a cleaning company yet, but many times in our markets, we have a cleaning contact that's local, as well. But since we're not renting right now, we were going to get through this process first, we have not hired that person yet -- the cleaning company. I also have my cousin here who played football at Mizzou. He's a big, big boy, and he lives in Columbia, as well. And so if I ever had, like, a disaster for -- quote, unquote, I could always send him. But if there was a true disaster, we would call the police. I mean, that's who we would rely on. We've never had a disaster. We've had items that have been broken in

our properties before. We've never had neighbors complain. We've never had any sort of incident where police had to be called or anything like that, so I can't say we have a lot of practice at that, but we're prepared. I mean, we each -- my wife and I have both run businesses for a long time. We -- we've had the stuff hit the fan in other ways, and we just handle it, you know.

MR. STANTON: Thank you.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: I had a question. Do you have a -- particularly since you're out of town, do you have video cameras focused on the front of the house toward -- towards the street so you can monitor parking and trash and that sort of thing?

MR. FRANK: Yes. We have a Ring Camera at the front door, and we have a camera inside of our garage that's part of the garage door opener, so if the door gets opened and someone pulls in, we can see the driveway. And we can also see the front from the Ring Camera.

MR. WALTERS: And to follow up, you said your daughter, Lily, does she still use this property from time to time, or is she done?

MR. FRANK: No. She's a freshman. She wants to live in the sorority house, so hopefully, that happens. She's on a seven-year program, and our youngest, who is a senior right now at Parkway West, she wants to go to Mizzou, as well, so she has already applied. So we're probably going to have two -- two kids here and that's -- that's really why we're doing this. I mean, that's why we picked this market.

MR. WALTERS: Okay. All right. Thank you. Thank you.

MS. GEUEA JONES: Any other -- Commissioner Ortiz?

MS. ORTIZ: Do you plan on opening any other short-term rentals here in Columbia?

MR. FRANK: We'll see. I don't know.

MS. ORTIZ: Because the limit is one.

MR. FRANK: Oh, okay. That's --

MS. ORTIZ: That was -- that was a trick question.

MR. FRANK: I guess not. Okay. Well, you got me on that one, McKenzie.

MS. GEUEA JONES: Any other questions? Commissioner Wilson?

MS. WILSON: First thing, thank you for coming.

MR. FRANK: Thanks for having us.

MS. WILSON: I -- I'm going to ask this question, but I think I am realizing the answer as I process. I was going to ask why did you wait until today to have a kind of open house kind of situation, but I'm guessing it was because you were going to be here also and this was just a convenient time.

MR. FRANK: That's exactly right, yes.

MS. WILSON: Just on the record, I actually don't see the opposition as negative. I actually see it as positive, and I see it as the process working because people were able to all send communication, say, you know, what they -- what they're thinking, how they're feeling. To me, that's an indication that the

process is working. So I just want to get that out, and I think everybody for their commentary and sending us information so we can see what's going on in the neighborhood.

MR. FRANK: I understand. Thank you.

MS. GEUEA JONES: Any other questions? Commissioner Brodsky?

MR. BRODSKY: I just wanted to follow up on Commissioner Stanton's questions about your designated agent. Dylan Smith, is he contracted with you?

MR. FRANK: He is, uh-huh.

MR. BRODSKY: He is. Okay.

MR. FRANK: Yeah. He is doing work now managing some contractors. He's a contractor himself, but he'll also be doing our every two-week inspection of the home which we do on all of our properties, so he'll go in every two weeks, inspect everything inside the home and out. So he'll always be in and out, and all of his work is in Columbia, so he's here 90 percent of the time unless he's in bed, you know. That's basically it, so --

MR. BRODSKY: Thank you.

MR. FRANK: Yeah. You're welcome.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you for being here. The next person?

MR. FRANK: Can we go, or --

MS. GEUEA JONES: Oh, yeah. You can -- you can stay, you can go, whatever. Next -- next person to speak on this case, please come forward. Anyone? Okay. I was going to say, if I don't see movement, I will close the hearing, so -- again, just as a reminder, your name and address for the record?

MS. JONES: good evening. I am Tammy Jones; I've lived on Grant Lane for almost 30 years. It will be 30 years next summer. And I live in a home --

MS. GEUEA JONES: Oh, I'm sorry. We actually need your address, not just --

MS. JONES: 1900 Grant Lane.

MS. GEUEA JONES: Thank you.

MS. JONES: I am adjacent to the property that's under consideration today. And I think that I may be the person that he was referring to that he called and left a message, and I did not call him back. I -- other than what was sent out in the mail, the message that he left was the first, I guess, personal contact that I had received, and that was received today. I also want to add while I have been giving myself a crash course in Columbia's zoning regulations and the regulations under STRs, I am not uninformed about short-term rentals. I am very informed on them. I have used them. Matter of fact, I just returned from a trip, which is one of the reasons I had to give myself a crash course in what was going on. And as a matter of fact, I can cite to you that there is a study out of Pepperdine University, as well as other reputable sources that will tell you that you cannot guarantee or gauge anything by the reviews that are left for people. That Pepperdine University found that 91 percent of those left in, I think, the last couple of years -- I think that's the estimate -- were written by Chatbots, so just had to put that in

there as a little data point. I think this application does not meet several of the required criteria for the conditional-use permit under section 29-6 -- or it's 29-6.4 into the Unified Development Code. First, subsection C requires that conditional use be in conformance with the character of the adjacent area. Every surrounding property is an owner-occupied, single-family home in an R-1 district that has been stable and residential for almost four decades. The applicant, by contrast, is an out-of-town LLC that already operates multiple short-term rentals across the country. That is a commercial operation, not a neighborhood residence, and is inconsistent with the character of what should be R-1 zoned. Second, staff's report states that approval would support mixed-use concepts of the Comprehensive Plan. But mixed-use policies apply to planned nodes and new development areas, not places that have been predesigned for shared residential and -- or, I'm sorry. They are -- these are -- this mixed-use concept is planned nodes for new development, places that are predesigned before they go in for shared residential and small-scale commercial activity. They were never intended to retrofit long-established R-1 neighborhoods. Inserting a transient lodging business here would not create mixed use. It would erode the predictability that R-1 zoning promises to homeowners.

MS. GEUEA JONES: Ma'am, I'm sorry. That's your three minutes. Do you have much more?

MS. JONES: I can hurry through. I'm sorry. Here, the subsection F requires that the use would not cause significant adverse impacts. Staff notes no evidence or problems, but this is because the property has never been operated as an STR, so you're not going to see those kind of problems if it wasn't operated as such. Finally, the applicants own materials admit that they are unsure of neighborhood support and that they will only use the home for occasional weekend visits. Those statements fail the STR specific criteria in subsection 3, A and C -- E -- sorry. I also want to note that the claims of economic benefits are overstated and lack supporting data. Homeowners already hire contractors, cleaners, lawn services. I just had my gutters replaced. We do that all the time. And for these reasons, I suspect -- I respectfully ask that the Commission recommend denial of this conditional use permit to order to uphold the ordinance's intent and preserve the integrity of Columbia R-1 neighborhoods. Thank you for your consideration.

MS. GEUEA JONES: Thank you. If you'll hold on just a moment. Are there any questions for this speaker? Seeing none. Thank you for being here tonight.

MS. JONES: Thank you.

MS. GEUEA JONES: Next speaker on this case, please come forward. Name and address for the record, and speak into the microphone. Go ahead.

MS. DAWSON: Good evening. My name is Janice Dawson Threat, T-H-R-E-A-T. I live at 3512 Chapel Hill Road. I've come to speak to you because when I saw the deadline that said that if you wanted to write something, you had to do it by X date. I didn't get my letter written by the date, so I didn't send it. I saw the invitation to the open house, but it was done at a time where I'm working, so I couldn't go. At no time has anyone called or knocked on my door or introduced themselves to say I'm going to be your new neighbor. When I saw all of this, I wanted you all to know that it has frightened me. I'm

concerned, so I don't want you to think that just those five people that wrote the letter that they're the only people concerned. There are those of us concerned who have not been able to write. I had a property next to my house that was purchased by a faculty person who rented it out for three years. That was a very difficult three years for me as a neighbor. They did things in the property and when I would speak to them about their dog or their music, they were like, hey, you know, I'm paying rent. So when I found out who the owner was and tracked him down and called them to say this is what your renter is doing, I can't use my yard. They have this dog yapping at me and, you know, how to -- she hung up in the face. And that was very difficult to take because my husband just died and I had refinanced the purchase of my house as a single parent, and I wasn't in a position to move. I grew up as a renter in Chicago, and I managed to buy a condo before I left, which enabled me to buy the house here when I moved here, so I know what it's like to be a renter. And when I rented my condo to people who were going to hold it down for me, they cut holes in the wall and they redid my floors, and so I realize it's not good to be an absentee owner because the renters do what they want. And even though the woman here who owned the house next to me, she'd rather hang up in my face as a property owner than address the people who she was renting to who were disrespecting me. So that's my fear about this property. It is -- my property meets theirs. If they do stuff, who do I talk to, and why would they respect me? I'm an elderly person. I can't go and bully them or badass them. I can't do that. I'm just a little old lady trying to take care of her house. And so I feel you all are putting me in a situation that I have no control over, and I want you to know that I'm afraid. And when it's time for my property to be sold, we were improving my property in the hopes that a young family, new family with a new baby, would want to buy our little house, and they want to spend 20-something years there because that's what we did when we bought it. But when they find out that there are transient people coming and going around the corner, I don't know if my house is going to be attractive, so that's another concern because I've invested and I've improved. So you all don't -- I don't feel you all took that into account how -- what works for that family, which is going to be good for them, and their daughter and her seven years of going to University, but how is it going to affect me? So I just wanted you all to know there's another perspective out here.

MS. GEUEA JONES: Thank you, ma'am. Are there any questions for this speaker? Seeing none. Next person to speak on this case, please come forward. I'm looking for movement. There we go.

MS. BERNHARDT: Hello. I'm Deborah Bernhardt, and I live at 2005 Oak Cliff Drive. We are behind the property that's being discussed this evening, and we're in clear eyesight. I mean, we're right there. So my -- I would say my overwhelming objection to allowing this to continue is the fact that we are taking houses within our city of Columbia off of the markets. They're being bought by businesses, corporations, and turned into what we're talking about tonight, which is something that I'm very concerned about. During covid -- (loud microphone noise interrupting speaker.)

MS. GEUEA JONES: I don't know what that was.

MS. BERNHARDT: -- there were numerous homes that -- and, actually, in our neighborhood,

that were bought by corporations, and either we were lucky at that time that individuals did buy the homes, as far as we know. So -- but it seems to be something that is -- if the City of Columbia needs to increase the number of lodging, housing areas for visitors to our -- to our city, that is important, but I'm not sure that it is the best to use short-term rentals within residential areas. I would suggest perhaps looking into perhaps different organizations, companies that offer rooms and they also offer facilities for them to cook, having suites, or, you know, whatever, that perhaps would actually generally more income for the City through having a corporation, a business locate here if that is what's really needed in our community. But to take a home off of the market for perhaps young families here that might want to -- to actually own a home I think is a real consideration. It's difficult enough for our young people to find housing, homes, so that is my point. I think other people address other ideas that I also have, too, but thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you for being here tonight. Next speaker on this case, please come forward. Going once, going twice. All right. We will close public comment on this case and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comment on this case?

MR. STANTON: Well -- Mr. Walters.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: I was just going to suggest maybe you or Anthony -- people who have been on this -- dealt with this issue for several years, provide a little bit of perspective to address a couple of concerns that were brought up. I don't want you, you know, ten minutes or like that, but just to -- to let them know that what the conditions were before STR happened versus what's going on now, and how adjacent property owners can indeed notify the correct authority. So could you just -- I think that would be helpful just if you could put those.

MR. STANTON: Mr. Walters, you did a great job right there.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: My fellow Commissioner is correct. Before this process existed, there -- and probably still are hundreds of short-term rentals that were not regulated at all. At this point, there is a system in place for you to document complaints that will be investigated that could jeopardize whoever is operating in STR's license, and it could be removed. Before then, there was no process. And as we've gone through this for over a year now, we've kind of have witnessed the process working. My two cents on this issue in particular is that we all have a right to use our property to buy -- you know, just imagine someone telling you you can't have a garden in your yard or you can't have a dog of something like that, or you can't rent your house out and you don't live there. I mean, you know, it gets to the private property rights. To address the previous speaker's testimony, there is a need. There used to be something called The Green Book in my -- you know, recent history. And The Green Book allowed people of color to have safe places to stay that were not hotels, that were not, you know, so this Airbnb thing, this short-term rental thing, is -- to me is kind of addressing needs of particular people that a hotel is

not going to fix. It's not going to be acceptable for them to use. They may have family members, they may be here for medical reasons, they -- you know, so this -- this allows the little guy, the guy that just owns the house and wants to, you know, make a couple of dollars on the side while they're not in their home, the chance to make money. Yes, this particular applicant is doing this as a business. I do have concerns with the absentee side of it, and, you know, I'll ponder that as I hear more of my colleagues discuss it, and -- but I also have faith in the system, and I think that the system that is in place now does give the residents the protection that we think will allow those who do good to exist and those who don't do good the market will remove them from -- from the field.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I do applaud the applicant for first applying. This is a rarity. Normally, when we are seeing these cases, it's after it's been an STR for two years. Nobody knew. But in this case, they applicant took counsel, inquired, then bought the property based on information that they ascertained, and I think that was the right thing to do.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Brodsky?

MR. BRODSKY: I just want to echo both my fellow Commissioners' comments. You know, I think for a lot of folks in the audience, this is probably a new thing. We've been seeing these cases for a year and a half now, and I can tell you from -- from the cases that we've seen, you could not ask for a more exemplary short-term rental owner. So I -- I feel good about the applicant and their ability to maintain the property, and the absentee is also -- was initially a concern of mine, as well, but knowing that they have a contracted individual that is going to be coming by every two weeks, and is the listed designated contact if there is a problem gives me -- gives me a lot of comfort, so I plan to support this. But, yeah, that's all I have to say.

MS. GEUEA JONES: Okay. Give me just a minute and then I'll -- okay. I wanted to add to what Commissioner Stanton said. While he does predate me slightly on the Commission and was here when we tried to pass a short-term rental ordinance the first time around, I have the benefit of having been on the Commission throughout the entire creation of what became the short-term rental ordinance, and I can say that a lot of the concerns that were discussed here tonight were discussed at length while we were creating the ordinance. The reason that we have a limit of one license per natural person, the reason that we have, you know, a policy of two -- you know, two verify violations and you're in trouble. The reason that we have a staff that is working overtime right now to find and call in every single illegal short-term rental so that we can get our numbers up are because of how we created this ordinance. Is -- is the hotline up and operational yet, staff?

MR. ORENDORFF: The hotline for the contractor is not up yet at this time. If there are concerns, you would call Office of Neighborhood Services. But I believe, and we discussed this in the work session here a couple of minutes ago, that is coming soon --

MS. GEUEA JONES: Yeah.

MR. ORENDORFF: -- so yeah, right now, call Neighborhood Services.

MS. GEUEA JONES: Yeah. Yeah. But there will very shortly be a 24-hour hotline that is dedicated to short-term rental violations. You know, one of the pieces of correspondence that we got said that the Missourian reported us at 26 percent compliance. That means that 26 percent of the total number of short-term rentals have become licensed. I will tell you from the research we were doing while the ordinance was being created, that is more than double most jurisdictions, which means our system is working. We are finding people in less than 18 months, less than six months after true enforcement when we started hunting them down. We are at that high of a number. That is good, and I think indicates that we will be close to 100 percent by the time we get through the listing. So all that to answer Commissioner Walters' question of from the perspective of the folks that wrote it, where -- where are we at? I will say housing was a huge concern, however, that is why we limited the number that each person can have. Density of turning an entire, you know, residential neighborhood into a de facto hotel is why we have a heightened requirement if you're within 300 feet of another one. We have thought about all of these things. We have a system for addressing them, and, most importantly, we have a system for if they are not good neighbors, there is recourse. There is a place to call. We are taking complaints incredibly seriously. This isn't like when you have a party, a noise complaint, and nobody does anything about it. This is taken very seriously, and I think has been working so far. Commissioner Walters, did you have something else?

MR. WALTERS: Yeah. The only thing I wanted to add was response to Ms. Threat's comment as about being afraid is that perhaps regard -- I don't know how we're going to vote yet tonight, but if should we vote in favor of approval, that those who are affected who live in the neighborhood should contact the Franks -- Kevin Frank and Hilda to ask for contact information directly for them so that, in addition to having the hotline number, that you could call regarding a problem. You might also have a connection -- a direct connection with the owners regarding other issues.

MS. GEUEA: Yes. And I think that is in the information that they sent out to their neighbors.

MR. WALTERS: Yeah. You know, I just hope that they're aware of that.

MS. GEUEA JONES: Yeah. Yeah.

MR. WALTERS: Maybe -- and some of them didn't receive it, perhaps, so --

MS. GEUEA JONES: Yeah. So that -- are there any other Commissioner comments? Are there any other Commissioner comments? Oh, Commissioner Stanton, sorry.

MR. STANTON: I'm very happy that the applicant stayed. It would be a great -- very great idea that you take in this testimony and get ahold of the people that you've heard tonight, especially ones that are sitting right in front of you, it would be wonderful if you really working on being a good neighbor because, as my fellow Commissioners said, our system is up and running, and we're a very active community. And if you don't play the game, we'll throw the flag. So it would be a great idea to get to know your neighbors a little bit better, like, eyeball to eyeball. Great idea. Do you want me to entertain a motion, Madam Chair?

MS. GEUEA JONES: That would be great, Commissioner Stanton.

MR. STANTON: As it relates to Case 331-2025, 1906 Grant Lane, STR conditional use permit -- I will be saying this in the affirmative -- I move to approve the request to STR CUP subject to the following: Maximum of seven transient guests; maximum of 210 nights of annual rental usage; and the use of the two car garage be available when the dwelling is used for STR purposes.

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton; seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr, Ms. Geuea Jones. Motion carries 7-0.

MR. BRODSKY: The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

Case Number 332-2025

A request by Marmar Atilah (agent), on behalf of Marmar Atilah and Hana Shehadeh (owners), to allow 3408 Eastham Drive to be used as a 210-night, maximum eight guest short-term rental (STR) pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The 3-bedroom, 2.5-bathroom dwelling has a driveway capacity to support 4 UDC-compliant on-site parking spaces without use of the attached two-car garage. The 0.22-acre subject is located around 185 feet south of the intersection of Eastham Drive and West Green Meadows Road on the eastern side of Eastham Drive.

Staff report was given by Mr. Kirtis Orendorff of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 3408 Eastham Drive to be operated as a 210 night maximum eight guest STR, notwithstanding the dwelling's location within 300 feet of a registered STR, the history of complaints on the site, and the lack of responsiveness to letters distributed notifying the owner of violation, subject to the following:

1. The maximum occupancy shall not exceed eight transient guests regardless of occupancy allowed by the most recently adopted edition of the International Property Maintenance Code (IPMC);
2. A maximum of 210 nights of annual usage.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with a party to this case outside of the public hearing, please disclose so now. Seeing none. Any questions for staff? Commissioner Wilson?

MS. WILSON: For clarity, when we say two violations are -- make them eligible to lose their license, is this violation that's listed here one -- is that potentially one of those two?

MR. ORENDORFF: By a violation, do you mean the illegal short-term rental operation?

MS. WILSON: Yes.

MR. ORENDORFF: I don't believe so, no. Because they aren't registered yet, so they wouldn't be subject to the criteria of the of the two violations once they get their certificate of compliance.

MS. WILSON: Okay.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: The same question as the last one, and I apologize. I missed that in your other staff report. But the STR at 700 West Green Meadows, is that a licensed and registered?

MR. ORENDORFF: Give me just a second.

MR. BRODSKY: I didn't see that in the staff report.

MR. ORENDORFF: I will double-check. Again, one second. I will look for that. If there's any other questions that we can queue up, as well. I apologize. It was registered. On the slide, it said it was registered and known as a STR.

MS. GEUEA JONES: Thank you. Do you know when David pulled the listings?

MR. ORENDORFF: I don't know the exact date, but he did provide all the materials for presentation yesterday.

MS. GEUEA JONES: Okay. I'm just not seeing them on either the VRBO or Airbnb. So I believe that they were there when you put them in the staff report, I'm just trying to figure out. But I can ask the applicant, as well.

MR. ORENDORFF: Sure. Understood.

MS. GEUEA JONES: Any other questions? Commissioner Walters?

MR. WALTERS: Yes. I had a question. You mentioned four e-mails in opposition?

MR. ORENDORFF: Uh-huh.

MR. WALTERS: Do we have the four here? I only see one.

MR. ORENDORFF: They may have been included in the supplemental e-mail that goes out when we receive them after --

MR. WALTERS: Any printed copies --

MR. ORENDORFF: There shouldn't have been any printed copies.

MR. WALTERS: Except the one from Ms. Kempker?

MR. ORENDORFF: I believe so.

MR. WALTERS: Okay. All right. Thank you.

MS. ORTIZ: May I --

MS. GEUEA JONES: Yes. Sorry. Go ahead, Commissioner Ortiz?

MS. ORTIZ: We do have one printed.

MR. WALTERS: Yeah. Ms. Kempker's yeah.

MS. ORTIZ: Okay. But there is some attached, too, to the agenda.

MR. WALTERS: Okay. Thank you.

MS. ORTIZ: Six pages. Sorry. The online agenda.

MR. WALTERS: On the online. Okay.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will go to public comment. Will the first member of the public to speak on this case please come forward? One at a

time, yeah. Hi. I assume you're the applicant?

MS. SHEHADEH: Both of us, yeah.

MS. GEUEA JONES: Okay. Do you want six minutes or three minutes, because one of you can have six and one of you can have three.

MS. SHEHADEH: I'll have the three.

MS. GEUEA JONES: Okay. Go ahead when you're ready, name and address for the record?

MS. SHEHADEH: My name is Hana Shehadeh, and I live at 5304 East Tayside Circle, here in Columbia.

MS. GEUEA JONES: Okay. Go ahead.

MS. SHEHADEH: So just a little bit of background on how we acquired the property. It was our first family home. We bought it in 2019. I was pregnant with my first son. We bought the house. Obviously, we were living in an apartment. We needed a home and so we bought that, lived in it for about -- (inaudible)-- years, I believe. And then we had my second child. We needed to upsize, of course, with kids and whatnot, more space, and so we acquired a bigger property, and my in-laws stayed in the 3408 Eastham property, and we live right around the corner, so down near The Highlands.

MS. GEUEA JONES: Okay. That's fine.

MS. SHEHADEH: Obviously, very nervous.

MS. GEUEA JONES: You are just fine.

MS. SHEHADEH: Yeah. So --

MS. GEUEA JONES: So why don't we ask you some questions?

MS. SHEHADEH: Please, yes. That would make this a lot easier.

MS. GEUEA JONES: Are there any questions? Commissioner Ortiz?

MS. ORTIZ: If you live right around the corner, why are there so many violations when it comes to the trash and the car blocking the right-of-way, and the weeds?

MS. SHEHADEH: Like the weeds from the --

MS. ORTIZ: Yeah. Like --

MS. SHEHADEH: -- not marijuana or nothing?

MS. ORTIZ: No. Well, like lawn-care management.

MS. SHEHADEH: I know that a couple of times with the lawn care, so my father-in-law is a handyman, and he's the one who keeps up with all the property, like inside and outside, does a lot of the work and the landscaping and whatnot. Just I'm not sure on, like, specific dates, but I do know that a couple of times it was, like, raining, or the grass was too wet, and so it go by, you know, quite a bit of time before we could cut it. There was a couple of times where we were out of town, which I think one of the times I do remember where we did get some kind of complaint about, you know, the grass being too long. Anytime that we are out of town, if that did come up after the fact, whether it's this house or even like our current home, if we're every out of town now, we just -- we end up hiring somebody to do it so that we're not letting it grow out that long. We don't like the look of that either, so --

MS. GEUEA JONES: Mr. Stanton?

MR. STANTON: I'm going to kind of follow up on that. So you're nervous, so I'm not going to be --

MS. SHEHADEH: You're fine.

MR. STANTON: I'm going to be a little more gentle, but not really. I'm concerned about the violations because you play how you practice. So if you're not doing it now, and I don't know what kind of neighbors there are, but, like, it really takes somebody unless, you know, you don't live in an area where they have the neighborhood patrol where they're just patrolling your neighborhood seeing if you've got grass cut or not. It -- it probably takes a lot for your neighbor to call and say, man, I can't take this anymore, I need to -- I need to say something about this grass. So convince me, because right now you're on the bubble in my head. Convince me why should I vote yes for your short-term rental when your practice has been less than -- you know, you heard the speech about being a good neighbor.

MS. SHEHADEH: Sure.

MR. STANTON: Convince me. My father-in-law, like I mentioned, is a handyman and he's the one who upkeeps with everything. He is actually going to be staying in the property when -- and has been, on and off, when the home is not being rented out. And so with that being actively there more often, he's been staying with us for a little bit of time. I have a nine-month-old, so he was staying in the house because it was wintertime, we didn't know when I was going to have the last kid I had, the third one. And so with that being actively present, being, you know, whether it's being there all the time when we don't have anybody staying there, or passing by the property just making it more of a regular, you know, thing, where we're passing by often enough or he's passing by often enough, just to keep up with it.

MR. STANTON: Well, wasn't he there when the violations occurred?

MS. SHEHADEH: What was that?

MR. STANTON: Was he there when the violations occurred?

MS. SHEHADEH: I don't believe so, no. That's what I'm saying. And my husband can probably answer that better than I can, just because they're the ones who coordinate, but I don't believe so. I do recall there were a couple of times where the grass was wet. He refuses to cut it when it's wet because it gets muddy and whatnot. He's a perfectionist, so --

MR. STANTON: Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Mr. Brodsky?

MR. BRODSKY: So you were sent a letter on June 27th, you were sent a letter on July 30th, and then a violation notice in September. What gives?

MS. SHEHADEH: So I don't -- I mean, I didn't see those letters. I don't know if my husband did. We both work full time, too, so, I mean, things get lost in the -- you know, in the mix of things. I can say that I didn't see them, so I can't speak to that. I'll let him speak to whether he saw them or not, and that's just an honest --

MR. ATAILAH: (Inaudible.)

MS. GEUEA JONES: We'll give you, I promise.

MS. SHEHADEH: Wait your turn. So I'll let him kind of speak to that, but that's -- that's my honest answer. I don't want to try to BS or --

MS. GEUEA JONES: You were living in the house in 2003 -- or 2023?

MS. SHEHADEH: 2019, 2020, and '22 is when we moved out.

MR. ATAILAH: Yeah.

MS. SHEHADEH: Yeah. '22 is when we moved out.

MS. GEUEA JONES: Okay. Okay. It looks like that you started operating as a short-term rental in 2024, and it is totally okay, just so you know --

MS. SHEHADEH: Yeah.

MS. GEUEA JONES: -- for you to say these are better asked of my husband. If you don't know the answer, it's fully okay.

MS. SHEHADEH: That's what I'm saying. I thought that I would go first just to get out, like, the intro part of it.

MS. GEUEA JONES: Got it.

MS. SHEHADEH: He could speak to more to, like, the logistics of things.

MS. GEUEA JONES: We can bother him about the logistics, if that's what you want us to do.

MS. SHEHADEH: Sure. Yes, please.

MS. GEUEA JONES: Okay. We can do that.

MS. SHEHADEH: But, yes. So we lived -- we lived in the home from 2019 up until 2022. That I can guarantee, because I had my daughter and we stayed there for about a few months after that, so --

MS. GEUEA JONES: Presumably, you know how old your daughter is?

MS. SHEHADEH: Yeah. She's four, so --

MS. GEUEA JONES: Thank you very much for being here tonight. Any other questions before we switch? Thank you very much for being here tonight. Mr. Atailah?

MR. ATAILAH: Yes.

MR. STANTON: State your name and address again.

MS. GEUEA JONES: Yeah.

MR. ATAILAH: Good evening. Marmar Atailah; I live at 5304 East Tayside Circle here in town.

MS. GEUEA JONES: And you can move that microphone, so you don't have to --

MR. ATAILAH: Yeah. It's a little short for me.

MS. GEUEA JONES: Yes.

MR. ATAILAH: Thank you. So I'll address the, I guess, lawn care violation. We did receive one. Since then, I haven't received any. I did hire somebody to professionally cut the grass, as well, just so we're -- we're taking care of that and that never happens again, even if my father is not available and can't do it, because I just -- you know, that's -- we run a professional business. We want to have it done professionally, so we do have a -- we also do have a manager that manages the property, so -- and

she is in charge. Like, she is a super host, that's why I hired her, and she's great at communication. She also lives in town very close, so we're both available. And, like, my wife, Hana, said, we are -- like my family still stays there, so we are, like, in the property a lot, which is why we chose to do a short-term rental, because we keep the property -- you know, I mean, we replaced the roof, we replaced the water heater, we built a fence. We -- you know, we take care of the property like we still live in it, basically. And -- and the -- that's the only violation that I know of that I have received. I did receive a courtesy call about the odor, but it was two days later and it was just to inform me that it was discontinued and nothing was reported or drawn. So when I see that, that was very surprising to me that it was even brought up because it wasn't really -- and I asked if it was, like, was it from the street, was it coming from the house, because I do run a pretty strict business and regulations when it comes to that, and I hold it very high standards for my guests. So -- so that's the only thing I'm aware of. And they told me this was just courtesy call. We don't have any -- you know, have any concerns. And my concern was, I was, like, why didn't you guys call me sooner, I would have, you know, taken more action and I did reach out. I didn't get anything. I inspected the house; I didn't find anything. And, you know, I usually -- we're in there right away. So I -- that's the only thing I know of as far as the property goes. About the letters we did receive, the only -- the only -- the last letter we saw and I was -- you know, like, we just kind of let the property manager handle this stuff, and we didn't get, like, she didn't get a letter at all, which she was listed when I went to talk to Neighborhood Services, when I applied, and they mentioned her and they even sent her the -- they said she's supposed to be court, as well, and she didn't even receive that letter, so I don't know what happened there.

MS. GEUEA JONES: Anything else? If not, we'll go to questions. Okay. Commissioner Brodsky, and then Commissioner Stanton?

MR. BRODSKY: So I'm assuming you received the notice in September. How did you receive that notice?

MR. ATAILAH: Well, I -- that, I did receive the notice, so it was -- we were gone, I think. It was in our mail. We received that notice. My dad had kept it in a pile, and when we got back, I was traveling, and I got back and it was just in a pile of our mail, but I did not -- otherwise, I wasn't even aware really of, like, the -- I came in person as soon as I saw the notice, and maybe -- or David can tell you because I talked to him directly that day. And I was, like, hey, you know, I want to do this, you know, obviously why I'm here, but, you know, again, this -- I don't know where these, like, violations and things came up, but I did not -- as soon as I saw that, I took -- you know, took action right away. And like -- like Hana said, I mean, it's our first home and we take care of it because we plan to keep it forever when our kids, like, go to Mizzou and keep that house. Like -- and we have good -- really good relationships with our, like, next-door neighbors. Typically, I mean, they've -- we're in touch, when -- like, we text, you know. Like I bought stuff, even like I was working on fixing the sidewalk, and I talked to the City about that and was trying to get them -- and I asked them if they wanted to get fixed, and I was going to do their side as well, like, my guy was there fixing it. You know, so I have that open communication. I'm not a --

you know -- I really try to be a responsible neighbor as much possible, and the fact that I live, like, down the street, as well. I mean, I can always be there right away, so --

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Are you a soccer guy or a baseball guy?

MR. ATAILAH: I actually played basketball for MACC.

MR. STANTON: Okay. We're in the -- we're in the last five seconds of the game.

MR. ATAILAH: Okay. Right. Right.

MR. STANTON: And you're at the free-throw line.

MR. ATAILAH: I see that. I see that.

MR. STANTON: And this is the winning free throw or you lose the game. Okay?

MR. ATAILAH: Okay. Okay.

MR. STANTON: That's me. That's where my head is at.

MR. ATAILAH: Got you. Got you. So also --

MR. STANTON: Let me -- let me finish.

MR. ATAILAH: Sorry. My apologies.

MR. STANTON: So like I told your wife, I feel you practice how you play.

MR. ATAILAH: Absolutely.

MR. STANTON: You have a number of violations.

MR. ATAILAH: Uh-huh.

MR. STANTON: Your response was either I'm out of town or I didn't get it. So, to me, I'm, like, yeah, I grant you this opportunity as a business.

MR. ATAILAH: Yes, sir.

MR. STANTON: How am I not going to hear those same things? I mean, you know what I mean, because I'm looking at your neighbors, I've read the complaints. I'm, like, how can I look your neighbors in the eye and say, well, this guy is showing a track record of this.

MR. ATAILAH: Right.

MR. STANTON: But how can I look your neighbors in the face and vote yes and not feel a way about it?

MR. ATAILAH: Well, just to correct --

MR. STANTON: I'll give you the ball.

MR. ATAILAH: Yes, sir. Just a correction. I did receive -- I did receive the lawn violation and I received the courtesy call, but since then, I've taken care of it.

MR. STANTON: I'm more concerned with the STR letters.

MR. ATAILAH: Right. I -- honestly, like I said, I -- I depend on -- fully on Jessica, and she's -- she's responsible to be in the court, as well. And I -- I -- you know, I hired her because of this reason right here, and we had a talk about, you know, what could have happened. Could they have sent it to the wrong address? What happened there? But obviously, I'm here taking action because I want to -- I

want to show you guys that I'm responsible and I can take care of business myself. But also, like I said, I mean, we are a family and we try to run the business. You know, at first, we were honestly just trying it out, we weren't really trying to be, you know, of this -- you know, I guess hold the ball that high, but obviously we do now, and we are taking full action in terms of professionally hiring people to take care of the property, cleaners, you know, making sure that we -- any concerns. And the other thing that I think we had such open communication, we thought, with our neighbors that they could reach out to us directly, and we made that very clear. And that was kind of like the point where we felt like they could absolutely text us or call us. We even reached out, as well. And there was no concerns that were, like, you know, sent to us directly. And that's -- that's really it. I mean, you know, anything else that we could have done better, we basically have taken care of, and that's why we're here and that's why we want it -- we wanted to go around to the neighbors, so Jessica had walked around and gave the neighborhood her contact information -- knocked on the doors, made sure she introduced herself, gave her contact info, as well, and that -- you know, just to make sure that they also have her contact in case anything comes up for concerns. And so, as you see, we are taking the steps to be responsible and take this a lot, you know, seriously, and, you know, if you guys -- if you guys are sending violations, I would hope it comes to me directly or, you know, to Hana. But like I said, I honestly, like, with the letters, I don't know what happened. I did -- like I said, the violation, I did, and I got a call for -- the courtesy call for the marijuana deal. But I took -- took care of that right away. I, you know, went there, talked to them, nothing was going on, and they said it was discontinued right away, we just want to let you know. That was what I got. So I didn't take it as anything serious because it wasn't is what I was -- the message was conveyed from Neighborhood Services as nothing to be concerned about, we just wanted to let you know that there was a complaint, but I said, hey, anybody can complain. I want to make sure it's verifiable. Right? And they couldn't, because they were, like, there wasn't a police report, nothing was going on at the time. Right?

MR. STANTON: So I'm concerned with the tiers of communication.

MR. ATAILAH: Uh-huh. Uh-huh.

MR. STANTON: You say, well, my manager, my this, so I got that. I got this. I didn't get it because my manager didn't get it to me. This is concerning me, because like I've said it in the previous testimony --

MR. ATAILAH: Right.

MR. STANTON: -- for this to be successful in Columbia, you have to be a good neighbor and I need you -- I don't want to say hands-on because you don't have to, but your business ecosystem needs to be responsive.

MR. ATAILAH: Right.

MR. STANTON: Pop, pop, pop. It needs to be responsive to the person and the question I've asked -- I've already asked you. If the stuff hits the fan --

MR. ATAILAH: Right.

MR. STANTON: -- who am I calling and how fast are they going to get there?

MR. ATAILAH: Right.

MR. STANTON: It needs to be pop -- correspondence, response --

MR. ATAILAH: Yeah. I'm right there.

MR. STANTON: -- lawn, you know what I mean?

MR. ATAILAH: Yeah.

MR. STANTON: Because your track record is shady right now.

MR. ATAILAH: I mean, it's -- like I said, I got one violation. I took care of it right away and it's taken care of. It's never come up again.

MR. STANTON: Well, we have two or so letters to get you on board for the STR. That's kind of where I'm at.

MR. ATAILAH: Okay.

MR. STANTON: So -- and I don't want it going back and forth.

MR. ATAILAH: That's okay.

MR. STANTON: Convince me that your line of communication is crisp.

MR. ATAILAH: Right.

MR. STANTON: I don't want to have to send you three letters. I don't want to have to call you four or five times. I want to know -- convince me that your line of communication and your ecosystem is ready to go and you're ready to be a good STR host.

MR. ATAILAH: Sure. Yeah. Yeah. You have every right to. So like I said, I have everything professionally handled now. I'm moving forward, you know. Jessica is a super host, and she -- I trust her communication abilities 100 percent. She's always -- anything that comes up, she's always right away called me or texted me or reached out to me, and I haven't -- she has my dad's number, as well, who does not work. He's always available, so if anything happens, he can be right there. And so both of us are available if anything comes up. I made sure that, you know, both she had -- she went to every neighbor and gave them her contact information for that particular reason, not particularly on the door, and I'm, again, open to having that, as well as, like, professionally having an actual, like, website, to send to people to have it -- to have all my contact information on there if they need anything. All of that is, you know, in motion. So I want to make sure that anybody that has an concerns or comments or anything that comes up that, you know, we get it right away, and then we're right there on the doorstep and we're in the property so often that I don't feel like -- you know, like these things are amiss, like, if there's a letter or anything like that, we -- we check the mail regularly. We check everything. We're on top of it. And like I said, I mean, there's been times where like there's two or three weeks that there's nobody at the property, but my family goes and stays there. Like, I still have the closets locked up, you know. So it's not like they completely are out of the property. So we are -- like, we have, you know, somebody there I want to say almost at all times.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: Okay. So you've mentioned a lot of people and I think it would be helpful for all of us, or at least for me, so there's you, the owner, your wife, Hana, the designated agent?

MR. ATAILAH: Yeah. Leave Hana out of it. Me and the designated agent, yes. Just those two.

MS. ORTIZ: Okay. Because on the application, it does say Hana is the designated agent, but you're referring to Jessica.

MR. ATAILAH: Hana is not the designated agent. She's the owner of the property.

MS. ORTIZ: The application says otherwise. Application says designated agent is Hana, and it has her address on here.

MR. ATAILAH: I mean, I did not --

MS. ORTIZ: So the designated agent would be Jessica?

MR. ATAILAH: It would be the person that you would call right away?

MS. ORTIZ: Yes.

MR. ATAILAH: Yes.

MR. ATAILAH: Yeah. Yeah. So if you -- if you would have the person that would call right away on the property --

MS. GEUEA JONES: That's Hana.

MR. ATAILAH: Designated agent, sorry. Not the manager.

MS. ORTIZ: No. So we don't see a manager --

MR. ATAILAH: No. No. No. I know. But you -- sorry. So that confused me. When I went to neighborhood services, they mentioned Jessica as, like, the person that they reached out to, and I was very confused of why they did that. So if somebody like -- like you guys were to call me or Hana, is that what you're asking?

MS. ORTIZ: Yeah.

MR. ATAILAH: Yes. Yes. Yes.

MS. ORTIZ: Okay. Okay. Cool. I just wanted to, like, make sure because I've heard also your father-in-law is involved. Like he --

MR. ATAILAH: No.

MS. ORTIZ: Okay.

MR. ATAILAH: Uh-uh.

MS. ORTIZ: He just lives nearby?

MR. ATAILAH: He just -- yeah. Maintenance, yeah.

MS. ORTIZ: Okay. I think that clears it up for me. Thank you.

MR. ATAILAH: Uh-huh.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: For clarity, and by the way, as a person who has also received multiple letters about violation, and I did not get the first letters, but I did get a subsequent, I totally get it. I don't see that

as a big deal because it has happened to me.

MR. ATAILAH: Thank you.

MS. WILSON: I do have a question, though. When you did receive the letter, where did you receive the letter? Was that at your personal residence? Was it at the STR? Where did the letter go?

MR. ATAILAH: Personal residence.

MS. WILSON: Okay. Thanks.

MR. ATAILAH: Yeah. Not the --

MS. GEUEA JONES: Anyone else? Commissioner Walters?

MR. WALTERS: I had a question -- two quick questions. One, do you have a video camera facing the street from the house?

MR. ATAILAH: I do.

MR. WALTERS: Secondly, the prior applicant who owned the property at Grant Lane we were just looking at --

MR. ATAILAH: Uh-huh.

MR. WALTERS: -- I'm looking at the assessor's website, which lists the contact address. They had listed their address in Chesterfield. On your home for this -- for this property at 3408 Eastham, it has -- that's you -- your address. It lists you as the owner. Perhaps you could consider -- I don't know if this is feasible -- to make sure that the contact information here is at your current address where you live.

MR. ATAILAH: Yeah. Yeah. Absolutely.

MR. WALTERS: That may have contributed to this communication where mailings go.

MR. ATAILAH: Absolutely. Absolutely. And I think we cleared that out with David when I came in, and that's what it was, I think.

MR. WALTERS: Again, I may be misinformed, but you might contact the assessor's office to see if you could make a correction to the record here.

MR. ATAILAH: Absolutely. I could do that.

MS. GEUEA JONES: So I've got a couple of questions. When you say Jessica just not as a determiner of how I'm going to vote, but just for information. Is that Jessie Yanke that you're talking about?

MR. ATAILAH: Simpson.

MS. GEUEA JONES: Simpson. Okay. Just we've got a couple of managers here in town that manage a lot of property.

MR. ATAILAH: She is also a realtor and, yeah, she knows the --

MS. GEUEA JONES: Yeah. Yeah. I'm a little concerned that -- that she is -- it sounds like maybe the better communication will happen now that we've got the actual application and the licensure, and Hana and you are the ones that are listed, and not her. And her managing your listings is one thing, but managing the property is what you do?

MR. ATAILAH: Correct. Correct.

MS. GEUEA JONES: Yeah. With that, do you know, did she take down the VRBO and the Airbnb listings in the last week or so; do you know?

MR. ATAILAH: I believe so.

MS. GEUEA JONES: Okay.

MR. ATAILAH: I believe so, yes.

MS. GEUEA JONES: So she did take them down?

MR. ATAILAH: I believe so.

MS. GEUEA JONES: Okay. All right.

MR. ATAILAH: Uh-huh.

MS. GEUEA JONES: I'm just asking because sometimes we like to just go and see, like, oh, you know, what does the inside of the property look like. What is your listing? So we appreciate that.

MR. ATAILAH: I can show you pictures.

MS. GEUEA JONES: Oh, yeah. It's totally fine. It's not a requirement. Staff provides us the listing links if they find them, and both of these are dead. So I just wanted to make sure we weren't missing something. She did take them down.

MR. ATAILAH: Right.

MS. GEUEA JONES: Yeah. Okay. That's -- that's totally fine.

MR. ATAILAH: We're just on an approval, I'm just --

MS. GEUEA JONES: You're not in trouble.

MR. ATAILAH: trying to be, you know -- (inaudible).

MS. GEUEA JONES: No. I get it. I get it. Very good. Well, any other questions for this applicant? Seeing none. Thank you for being here tonight. We appreciate it.

MR. ATAILAH: Thank you, guys.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward. Name and address for the record, please?

MS. DEVINE: Pat Devine. My husband, Mike, and I live at 3416 Eastham Drive, two doors down from the proposed short-term rental.

MS. GEUEA JONES: Go ahead.

MS. DEVINE: Okay. Thank you for allowing me to voice my concerns regarding this conditional use permit. To address these issues, I'll respond to the owner's answers from the conditional use permit application. Under the general conditional use permit review criteria F, the proposed conditional use will not cause significant adverse impacts to surrounding properties. The owners answered no, it will not cause any impact to surrounding properties. Now, it's premature to state no impact to surrounding properties because if the short-term rental is not properly maintained, allows rowdy renters, the trash is not curbed, allows too many guests, this could result in lower property values for nearby neighbors and loss of our quiet neighborhood. Under the specific short-term rental conditional use permit criteria, B, whether or not there are established short-term rentals within 300 feet of the proposed short-term rental,

the owners answered no. The truth is yes, there is an established legal short-term rental 280 feet from this property. And as a precedent, the City Council denied a short-term rental within 300 feet of another legal short term rental back in July of this year. C, whether the proposed registrant has previously operated a short-term rental and if such operation has resulted in history of complaints, a denied short-term rental certificate of compliance or revocation of an issued short-term certificate of compliance. The owners answer, never. Perhaps the owner has not operated an Airbnb in the past, but they have been operating this one illegally since November of 2024. The property was offered for 90 days and booked for 30 nights. Letters of violation of the law were sent June 27th and July 30th to the owners and ignored. It wasn't until the prosecuting attorney sent a letter September 5th that they applied for the conditional use permit. A hearing before the municipal court has been scheduled for November the 12th. Per the City's short-term rental ordinance 11, rental platform identification states it shall be unlawful to list a short-term rental on any website or other media without first obtaining a short-term rental certificate of compliance with the City. This house, 3408 Eastham Drive, was listed on Airbnb and VRBO since November of 2024. These listings have since been deleted, but the house is still being rented even last night. E, whether there is support for the establishment of the proposed short-term rental for the neighboring property owners. Owner's answer, yes. The truth is no, there have been no letters of support, but four letters in opposition, plus Mike and I. We didn't learn 3408 Eastham Drive was being considered as a short-term rental until we received the notice from the City 10/20 of '25. We suspected something was unusual because we never saw the owners, the transient people in the house, the unkept yard, the mattress on the front porch for over a month, the trash roll cart not being retrieved, cars blocking the sidewalk, et cetera. Considering the owners of 3408 Eastham Drive have been referred to the City Prosecutor for prosecution for operating an illegal short-term rental, despite receiving two letters of violations, which they ignored, they never notified the neighbors of their plan for a short-term rental and there's another legal short-term rental within 300 feet of the house, it's obvious that the owners are not acting in good faith to operate a short-term rental legally. Since June 1st of 2024, Columbia has had an ordinance in place regulating short-term rentals requiring specific and general criteria in order to be legal and these owners have abused the law since November of 2024. The question I propose: What's the point in having an ordinance with specific rules regarding short-term rentals if they're not going to be enforced?

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Commissioner Brodsky?

MR. BRODSKY: I'm curious. You mentioned that you believe it was rented out on a short-term basis as recently as last night?

MS. DEVINE: Yes.

MR. BRODSKY: Do you have any evidence or any other neighbors here that could corroborate that?

MS. DEVINE: I didn't take a picture of the white car in the driveway, but if I had known that was

an issue, I would have.

MR. BRODSKY: Perhaps your husband can corroborate that.

MS. DEVINE: Yes.

MR. DEVINE: Yes. We both saw -- (inaudible).

MS. GEUEA JONES: Any other questions? Commissioner Wilson?

MS. WILSON: They did mention that the father is there from time to time. Do you know the father?

MS. DEVINE: I've seen him doing yard work before.

MS. WILSON: And so you're sure that it was not him?

MS. DEVINE: I don't believe so. I didn't -- I didn't see the person, I saw the white car in the -- my -- another neighbor mentioned it to me, also.

MS. WILSON: Thank you.

MS. DEVINE: Sure.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for being here tonight.

MS. DEVINE: Thank you for having me.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward.

MS. DOKKEN: Dee Dokken, 804 Again Street. I'm more concerned with staff acting like the 300-foot thing is not an issue. It's not a traffic issue, because my understanding was the 300 feet is more about density, and how many holes are put in a neighborhood. So I just think the traffic issue, it might be a mitigating factor that that could be mentioned, but I don't -- it seemed to me that the report disregards the -- acts like it's not an issue, and it is.

MS. GEUEA JONES: Thank you. Any questions for Dee tonight? Commissioner Stanton?

MR. STANTON: I have a question, Madam Chair. Is the other short term rental legal?

MS. GEUEA JONES: Yes.

MR. STANTON: Is it a registered --

MS. GEUEA JONES: Yes. Yeah.

MR. STANTON: Okay. It is a registered --

MS. GEUEA JONES: It is registered. Yeah.

MR. STANTON: Okay.

MS. GEUEA JONES: Any other member of the public to speak on this case, please come forward.

MR. MUSCATO: My name is Joe Muscato; I'm at 607 Randy Lane. I was actually here for another case, but I -- I happen to notice that this property backs up to Beth Shalom Synagogue. There's a playground with children. It's about 200 feet. So I just had a question whether there's a fence back there, or I'm concerned about loud parties on a weekend, and the weekends are the same time that sometimes kids are playing in the playground at Beth Shalom, so I don't know if there are any regulations involving proximity to playgrounds, churches, and so on -- or synagogues. So that was my question,

so --

MS. GEUEA JONES: I'm not sure about the screening. Would any member of staff like to address that, Jesse?

MR. CRAIG: As it relates to playgrounds, no, there -- there are not. But the -- in the ordinance, there is a prohibition against parties.

MR. MUSCATO: Okay. So --

MR. CRAIG: So there would be a route through -- to enforcement.

MR. MUSCATO: Okay. So that's part of it, too.

MR. CRAIG: Yeah. So there is a prohibition against -- against parties, so --

MR. MUSCATO: Yeah.

MS. GEUEA JONES: Any questions? Seeing none. Thank you. Any other member of the public to speak on this case tonight? Seeing none. If my fellow Commissioners do not object, I had a couple of other questions for the applicant. Is that okay if we bring him back up?

MR. STANTON: Yeah. They've been -- there has been accusations levied against him. I think they need to be able to defend themselves.

MS. GEUEA JONES: Yeah. And -- all right. Would you like to come back up, please, Mr. Atailah? And you will have to state your name and address for the record again. I apologize.

PUBLIC HEARING REOPENED

MR. ATAILAH: Sure. No problem. I'm Marmar Atailah; I live at 5304 East Tayside Circle.

MS. GEUEA JONES: Commissioner Brodsky, I believe, had a question, and then I had one for you, as well.

MR. ATAILAH: Go ahead.

MR. BRODSKY: Just curious about the -- it seems there might have been a short-term rental very recent. Can you help us understand that a little better?

MR. ATAILAH: Yes. So that was booked, like, way in advance, and I just honored it. It was just being fully transparent with you guys. That's all. There is nothing to add.

MS. GEUEA JONES: Okay. And then my question was it seemed like the -- some of the correspondence, you're doing what we call mid-term rentals, which is more than 30 days. Do you have a long-term rental certificate on the property, as well?

MR. ATAILAH: I'm not doing long term. What are you talking about? Sorry.

MS. GEUEA JONES: Well, if you rent to someone for six weeks because they're in town doing construction, for example, or nursing or something like that --

MR. ATAILAH: I have not at that place.

MS. GEUEA JONES: Okay. You have not.

MR. ATAILAH: No. No.

MS. GEUEA JONES: Okay. Okay. Some of the stuff that we saw from the correspondence made it seem like you were, but you're not doing that?

MR. ATAILAH: No.

MS. GEUEA JONES: Okay. Because that's just a different licensure, so --

MS. ATAILAH: Yes, I understand.

MS. GEUEA JONES: Yeah. Do you have a long-term rental license on this?

MR. ATAILAH: I don't believe so.

MS. GEUEA JONES: Okay. Just for information that may be useful in the future, you can have both.

MR. ATAILAH: I -- oh. Okay. That's good to know. I didn't know if I can have -- okay.

MS. GEUEA JONES: Yeah. Yeah. Yeah. You can have both, and you can go back and forth without notifying the City, as long as you have both and they're both active.

MR. ATAILAH: Okay. And for the record, it is fenced in the back.

MS. GEUEA JONES: Oh, it is fenced in back. Okay. Thank you. Appreciate that.

MR. ATAILAH: Yeah.

MS. GEUEA JONES: Since we have you, any --

MR. ATAILAH: Sorry. I just had one more thing.

MS. GEUEA JONES: No. Go ahead. Yeah.

MR. ATAILAH: On the application when I did it, I did it with David. And when he looked at the properties, I don't think that property was either approved yet, or he just missed it. And I do have an e-mail to prove this if I need to. So it wasn't just a -- you know, I don't want you guys to think I'm just, you know, answering no on something that I didn't know. We did -- I did -- he did pull up the map and it wasn't on there. And, actually, my question for him was, and I don't know how you guys do it, but it looked like it was just measured, like, you know, like across the line, not door to door, which I think is also another thing, because they're completely different streets. And there is actually several entrances to that street, you know, outside of Brookline, too. Just -- just curious on the criteria, as well.

MS. GEUEA JONES: It is property line to property line, like, you can see on the map, on the screen right now, which is -- is --

MR. ATAILAH: There is a property in the way, too; you know what I mean?

MS. GEUEA JONES: Yeah. Yeah. No. I get it.

MR. ATAILAH: I was just curious. That's all. I'm not -- I'm not trying to manipulate --

MS. GEUEA JONES: It -- we call it as the crow flies, so, you know, it is anything if you draw a circle that you drop around your property, anything that falls within that circle of 300 feet, but I understand what you're saying, yeah. If you drove the street, it's more than 200 feet.

MR. ATAILAH: Yeah. It wouldn't be 200 feet for sure.

MS. GEUEA JONES: Yeah. Yeah.

MR. ATAILAH: That's all it is.

MS. GEUEA JONES: Anything final for the applicant since we brought you back up? Thank you so much.

MR. ATAILAH: You're welcome. Thank you, guys.

MS. GEUEA JONES: Okay. If there's any other member of the public who wishes to speak tonight, please stand now and come forward. Seeing none. We will close public comment and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments on this case? Commissioner Brodsky?

MR. BRODSKY: I'll start us off. I have -- I mean, I'm struggling with this one quite a bit. You know, any one of these things, the violations, the missed -- you know, missed opportunities to get this thing licensed, the 300 feet. I'm a little bummed that you rented that out recently, especially knowing that you, you know, had a letter from a prosecutor. I -- I think I'm a no vote on this one.

MS. GEUEA JONES: Commissioner Darr?

MR. DARR: I'll just echo what Commissioner Brodsky said. I'm -- there's enough here that I -- I don't think I feel comfortable, you know. It's nothing says that we have to vote yes just because they meet technical compliance now, so I think I am a no.

MS. GEUEA JONES: Anybody else? Commissioner Ortiz?

MS. ORTIZ: I'll just add, in addition, I agree with the two Commissioners who spoke before me, but this is a great example of why having these conditional use permit cases is so important because each -- each property really is different, and so I think this is a testament that this process is working. And if you feel discouraged by this process, there's a reason why you can come here and speak up.

MS. GEUEA JONES: Anyone else? Commissioner Stanton?

MR. STANTON: Madam Chair, I had a question. So if we do not grant this permit at this time, the applicant could reapply within -- automatically?

MS. GEUEA JONES: Any time. Yeah.

MR. STANTON: They can reapply automatically and hope -- you know, I'm not saying -- I don't know, but I'm just saying if it doesn't work out, if it were me, I would get my whole line together if you don't get it this time. So I just wanted to understand the process, Madam Chair.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: Yeah. I usually wind up being the contrarian, and -- and I agree with what's been said. I just -- this just seems like a perfect storm of things, and I totally get it as a person who this has happened to. So even though it is a struggle, I still think that my vote is positive, and as I've always said, I would uphold this for anyone in the same position. You never know when something is going to happen in your life and you're going to need to use your home as a source of revenue. So I -- that's one of the reasons why I support why we do this, and I will support it.

MS. GEUEA JONES: I'm struggling, you know. I -- I think that perfect storm is the exact right phrase. There's -- there's a lot of little things here that can be explained away individually one at a time, but they add up. And -- and I strongly suspect that, as Commissioner Walters, at some point, indicated, it -- it's probably that the notices were being mailed to the short-term rental. And I have myself been in a

situation where 90 percent of my yard wasn't growing at all, but the part right around the mailbox was getting super tall, and I got a notice violation. And I was, like, why am I getting a notice violation, the yard is short. So, I mean, if you get one neighbor that's a lawn loving, it has to be perfect, all the weeds pulled kind of person, all of these yard violations where it sounds definitely in the same year, we know that part, and it sounds like maybe all within the same six-week period. I don't know what the dates of violations are, but it's not like they mowed the yard, then they let it grow up to two feet tall and then they mowed the yard, and then they let it grow, you know. It -- it doesn't sound like that was the situation. It sounds like the blocking of the street and sidewalk happened while they were in the middle of moving, just based on the dates or -- or in the middle of renovating or something, but it was before it was listed as a short-term rental, certainly. And I think that, you know, it's none of my business, and this is my personal opinion, I think they have a bad manager that was not communicating in the way they should have been, and -- and that led to some frustrations or something and -- with the neighbors and such. And I want to give them a chance because I think that they, for all these complaints, they're not -- they're not what we've heard from some other folks where it's every year we're having to have the same conversation. Every time we turn around, they've got another, you know, 12 people throwing a party and we have to go pick up the trash out of the front yard and, you know. So I -- I'm definitely on the bubble on this one, but I -- I think that from the way they've been discussing it here tonight, they're trying to do better, and I want to give them that chance because I think that, you know, they're -- they're not in -- in an over-saturated part of town. They're not, you know, creating massive problems, so I want to give them a chance. And if they mess it up, there will be violations, and we definitely know these neighbors know how to get ahold of Neighborhood Services. Commissioner Stanton?

MR. STANTON: Madam Chair, I'm in the same boat, but I've just seen somebody in the audience that inspired me. If I'm in a business, ignorance is not bliss or whatever you want to call it.

MS. GEUEA JONES: Uh-huh.

MR. STANTON: I do concrete, and I get inspected. So, like, when Mr. Crockett's company comes and looks at my work, I can't tell him, oh, I didn't know I'd have to do that. Oh, shoot, I can't say that, I can't do that. If I'm in the game or I want to be in the game, I've got to know the rules. I've got to. And I can't -- I mean, I could plead to Mr. Crockett's company, oh, Mr. Crockett, I'll work it out. He's got a job to comply -- for compliance. I've got a job to comply to the regulations. And if I'm a rookie at it, then the rookie pays the consequences by not passing the inspection. So it's the violations that's kind of bothering me, it's the, you know, yeah, you're working out your system. I wasn't convinced the system is -- I mean, I want to hear and, you know, you look at past things. I want to hear pop, pop, pop, pop, this is how it's going to work. You know, I heard this, like, three tiers, three, four tiers of communication, and, you know, never that, yeah, that's all on me. That's on me. I didn't get that. I worked out my address to get -- I need to hear that. I'm also wanting to give them chance, but I ask the question because if they don't make it, I -- if it were me, I'd go right back to the lab and get all this input that I had tonight, and come right back with a solid proposal -- if it were me. But I also want to give them a chance too, but see

how the vote goes.

MS. GEUEA JONES: Any other Commissioner comments? Would anyone like to make a motion?

MR. STANTON: Madam Chair, I would entertain making a motion.

MS. GEUEA JONES: Please, Mr. Stanton.

MR. STANTON: As it relates to Case 332-2025, 3408 Eastham Drive, STR conditional use permit, I'm going to be saying this in the affirmative, I move to approve the requested STR CUP subject to the following: Maximum occupancy of eight transient guests and a maximum of 210 nights annual rental usage.

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Brodsky, when you're ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Ms. Wilson, Ms. Geuea Jones. Voting No: Ms. Ortiz, Mr. Walters, Mr. Brodsky, Mr. Darr. The motion fails 4 to 3.

MR. BRODSKY: The motion fails.

MS. GEUEA JONES: Three to four?

MR. BRODSKY: Three to four.

MS. GEUEA JONES: That recommendation will be sent to City Council.

Case Number 335-2025

A request by Crockett Engineering (agent), on behalf of Broad Park LLC (owner), for approval to rezone 73.75-acres of property from PD (Planned Development) to R-MF (Multiple-Family Dwelling) to allow for residential development under an open zoning district. The subject site is located south of the intersection of Timber Road and Green Valley Drive, and includes the address 1 Broadway Village Drive.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Kirtis Orendorff of the Planning and Development Department. Staff recommends approval of the request to rezone the 73.75 acres from PD (Planned Development) to R-MF (Multiple-Family Dwelling).

MS. GEUEA JONES: Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Brodsky?

MR. BRODSKY: Could you pull up the flood area map that you had?

MR. ORENDORFF: Certainly.

MR. BRODSKY: Yeah. That one. Okay. So -- okay. I see what you're saying, the floodway versus the floodplain overlay. In the ordinance in our floodplain overlay ordinance, it mentions these

zones that A zones. Is that going to be associated with the FEMA floodway?

MR. ORENDORFF: The floodway is a separate distinction from our floodplain overlays. It supersedes anything that our floodplain overlays have as far as being a development exclusion zone, if you will.

MR. BRODSKY: Right. I guess what I'm getting at, and I'm -- I just had it here in the ordinances, but there's -- there's a section where it talks about not developing, not doing any fill, maybe permitted within zone AE and the flooded -- flood drainage areas on X or other flood areas. Does that sound familiar? Is that ringing a bell?

MR. ORENDORFF: It sounds roughly familiar, and what I will say is that upon any sort of building permit that is submitted to us, that -- that goes to BSD, they will review it to make sure that it is outside of any sort of true exclusionary zone as far as that is concerned. For the rezoning here, it is something that we definitely wanted to address, and I want to say thank you for bringing this up ahead of time so I can get these maps prepared for you, but in a broad strokes what's highlighted just in blue could be developed. I would have to triple check what that specific classification is for the floodway, but from my recollection, the hash zone is areas that FEMA doesn't want touched at all.

MR. BRODSKY: I'm just looking at our ordinances here for the benefit of my fellow Commissioners for the floodplain overlay district, and specifically B -- B(3)(e). Until a floodway has been designated, no development, including landfill may be permitted within Zone AE in the flood drainage area. So it seems that it's alluding to these areas that aren't in a floodway yet, but are in these other districts that, you know, there can't be any fill, there can't be any buildings. Commissioner Darr, I don't know if you can weigh in on this a little bit.

MR. DARR: Yeah. I'm not looking at the Code exactly, but AE refers to -- is a FEMA designation on the FEMA floodplain maps, and it generally means it's -- it's a floodplain that has been in a studied river or create or drainage way that has a flood -- that has a floodway. So Zone AE would be a long creek that has a floodway. So Zone X would be on a creek that maybe hadn't been studied by FEMA, and therefore, they can't determine where that floodway, where that, as he called it, a no-go zone, which is a no fill zone, is what would be probably more accurate. You can't put any fill in that area, so you can't put any structures or anything like that. So AE is just referring to the portion of the floodway and a studied floodplain that's outside of the floodway.

MR. BRODSKY: Okay.

MR. DARR: But I don't know -- I'm not looking exactly at what part of the Code you're looking for if that -- with that address is what your actual question was

MR. BRODSKY: And that may be -- Mr. Crockett can shed some light on some of this stuff, too.

MS. GEUEA JONES: Any other questions for staff? Commissioner Stanton?

MR. STANTON: Well, I will address that to my fellow Commissioner. So kind to add on what Mr. Darr is talking about, these have been studied floodways and they have designations. The ones that have not been studied cannot be determined way or overlay because they haven't been studied. You

could theoretically build in an overlay, but it would be of great expense. You couldn't guarantee insurance. I mean -- you know what I mean, it's like a whole chop your arm off and go talk to the Congress. I mean, from a development point of view, it's not feasible, but it could be possible.

MR. BRODSKY: I think my -- my larger concern is I'm bringing in fill and bringing it out of a floodway, and the effect downstream. And I'm just looking at this ordinance, you know, that says that including fill may not be permitted, but -- so, yeah. I'm sure Mr. Crockett can shed some light in on us.

MS. GEUEA JONES: Commissioner Darr?

MR. DARR: Typically, it is not really that uncommon to have development in the floodplain outside of the floodway.

MR. STANTON: Right.

MR. DARR: You just have to get the additional permit. You have to show that you're not filling in a floodway, or you have to, if it is in an unstudied drainage way, then you have to provide a study showing where that theoretical floodway would be perhaps to show that you're not impacting any downstream existing development. And you have to prove that any structure you build in the floodplain would be above the 100-year floodplain surface elevation. So they would just be looking at your development plan and ensuring that any buildings are at least two foot above the 100-year flood point elevation based on FEMA studies where they have published elevations for those 100-year elevations.

MR. BRODSKY: Thank you.

MS. GEUEA JONES: Any other questions for staff? Can you go back to -- and I know they don't have to stick to it, but can you go back to the slide with the proposed new building?

MR. ORENDORFF: Yeah

MS. GEUEA JONES: Okay. That's what I thought. It looks to me, without being able to overlay them or put them side by side, that they're talking about building right along the edge outside of even the floodplain, and I know Tim will come up here at some point and probably correct me, but --

MR. ORENDORFF: So what -- what they're illustrating from, you know, me kind of mentally overlaying these together, they are proposing potentially in the floodplain, not the floodway.

MS. GEUEA JONES: Okay.

MR. ORENDORFF: And I also want to reiterate that they're not beholden to anything here.

MS. GEUEA JONES: Correct.

MR. ORENDORFF: This is just a proof of concept that is being proposed.

MS. GEUEA JONES: No. No. I understand. It just -- it shows us kind of what -- where their brain is at, but -- okay. So these bottom ones -- because the one that's to the northwest -- sorry. Can you go back to the floodplain floodway map?

MR. ORENDORFF: Certainly.

MS. GEUEA JONES: Okay. Maybe I'm -- my brain is just making it work because it's a similar shape is what's happening. Okay. Thank you. Any other questions for staff? Seeing none. Will our first speaker on this case please come forward?

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, offices at 1000 West Nifong. To start off by answering the questions that Mr. Brodsky had, and Mr. Darr is correct on that. We want to make sure that we're not -- we're not confusing floodway with floodplain. Floodplain is an area that we can fill in. There's FEMA regulations, and there's City regulations, there's elevation regulations that -- that we need to abide by. It's commonplace for development to occur in around the floodplain fringes. The floodway is a protected area, absolutely no fill in those structures, no obstructions in the floodway, and so that's the critical area that FEMA has identified that we need to set aside and leave alone. Now in the floodplain, they have provisions for that. They have provisions for us to fill. They have provisions for us to build. Certain -- you know, a lot of instances, we can build even below the floodplain elevation for certain -- not for any inhabitable structures, but other types of structures. So it is certainly something that happens on a routine basis, so that's not out of the ordinary. In this particular instance here, we may be in the floodplain in some locations, but the intent is to try to develop on the -- on the higher areas, certainly. I think as Ian and his staff has indicated, my clients, they recently bought this property a few years ago. They have no intentions of tearing down buildings. They paid a substantial amount for this property for this investment. It's a great development. Mr. Hagan owned this for a long, long time, took great care in this property. It's about 40 years old, and I challenge to find another multi-family residential development in this community that looks this good that's 40 years old, so those structures are staying where they're at. We just want to be a little more diligent with the development that we're doing. As prices go up, as the city continues to expand, we're looking for places that -- to add development to existing properties. And development practices 40 years ago were different than they are today. We didn't get as dense, we didn't get as tight on a lot of the developments that we do then as we do today. And so what we're trying to do is just to kind of find some places on the property and utilize those areas to increase density slightly. As Kirtis indicated, you know, our -- our current density is about 5.7 units per acre. So in a multi-family residential district, that's what I would consider low density for -- for apartment development. So we're not going to increase it greatly, above that, certainly nowhere remotely close to the 17.4 units that would be allowed in R-MF. We're not looking to upzone or downzone this property. I look at it as a lateral move. With the UDC in 2017, as we all know, several members of this Commission were -- was instrumental in creating that -- that document. We're being encouraged to go with the open districts now. We're being encouraged to develop under those open zoning categories. We have neighborhood protections and we have all these other items in the -- embedded in the UDC that protects everything that a PD plan would -- would protect. And so we see this as a lateral move. It's going to be a lot easier moving forward as we develop, and it takes away the burden portion of coming back each and every time that we want to add a sidewalk, add a small building, add some parking, or anything like that. And so that's the reason for it, and again, just want to reiterate that the residents that are there now, they're not going to be displaced, leases are not going to be terminated, folks aren't going to lose their homes, it's going to stay the same with -- hopefully with the potential of adding in some units. So with that, I'm

happy to answer any questions that the Commission may have.

MS. GEUEA JONES: Any -- okay. Great.

MR. CROCKETT: And I would, Madam, if I may -- Madam Chair, if I may --

MS. GEUEA JONES: Yes.

MR. CROCKETT: -- add one item.

MS. GEUEA JONES: Yes.

MR. CROCKETT: The stormwater regulations in the city of Columbia, I know we're sitting down here and there is come concerns with -- with, you know, a lot of water and some flooding of the creeks. As this development redevelops, and when I say redevelop, it doesn't mean we have to tear down units to redevelop, we can simply add to the site. That's still classified as redevelopment. The way the stormwater regulations work is that there's redevelopment cycles that take place. And so when I add impervious surface to the area, obviously, we have to do detention and water quality on what we add to it. But the redevelopment -- but the redevelopment portion of it also tells us that we have to go back and incrementally start addressing detention and water quality for existing impervious surface. So back in 1984, they didn't have to detention. They didn't have to do water quality. But as we redevelop this site, as we add units to it, the regulations require us to go back and start picking off some of those items. So this is going to be one of those instances where really a post-development situation is going to be a lot better than pre-development situation, because we are going to address some of those stormwater concerns as the site redevelops. I just wanted to kind of mention that.

MS. GEUEA JONES: Thank you. Commissioner Darr, we'll start with you, and go to Commissioner Brodsky.

MR. DARR: He answered exactly what I was going to -- I just wanted you to elaborate on the stormwater. Thank you.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: And just to clarify, Mr. Crockett. I'm not opposed to this zoning.

MR. CROCKETT: Sure.

MR. BRODSKY: My concern was more, you know, seeing the layout of the land --

MR. CROCKETT: Yeah. Absolutely. Absolutely.

MR. BRODSKY: -- where are those buildings going to go. And then I found this ordinance in the flood -- oh, the flood overlay. Can you help me understand just what this zone AE and flood drainage area zone X, what that's about?

MR. CROCKETT: Now, originally, I think when the UDC was written, there was verbiage in there that talked about not developing in the floodplain.

MR. BRODSKY: Yes.

MR. CROCKETT: And I think that that was quickly removed or amended, I believe. I would have to go back and ask Mr. Zenner on that portion. But we have recently, you know, done development

in the floodplains, and so it's -- it's a -- you know, it's not a practice you do every day, but it's certainly something that's on a routine basis. So there's a lot of regulations that go into it. We're very well versed, as is the City, and the City stormwater engineers, so they know it all very well. So it is -- I'm not sure exactly what you're looking for, looking at there, Mr. Brodsky, but it certainly is allowable in the city of Columbia. Now the floodway is something totally different.

MR. BRODSKY: No. I appreciate that. And, you know, part of this is, you know, I'm not an engineer, I don't do this every day.

MR. CROCKETT: Yeah. I understand.

MR. BRODSKY: But I -- when I see this ordinance and it says, you know, no development --

MR. CROCKETT: Right.

MR. BRODSKY: -- before it's designated as a floodway, that it had some --

MR. CROCKETT: Right. And if it makes reference to floodway, then that is correct. The floodway, we want to stay out of all together.

MR. BRODSKY: Well, this is referencing areas prior to being designated as a floodway.

MR. CROCKETT: Okay. So let's talk about that a little bit with what Mr. Darr had indicated. This is a studied area, so FEMA has come through here and they've studied it and they determined what the base flood elevation is, BFE, you may have heard that term, is a base flood elevation, and they have studied and said on the 100-year event, this will be the elevation -- theoretical elevation of the flood waters. Okay? So they have determined what that is. There are locations especially in the upper one mile of a waterway, they may say, okay, well, this area has not been studied. We're not going to study to the very top of a watershed, we're going to stop at this point. So from here on up, you may encounter floodway, you may encounter floodplain. Those are unstudied areas. And so until those areas are studied, and those are usually done by the applicant, we'll do a, you know, hydraulic model, we'll study, we'll determine what that base flood elevation should be, we'll submit to the City stormwater engineers, and they'll evaluate it and they'll work it out, yes, they agree, no, they don't, but we come to a conclusion. We determine what that base flood elevation is and then we basically go from there. And so, what that's referencing is until those elevations have been determined and that floodway has been determined, then no filling or no construction can take place in that location.

MR. BRODSKY: And that does make sense, because it does reference this upper square mile.

MR. CROCKETT: Yeah. There you go. Yeah. So that's all -- that's all in an unstudied area.

MR. BRODSKY: Thank you.

MS. GEUEA JONES: Any other questions? So the floodplain where you are able to build with special permits --

MR. CROCKETT: Yes.

MS. GEUEA JONES: -- does that cover the areas we are currently contemplating potential new -- new buildings?

MR. CROCKETT: Some of it, not -- not all of it.

MS. GEUEA JONES: Okay.

MR. CROCKETT: But we -- just a portion of it.

MS. GEUEA JONES: Okay.

MR. CROCKETT: Just, you know, just -- we're trying to keep the buildings out as much as we can. There may be some parking. There may be some buildings, but we have to elevate it. What the requirement of the City of Columbia is, FEMA has said that this is the base flood elevation. The City of Columbia says we have to be two feet above that base flood elevation. Now what you do in that instance is you elevate it and then FEMA not only has a provision that allows you to develop in the floodplain, but if you elevate it, they also have provision for you to remove that from the floodplain.

MS. GEUEA JONES: Uh-huh.

MR. CROCKETT: And so they've come back and said we don't need that floodplain. It's -- we won't need it, we don't need it. You're allowed to fill it all in. If you do, you can get what's called a letter of map revision, and we come back in and we say we've filled it, we give them the documentation, they review it and then they say, okay, that portion is no longer in the floodplain.

MS. GEUEA JONES: Do you know -- I used to live over there, and I know most of those apartments were there before I moved in, and that was -- God help me -- 25 years ago. Do you know when the last building was done on that site?

MR. CROCKETT: I do not know.

MS. GEUEA JONES: Okay.

MR. CROCKETT: I'm not sure what -- I mean, the PD plan was approved in 1984. I don't know the construction schedule when they were all built.

MS. GEUEA JONES: Okay.

MR. CROCKETT: I'm not familiar with that.

MS. GEUEA JONES: I feel like some of it is pretty new, but maybe it just got repainted and looks newer.

MR. CROCKETT: Now, when you say pretty new --

MS. GEUEA JONES: I mean, relatively.

MR. CROCKETT: Twenty years and not forty years?

MS. GEUEA JONES: Yeah.

MR. CROCKETT: I know there's some more recent development further to the -- to the east --

MS. GEUEA JONES: Okay.

MR. CROCKETT: -- that's not on this property, but I believe most of these units --

MS. GEUEA JONES: Oh, yeah.

MR. CROCKETT: So I believe most of the units in this development would probably date back into the '80s, maybe not '84, '85, but definitely I believe in the 80s.

MS. GEUEA JONES: Yeah. The stuff over in the -- between there and Highway 63 is probably what I'm thinking of.

MR. CROCKETT: Yes. Yeah. Right. The one I know right where it says R-MF, I know that -- that area there is probably ten or fifteen years old.

MS. GEUEA JONES: Yeah. Okay. Any other questions for Mr. Crockett tonight? Seeing none. Thank you very much.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Next speaker on this case, please come forward.

MS. DOKKEN: Dee Dokken, 804 Again. I'm going to make the standard Sierra Club comments that are made every time we're filling floodplain. For one thing, FEMA is very out of date. Rain events are much higher, and the regulations, letting people come in and just fill in, they're just saying, well, we're going to protect the structure. They aren't talking about what they're doing to the floodplain. The floodplain has -- the soils there have developed over hundreds, maybe thousands of years, are very absorbate. They're a big sponge to soak up water, and we are getting more and more of these heavy rain events. And when you fill it, you've lost that. So it may be legal. FEMA makes it legal, but they are -- they are obsolete maps and it's not good practice to build in the floodplain. Anything else?

MS. GEUEA JONES: No. Any questions for -- sorry. I thought you would give us a lot more tonight, Ms. Dokken. Next speaker, please come forward.

MR. MUSCATO: Hi, I'm Joe Muscato, 607 Randy Lane. I have a question and a comment. My property backs right up to the southeast corner on the other side of Hinkson Creek. So when you showed the plan, blew it up and you saw where the buildings are, I couldn't tell -- are they on -- still on the north side of Hinkson Creek? They're not on the south side? I couldn't tell.

MR. ORENDORFF: The Hominy Branch would be the southern one, and it would be north of that.

MR. MUSCATO: North of that.

MR. ORENDORFF: Yes.

MR. MUSCATO: Okay. In terms of what the discussion was we were just having, if you fill and raise that side, the north side, Hinkson Creek, does that increase the risk of flooding my property on the south side, and how is that -- how is that going to be measured, mitigated, or whatever? My question for, I guess, Mr. Crockett.

MR. DARR: Sure. I could -- I could field it, too, if -- so that's kind of where the floodway comes in when they do their -- when FEMA does their hydraulic modeling. They -- they try to -- they model it, and they determine the 100-year floodplain, the limits of the 100 year floodplain by calculating how much water they think is going to go through this drainage way, and the limits where the water will reach as far as horizontally the limits, and then vertically the elevation that it will reach. Then they do a separate model to establish the floodway, which is where you can't have any fill. That is a theoretical line that they -- they model it and it takes -- it's iterative, but they -- they push in the sides of each side of the floodplain as if it was being filled to infinity, and keep on filling it until they get an elevation that is one foot higher than what the natural 100-year elevation is. So that, theoretically, if you filled the entire floodplain, the

floodplain, not the floodway, if you filled that entire area all the way up to the -- to the sky, then the 100-year elevation would not rise more than one foot. So if they filled their whole side, it's not going to raise the water any more than one foot, and that's where that two foot structure elevation has to be raised because, theoretically, all the area that they allow to be filled, if all that is filled, which probably would never happen, but if, theoretically, it was, the 100-year floodplain elevation would not rise more than one foot.

MR. MUSCATO: On the other side? On my side? Because that --

MR. DARR: Anywhere, yeah.

MR. MUSCATO: Okay. And I'm up pretty high. I'm on a bluff, so I'm up pretty high, but I just wondered about that.

MR. DARR: Yeah. Generally, one side is.

MR. CROCKETT: If you add to that --

MS. GEUEA JONES: To --

MR. CROCKETT: -- that's also assuming that area is -- (inaudible).

MS. GEUEA JONES: We -- we can ask you to come later. Thank you, Tim. Anything else, sir? Are there any other questions for this speaker?

MR. STANTON: I was just going to say, Madam Chair --

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: You could definitely get that young man's information behind you or have a side conversation to kind of break that down a little better for you so you understand it.

MR. MUSCATO: Thank you.

MS. GEUEA JONES: Yes. Thank you very much for being here tonight. And, yeah, that question may be better answered outside of the public hearing between Mr. Crockett and Mr. Muscato, as it's probably very specific to that piece of property. Any other speakers here tonight? Please come forward.

MR. JOHN: Good evening. My name is John John, with offices at 1000 Nifong Boulevard, here tonight on behalf of my client, Dan Hagan. Dan Hagan developed that. The last building was built in about '87. He is fully in support of this. He just wanted me to come and make a comment that a couple of years ago, he came to get a little office zoning on the corner just in front of it, and the neighbors came out and opposed that. We hope that they get theirs, and then at some point when he -- he's not going to develop it. He's going to sell it to somebody who is going to put an office building on it, hopefully -- when he gets ready to do that, that this -- this body and the City Council will be in favor of it. If you've got any questions?

MS. GEUEA JONES: Thank you. Any questions for Mr. John? Seeing none. Thank you so much for being here tonight.

MR. JOHN: Thank you.

MS. GEUEA JONES: Anyone else to speak, please come forward.

MR. PARK: Good afternoon. So my name is Joontaek Park, and I live in 48 Broadway Village, so, basically, yeah, I am the tenant of this area. So, of course, they have posted whenever this to raise, my first concern was, oh, am I -- am I going to be evicted? But, okay, so as long if you clarify that, there is no building -- current building is demolished. Okay. That's okay. So one concern I want to raise is now currently this area, there is two entrances, but practically, so people because of there is a signal -- traffic signal, there is only one entrance that's used because of that in the morning. It's a -- (inaudible) -- so cars are lined up. So in this case, yeah, my concern is that the only entrance may be is going to be more crowded. Okay? So -- okay. That is one thing. And then the other concern is, yeah, I love this place just because it very low density and lots of green areas. Sad. But, you know, I -- (inaudible) -- to build more, because I cannot stop it. But there's one thing I can those SQE is just -- just preserve the current greenery as much as possible. I think that would be good for our current, so the tenants -- (inaudible) -- so I guess I could look on this column yesterday, so that's -- that's one thing I'm just asking. Okay. That's it.

MS. GEUEA JONES: Thank you. Thank you for being here tonight. Any questions? Thank you very much for being here. Next speaker on this case, please come forward.

MR. PACE: Hi. I am Rick Pace; I live at 5 Broadway Village.

MS. GEUEA JONES: Can you get a lot closer to that? I'm sorry. You tall folks, if we can repeat?

MR. PACE: Okay. I'm Rice Pace; I live at 5 Broadway Village. I'm in that neighborhood.

MS. GEUEA JONES: Can you state your address, please.

MR. PACE: 5 Broadway Village, Apartment H.

MS. GEUEA JONES: Thank you.

MR. PACE: What I'm curious about is along Moon Valley road, it goes through the floodplain and the flood -- whatever that other word was. Is that going to be accessed to the new development? If so, that's under water a lot. When it rains heavily, that's -- that's just, it's under water. Also along Moon Valley Road is a big sewer main, so I'm wondering if construction is done along, you know, on the -- on the south -- what is that -- southwest corner, will that affect the sewer main? If so, who is going to pay for that? And also along Green Valley Drive, if there's going to be more traffic, that's a shared bike lane. So there's -- there's considerations, I think, past flooding, because I mean -- and I guess another thing is, who is going to pay for the tenants' flood insurance because it's mandatory to have flood insurance in a floodplain. So is that going to be something that they'll have to do, or is that something that's going to have to be, you know, through the corporation Broad Park LLC? So those are the things I'm curious about.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. And I would encourage you to also get contact information. Thank you. Next speaker, please come forward.

MR. LANGDON: My name is Dennis Langdon, and I live at 2800 Green Valley. The same, we

all live downstream. Well, I live right across the creek on Hominy Branch, and the one development that is more recent, 2700 Green Valley, has, I'm sure, created more flooding on my property. And they put some more buildings and more impervious pavement in the area, there's going to be even more. Our land is under trust. We have six acres, 6.6 acres and most of five acres of it is in trust and floods readily in high water. And another concern that he mentioned is the traffic. We have two drives that come in and anybody coming off of Broadway doesn't have a stop sign. It's a three-way stop sign, and everyone doesn't always recognize that three-way stop sign. It's a hazard. The bike path is a very blessed thing for our community. That's going to be impacted by this, too. Those are my words.

MS. GEUEA JONES: Thank you. Any further questions for this speaker? Seeing none. Thank you very much for being here.

MR. LANGDON: It's a third of our property floods it.

MS. GEUEA JONES: Yeah. If you want to come back to the microphone, you can, but otherwise we don't get you on the transcript.

MR. LANGDON: One-third of our property, at least, floods when there's heavy rains, and I know right next to that creek there, they're going to get water on that side. And it's -- if it doesn't go there, it's going to come over on the other side.

MS. GEUEA JONES: Thank you. Questions? No. Thank you very much. Any further speakers, please come forward.

MS. LANGDON: I'm Lea Langdon; I live at 2800 Green Valley Drive, and like my husband was saying, we live right -- right there. I just feel like this is a complicated enough proposal that they're asking to have it be easier to build here, and I think that's a mistake, you know. We've talked about how the FEMA has -- has sometimes changed the lines. There's climate changes that are happening. I don't think we know everything we need to know for the future. I think we need to have serious discussions every time there's a development change, and I am very concerned about these low areas that they're planning on building, and the effect as the -- as Dee had said about -- about the effect on the -- the water -- the water and the land. Anyway, that's my thoughts.

MS. GEUEA JONES: Thank you. Any questions for Ms. Langdon? Thank you very much for being here tonight. Next speaker? Seeing none. We will close public comment and go to Commissioner comments.

CLOSE PUBLIC HEARING

MS. GEUEA JONES: Any Commissioner comments on this case? Commissioner Darr?

MR. DARR: Well, I think this is just good planning for the City. I don't see any issues with this. I think it's -- it's the way the City wants to go to get rid of the planned zoning, is it's a nightmare for staff to keep track of all the different revisions that might be there and site specific requirements and stuff like that. And with the new UDC, there's so many protections as far as buffering and screening and traffic and stormwater. It's only going to be good to rezone this to R-MF in my opinion. So I'm voting yes for this.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Brodsky?

MR. BRODSKY: Yeah. I'm going to echo Commissioner Darr's comments. I was -- initially there was some red flags with the flood zone stuff, but I think I've been satisfied with the answers I have received there. I'm kind of coming at this from, you know, let's just picture that none of these buildings are here. This wasn't developed. It's a green field. You know, would we rezone this today as R-MF? And I think the obvious answer to that is yes. So that's where I'm going to land.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Walters?

MR. WALTERS: Just a minor note, available to the last speaker. I think you're misunderstanding somehow about what -- what is easier, and I think actually what they're going to do is self-impose additional restrictions by making this change because the standards today are much more restrictive than they were 40 years ago. I'm not -- I'm not offering a blanket endorsement of everything that's being proposed, but I think there's often a misunderstanding about when a -- when someone proposes because they want to make it easier. It's just because they're -- even the staff no longer supports PD zoning. They don't want to ever see it happen again. So I don't see that as a major reason for doubting the wisdom of doing this.

MS. GEUEA JONES: Any other comments? Commissioner Stanton?

MR. STANTON: I wanted to echo my -- my colleague that just spoke. He's correct. What it does is it makes it easier for us to bust Mr. Crockett's butt if he doesn't do what he needs to do, because when you zone it, then it comes with baked in regulations and tighter protections that a PD plan doesn't have instilled because it was a deal between the City and whoever developed it before. By it being rezoned, now we can really get in Mr. Crockett's -- you know, into his books there, and if he doesn't do what we want him to do, then it's easy for us to bust his butt. So I think this is the way to go.

MS. GEUEA JONES: Any further comments? Yeah. I mean, I would point to the portion of the staff report that specifically talks about its -- you know, about half way down page 1, there's a paragraph that specifically talks about all of the new UDC standards for stormwater, tree preservation, neighborhood protections, which includes screening, parking, et cetera, that were just nonexistent in 1984. When I look at the 1984 plan, compared to what a PD plan is today with, you know, a fully built out, you know, all of the -- all of the restrictions, all of the stated uses, all of the -- all of the things, this is pretty bare bones and doesn't require many of the things that our UDC requires specifically for environmental protection. I will be very curious to see if they're even able to get a floodplain permit for some of these areas, given especially the amount of impervious surface now. They may be able to, but I have faith that our -- our UDC and the current restrictions will require them to do a lot of study before they can break ground on anything new for sure. And I am very much in favor of dropping a lot of these older PD plans in favor of straight zoning for the reason that let's forget about the buildings. If they just want to replace the pool or take down the Pickle Ball court, and put up a bike shed, or anything, they have to come to us and go through this whole process again. There is no reason for that if they're just trying to, you know, renew some of their accessory buildings, or parking structures, or parking lots that may need to be upgraded. I

mean, you know, talking about environmental protections, if they wanted to go in and replace all of their impervious parking surface with an impervious surface, they couldn't do that without coming to us. And so I think I'm in favor of getting rid of unnecessary regulation in favor of the very strict regulations that we already have in place through straight zoning, and that's kind of where my head is at. But if I am proven wrong, I will eat my words within five years, I'm guessing. Any further Commissioner comments?

Anyone like to make a motion?

MR. STANTON: Madam Chair.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: As it relates to Case 335-2025, 1 Broadway Village rezoning, I move to approve the request to rezone the 73.75 acre -- acreage from PD, Planned Development, to R-MF, multi-family dwelling.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr, Ms. Geuea Jones. Motion carries 7-0.

MR. BRODSKY: The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

Case Number 337-2025

A request by Lauren Baxter (agent), on behalf of Ridge View Investments Series, LLC, Series Six (owner), to allow 1603 Woodmoor Court to be used as a 210-night, maximum eight guest short-term rental (STR) pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The four-bedroom, three-bathroom home has an attached two-car garage and driveway capacity to support two UDC-compliant on-site parking spaces. The 0.19-acre subject site is located at the southern terminus of Woodmoor Court, approximately 490 feet southeast of its intersection with Dahlia Drive.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 1603 Woodmoor Court to be operated as a STR subject to:

1. The maximum occupancy shall not exceed eight transient guests regardless of occupancy allowed by the most recently adopted edition of the International Property Maintenance Code (IPMC);
2. A maximum of 210 nights of annual rental usage; and
3. The two-car garage must be available while in STR use.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of a public hearing, please disclose so

now. Seeing none. Are there any questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public who wish to speak, please come forward.

MR. LEWIS: My name is Frank Lewis; I live at 17825 Elm Grove Road, Platt City, Missouri. We are the owners of the property. I am a licensed real estate broker in the State of Missouri, and I -- I own and operate a residential property management company in Kansas City. We manage a little over 300 properties. We bought this property with the intent of spending time with our family. My oldest daughter -- well, my wife and I, who is here, both graduated from Mizzou, love Columbia. My oldest daughter graduated from the nursing program from Mizzou. She is currently a NICU nurse at the University Hospital. My son-in-law is an extension agent with the University, as well. My youngest daughter is a sophomore here. So being empty nestors, our kids are in Columbia, we're in Kansas City. We try to figure out how do we get it together. My oldest daughter is getting ready to have babies. We want to be close. And so part of what we're doing until we get to retirement is trying to find a way to -- we would be able to afford to have this home until it's our permanent home, so we're doing it a little bit different. And we bought the house -- before -- well, before we bought the house, we talked with Patrick at the City to try to find out is short-term rental, is that viable, is it something that we'd be able to do. We spent extensive time with them, sent us a lot of references, information. From there, I reached out to Lauren Baxter, who is a realtor and a licensed agent, a property manager for her own short-term rental and manage a short-term rental to find out information from her, to find out that it was viable. From there, we purchased the property. We spent about \$100,000 just cosmetically rehabbing it, bringing it up -- up to the standard, furnished it with new furnishings. Clearly, this is a home that we're going to live in, that we want to live in. Definitely is not a situation we're going -- single-night rentals, underage rentals, not looking for the party scene. My wife and I went out and spoke with all the neighbors around the cul-de-sac, where we approached every -- knocked on the door. We talked to about half of them. We talked to about 12 houses. When we didn't -- weren't able to connect with them, we left a letter saying sorry we missed you. I also sent out a mailing to everyone on Woodmoor Court, which is far beyond what's required. I also went to through Abbey Wood Court and sent letters out to all of them, as well. Everyone who we sent letters to has my cell phone number, and I invited them to come over to see the house. If we're approved, they'll also have Lauren and Colin Baxter's cell phone numbers, as well. They live locally, 11, 10 minutes away. They're my agent, and they're also going to be managing the property on my behalf, so they would be the ones to be called if anything happens, though the owners -- or all the neighbors do have my contact. Things like mowing the yard, the neighbors across the street from us have a little mowing business. They mow the yard, so things like that we've got already looked at ahead of time, so there shouldn't be any surprises on our side.

MS. GEUEA JONES: Thank you.

MR. LEWIS: Sure.

MS. GEUEA JONES: Any questions? Commissioner Walters?

MR. WALTERS: Kudos to you for the thorough outreach you've summarized for us.

MR. LEWIS: Yeah. And our thing is this. These are our neighbors. We're going to have to live here. We want them to like us, so we've -- like I said, they know -- they know my kids' names, they know -- all the neighborhood kids know my daughter's dog is named Bean. They come up and pet him, so, like, we're trying to embed ourselves into the community.

MS. GEUEA JONES: Any other questions? I have one. Your -- this is Series Six of Series LLC?

MR. LEWIS: Correct.

MS. GEUEA JONES: Are any of your others also short-term rentals, and I guess, specifically, I am curious because you mentioned Kansas City --

MR. LEWIS: Yeah.

MS. GEUEA JONES: -- and I know they have some pretty strict STR ordinances.

MR. LEWIS: They do. You can't just go get one anymore, so --

MS. GEUEA JONES: Yeah. Yeah.

MR. LEWIS: So all of our -- my wife and I are investors. We buy properties in general to make money. Very different with this. All the rest of those are long-term rentals.

MS. GEUEA JONES: Okay.

MR. LEWIS: We don't do anything less than a 12-month lease at any of our properties.

MS. GEUEA JONES: Okay.

MR. LEWIS: And, again, I also manage those professionally. But, yeah, this is the only short-term rental we had, and that -- for that reason, I know enough to know that I need somebody local and somebody professional who I've vetted, a lot of conversation with. She knows her stuff. I'm going to feel very confident that she's going to do an awesome job for us.

MS. GEUEA JONES: Okay. Any other questions? Commissioner Stanton?

MR. STANTON: You're not here yet, but can't wait to have you here. So I'm going to ask the question you heard all night. Stuff hits the fan, who is here, who is calling, who is getting there quick, and how quick are they getting there?

MR. LEWIS: Right back there.

MR. STANTON: I mean, I need numbers. How close are they?

MR. LEWIS: They're ten minutes away.

MR. STANTON: You've heard me all night, so, yeah.

MR. LEWIS: Yeah. They are. Yeah. They are ten minutes away. And, again, I work in the industry where stuff hits the fan. It's absolutely you have to take care of it immediately. You get a letter saying something is wrong, you've got to take care of it. Again, all of the neighbors have my cell phone number. They also have Lauren's, as well, so they know exactly how to get ahold of us. And, again, we are -- we have been here, so we've spent 45 of the last 90 nights at the house here in Columbia. We're able to work locally, as well, because we can do remote work.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much.

MR. LEWIS: Thank you all very much.

MS. GEUEA JONES: Any other member of the public to speak on this case tonight, please come forward. Seeing none. We will close public comment and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments? Seeing -- Commissioner Stanton?

MR. STANTON: I like that applicants are learning what we're looking for and adjusting quickly. Quickly. This has got to work, they've got to be good neighbors, they've got to be good business people. I'd like to entertain a motion, unless you've got something to say, Madam Chair.

MS. GEUEA JONES: I do, actually.

MR. STANTON: Okay.

MS. GEUEA JONES: On that point, I appreciate and, you know, a lot of times when we have a short-term rental that comes forward where the owners say I didn't know. I got three notices, and that's how I found out. You know, I -- whatever the -- the issue is that have been operation, the fact that someone that doesn't live in town, but bought a property with this intention knew what to do and applied before they started operation, tells me that our City staff's efforts to get the word out and make the application process available and easy are working. And I commend you for doing that, before you just opened up and went, I'll list it in the middle of the application process which some people have done. So I -- I think this is how it should be working going forward as we get through this backlog of illegal operators. So thank you. I see no problems with this application. Now, Commissioner Stanton, if you would. Like, I just wanted to get that off my chest.

MR. STANTON: Great comment, Madam Chair.

MS. GEUEA JONES: Thank you.

MR. STANTON: As it relates to Case 337-2025, 1603 Woodmoor Court, STR conditional use permit, I move to approve the requested STR CUP subject to the following: Maximum occupancy of eight transient guests; a maximum of 210 nights of annual rental usage; and the two-car garage be -- two-car garage be made available when the dwelling is used for STR purposes.

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, and seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr, Ms. Geuea Jones. Motion carries 7-0.

MR. BRODSKY: The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.
Next case?

Case Number 338-2025

A request by Stacy Mattingly (agent), on behalf of Chris and Stacy Mattingly (owners), to allow 717 Campusview Drive to be used as a 210-night maximum of seven guest short-term rental (STR) pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The three-bedroom, two bathroom home has an attached two-car garage and driveway capacity to support two UDC-compliant on-site parking spaces. The 0.17-acre subject site is located at the terminus of Campusview Drive, approximately 475 feet east of its intersection with UMC Drive.

MS. GEUEA JONES: May we please have a staff report?

MR. HALLIGAN: Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 717 Campusview Drive to be operated as a STR subject to:

1. The maximum occupancy shall not exceed seven transient guests regardless of occupancy allowed by the most recently adopted edition of the International Property Maintenance Code (IPMC);
2. A maximum of 210 nights of annual rental usage; and
3. The two-car garage must be available while in STR use.

MS. GEUEA JONES: Thank you. Before we got to questions for staff, have any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. I have -- well, I have one question, and it's a silly one, but I'm just curious.

MR. HALLIGAN: Uh-huh.

MS. GEUEA JONES: Is this -- which ward is this? Is this Fourth Ward?

MR. HALLIGAN: I think it's three, off the top of my head.

MS. GEUEA JONES: I will take off the top of your head as --

MR. HALLIGAN: Yeah. I want to say three. I don't know, to be completely frank.

MS. GEUEA JONES: Like I said, just a --

MR. HALLIGAN: I don't I know it's within the Seven Oaks neighborhood association, if that helps locate this property.

MS. GEUEA JONES: That helps, yeah. Thank you. Yeah. Thank you. That helps. All right. Any other questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public who are here tonight, please come forward. Name and address for the record, please.

MS. MATTINGLY: Hi. My name is Stacy Mattingly; and I live at 549 Lexington Landing in St. Charles, Missouri. I had a bunch of stuff prepared. I'm going to go over a few of it, but I -- I know just listening to you guys over the night that a lot of it is beating a dead horse. You spent a lot of time creating these regulations and rules for a reason because you've done research of how this affects the neighborhoods and everything. So first off, we purchased this home as an investment because we --

MS. WILSON: Excuse me, ma'am. You need to pull the microphone towards your mouth.

Thank you.

MS. MATTINGLY: See, I'm not short, or I'm not tall, but I still can't hear me. Okay. So we purchased this home as an investment because we enjoy spending time in Columbia. We visit often for work. My husband has work in Columbia. We are here for college activities, camps, and sports. My daughter's best friend actually is running at a cross-country state meet tomorrow, so we're going to catch that. She runs in the afternoon. We currently own and self-manage two other properties, short-term rentals in Missouri, not in Columbia, in Missouri. This is my full-time job. This is all I do, so I take great pride in the properties that I manage, and I do all the details from guest communication, neighborhood communication, maintenance, cleaning, all of that goes through me. I am hands-on with all of my properties. All of my guests get my cell phone. I have one cell phone, they get my cell phone number. They get my e-mail. All of the neighbors get my cell phone and get my e-mail. I've gotten calls in the middle of the night, like, I'm available for anybody with anybody -- with any concerns whatsoever. We are proud super hosts. I have majority five-star reviews. I've not gotten anything lower than a four star. And to do that, you just have to keep good properties, you have to have good communication, and we've done that over the last two years at those two properties. We're looking for guests that are families, alumni, professionals, even people coming in for medical treatment. Somebody mentioned it earlier tonight, and I actually worked a little bit with the Missouri Orthopedic Group, and I would see patients coming in two hours around for big back surgeries and they'd have to be in town for a week, and you need a place to stay, so that's what we're looking for. I do not want parties. I do not like those guests. We have a way of screening them, making sure that everyone is doing what they're supposed to. We enforce quiet hours. I've got the ring cameras. I've got -- there's a system called NoiseAware that actually measures decibels, so that if there's any noises, that I can be on top of that, so I do take that very seriously. We want to be good members of the community and keep things under control. As mentioned before, there's 16 properties around us. Thirteen are already rentals. They're not short-term, but they're rentals, so that could be anything from 30 days to a year, whatever, so it fits into this neighborhood. I did read over those two e-mails that came in, and I think, once again, like, this fits in the neighborhood. That was one of the concerns that it didn't. You guys already know how it affects property values. Really well-maintained Airbnbs can actually increase property. The other thing that those two neighbors actually went and tried to knock on their door to talk to them, they weren't there because they are property owners. They're renting their homes. So the traffic concern, the change in the neighborhood, like, it was good with three guys in a college -- you know, renting for college, and the others are right out of college and they work at VA. So the people that complained aren't even living there, so I just wanted to point that out on -- yeah. So we look forward to trying to get this up and running. We also talked with Patrick and David prior to purchasing the property over the summer. I had them check multiple different properties to make sure we are following all the guidelines and doing everything right. So that's where we're at, and I would love to answer any questions.

MS. GEUEA JONES: Any questions for this speaker? Commissioner Walters?

MR. WALTERS: Just a real minor question. What was the decibel monitor thing you mentioned?

MS. MATTINGLY: It's called NoiseAware.

MR. WALTERS: NoiseAware?

MS. MATTINGLY: Yeah. You can do it inside the house. It's legal through Airbnb, you just have to disclose that, and you can put them on the outside.

MR. WALTERS: Okay.

MS. MATTINGLY: There's a couple different ones that do that, a couple of different brands. But it'll send you notifications, you can even sign up for a service that has outsource where they call and contact the patient -- or patient -- I'm sorry -- the renter.

MR. WALTERS: Okay. Interesting. Thank you.

MS. MATTINGLY: Yeah.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I was going to let it go, but why not -- not let it go. I understood your note about the renters. They are still residents, and it is still important that we hear from them if they feel like there's a problem. So it's okay that they, you know, shared, even though they're not the homeowner.

MS. MATTINGLY: No, I'm sorry. It was not the renters that had the issue, it was the homeowner.

MS. WILSON: Okay.

MS. MATTINGLY: I spoke -- the people that were in the home were on board, and, actually, the three gentlemen that I spoke to, I asked them about traffic and parking because that was something that that -- the homeowner had mentioned. And I -- I had been there a lot to fix the property and I have not noticed traffic, and parking hasn't seemed to be an issue. But they have three big trucks, and they're on the street, and I just asked if he had noticed any traffic. He said, oh, no, it's fine. We park on the street all the time.

MS. WILSON: Thank you for clarifying.

MS. MATTINGLY: Yeah. Sure.

MS. GEUEA JONES: Any other questions? This is not a factor at all in our decision here, but there is an HOA there. It -- I would be careful and reach out to them because most of the time when we get an Airbnb application and an HOA, we have the HOA here saying you're there violating our agreement, which is not our job to enforce and is out of our control. But since you don't live in the neighborhood, you might watch for that. And then I also just wanted to ask you to my point after the last case, how did you become aware that there were regulations in Columbia that you should pay attention to?

MS. MATTINGLY: Googled it.

MS. GEUEA JONES: Thank you. Any other questions for this speaker? Seeing none. Thank you for being here tonight. Anyone else to speak on this case? Seeing none. We will close public

comment and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments on this case? Commissioner Stanton?

MR. STANTON: This is a great presentation, answers the questions. I didn't -- I didn't even get to rough anybody up. I mean, all the questions were answered and everything was just great. So I would entertain a motion after my colleagues finish their discussion.

MS. GEUEA JONES: I think we're ready.

MR. STANTON: Are we ready?

MS. GEUEA JONES: Yes.

MR. STANTON: All righty. As it relates to Case 338-2025, 717 Campusview Drive, STR conditional use permit, I move to approve the requested STR CUP subject to the following: Maximum occupancy of seven transient guests; maximum of 210 nights of annual rental usage; in addition to a two-car garage made available when the dwelling is used for an STR.

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr, and Ms. Geuea Jones. Motion carries 7-0.

MR. BRODSKY: The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. Last case for the evening.

Case Number 04-2026

A request by Devin Kelly (owner) to allow 302 N. Ninth Street to be used as a 210-night, maximum four guest short-term rental (STR) pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The two-bedroom, one bath home will have to install a driveway accessing North Ninth Street to ensure that the required two UDC-compliant on-site/off-street parking spaces exist prior to final licensure of the dwelling for STR use. The 0.12-acre subject site is located on the east side of North Ninth Street, approximately 70 feet north of its intersection with Park Avenue.

MS. GEUEA JONES: May we please have a staff report?

Staff Report was given by Mr. Kirtis Orendorff of the Planning and Development Department. Staff recommends approval of the conditional use permit to allow 717 Campusview Drive to be operated as a STR subject to:

1. The maximum occupancy of four transient guests;
2. A maximum of 210 nights of annual rental usage; and

3. Installation of a UDC-compliant parking area capable of supporting 2 parking spaces prior to issuance of an STR Certificate of Compliance or business license.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Wilson and then Commissioner Darr.

MS. WILSON: I do have one question, and it's just about how we'll be moving forward with documentation. I notice that for Mr. Atailah's -- I don't remember if that's how we say his name -- Atailah, his case, there's actually a listing of violations, but that is not the same documentation that we have for this one. So how will we -- are we going to list when there are violations, or -- or was that just a one off?

MR. ORENDORFF: I suppose I'm not following here. Are you referring to --

MS. WILSON: If you go back to Case Number 332-2025 --

MR. ORENDORFF: Right.

MS. WILSON: -- there is a link in the agenda to the STR violation documents.

MR. ORENDORFF: Oh, okay. I see. So going forward, is that something the Commission would appreciate? Is that --

MS. WILSON: I'm asking if that's going to be what we do moving forward because I see inconsistency that there's not one on the present case.

MR. ORENDORFF: I'll run that up to Mr. Zenner to see if that's something that we can go through going forward. In the previous cases when there have been code violations, at least with my case, that hasn't been something we have linked, but going forward, totally can do that for you, no problem.

MS. WILSON: Thank you.

MR. ORENDORFF: But to elaborate, the two cases were roll carts being out late, so those resolved. No tickets or anything were issued for those two cases.

MS. WILSON: And there was also the violation of operating the STR illegally, so --

MR. ORENDORFF: Right. Yes.

MS. WILSON: Thank you.

MS. GEUEA JONES: Sorry, Kirtis. Just one second. I think what Commissioner Wilson is saying is that we have a full copy of all of the STR violation letters and the summons for some reason on one of the cases, but not the other, and I can't remember who prepared them. I don't know if you did them both or if David did one.

MR. ORENDORFF: Well -- and I'm not throwing anybody under the bus.

MS. GEUEA JONES: No.

MR. ORENDORFF: With 332, that was David Kunz's case. There was --

MS. GEUEA JONES: Okay.

MR. ORENDORFF: I'm going to kind of step in his shoes here for a second, with special consideration to that one is going to court.

MS. GEUEA JONES: To court. Okay.

MR. ORENDORFF: Right. So there was probably extra consideration there. But like I said, I can run this up to Mr. Zenner and see if this is something that we can include going forward.

MS. GEUEA JONES: Yeah. Either way, I just think consistency is what we're asking for.

MR. ORENDORFF: Yeah. Absolutely.

MS. GEUEA JONES: We're not asking you to do extra stuff, we just wanted to make sure that we're consistent in what we're providing case to case.

MR. ORENDORFF: Yeah. Understood.

MS. GEUEA JONES: Yeah. Okay. Commissioner Darr, go ahead.

MR. DARR: Has Seth done any analysis on how the parking would fit in the yard?

MR. ORENDORFF: I believe that Mr. Zenner and the applicant have had conversations about how this would go. I mean, it has to go through Building and Site Development to get that parking space approved, where that would go. As far as, like, our analysis goes, like, as long as they were able to provide it, that's fine. They won't be issued anything until they get those parking spaces on this -- on the site and off the street.

MR. DARR: And it would have to meet the UDC requirements for --

MR. ORENDORFF: Yeah. Eighteen and a half feet long and eight and a half feet wide.

MR. DARR: And the percentage of open space maintained?

MR. ORENDORFF: Yeah.

MR. DARR: It just looks really tight.

MR. ORENDORFF: Well --

MR. DARR: So I mean I could just perceive, like, to meet the letter of the law, they wouldn't be able to get it, but then we've granted them a short-term rental, so they might feel like they -- I don't know. I'm comfortable saying -- probably saying yes to this, you know, even without seeing proof that they can fit the two parking and just -- is just, I guess, at their risk unless they've done substantial enough analysis to -- to feel comfortable that they can fit those parking spaces in there.

MS. GEUEA JONES: Yeah. Sorry. Commissioner Brodsky, did you have your hand up, as well?

MR. BRODSKY: No. No.

MS. GEUEA JONES: Okay. Commissioner Wilson, go ahead.

MS. WILSON: I was pointing to --

MS. GEUEA JONES: Oh, sorry. Commissioner Ortiz, and then Commissioner Wilson.

MS. ORTIZ: If the applicant cannot provide the two parking spaces, and still wants to go through with getting, like, the -- or doing the short-term rental, can they go to the Board of Adjustment after approval?

MR. ORENDORFF: I do believe that we had a similar case in Benton-Stephens. I forget the east-west street, but I do believe that they are pursuing a BOA decision on whether or not they could

waive that. That's kind of a new instance, so I won't speak directly on that. That may be something they can pursue. Again, we don't have a co-pilot here, so I can't really defer on that, but that might be something -- an avenue that other people are pursuing, so they may be able to, as well.

MR. CRAIG: Yeah. That was Ken German's application on Windsor Street that was just heard before Council, and that was discussed about the possibility of Board of Adjustment. Now, there's no guarantee that the Board of Adjustment will grant that variance, but that is a possibility.

MR. ORENDORFF: Thank you.

MR. CRAIG: Yeah.

MS. GEUEA JONES: Are you good? Okay. To -- to the parking question, will the easement with a parking pad in the back where they've got more space be UDC compliant?

MR. ORENDORFF: I do believe that would be compliant so long as they meet impervious surface, so long as the green space is maintained, as long as other regulations are adhered to, there's nothing against having parking spaces in the rear of the property.

MS. GEUEA JONES: So if that -- because I think in one of the letters that we got, it characterizes that as a shared driveway.

MR. ORENDORFF: I do believe that as long as the parking spaces are on their site --

MS. GEUEA JONES: Right.

MR. ORENDORFF: -- the shared access easement along the north of the property to those two parking spaces would be totally fine.

MS. GEUEA JONES: Okay. I just wanted to make sure, which I think is the point we were trying to make, is we don't want to give them false hope that they have a license if there's no possibility that they could put UDC compliant parking anywhere on their own site. Okay. Any other questions for staff? Seeing none. We will open the floor to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public who wish to come forward, please do so.

MR. KELLY: I'm Devin Kelly, and I reside at 9955 East Owens School Road in Hallsville, Missouri. I'm the property owner. I'm excited to be here tonight because this is evidence the system is working. It's all -- you know, it's taken a lot to get to this point, and it's working so -- I'm a Columbia native. I'm a local business owner with two business locations in the First Ward. I -- I was a kid living in the First Ward, and I graduated from Hickman High School, so the First Ward is -- is important to me. Thank you for your years of time and effort to get to this point. I did attend City Council meetings before these regulations were passed, and got to hear a lot of work and dialog and challenges that brought everything to this point where we could have these conversations, so thank you for your time in that. People have no idea what went into that. I'm just saying I got to see what massive undertaking that was, you know, to a small degree, and I do take compliance seriously. So this is an extension of our primary residence. My -- one of my business locations, All Star Automotive, is one house over, and so I'm there quite a bit. It's also a landing space for my wife and our baby sometimes throughout the week. My most

vital employee stays there two days a week. He lives in Lee's Summit, Missouri, and he stays at this -- at our home there on Ninth Street two days a week. That's a very helpful part, too -- his function in my -- our repair business. My wife poured herself into this, into the interior renovation. If you guys have got the -- open it up and see in the links, the inside is very interesting, and it, I believe, contributes positively to the Northeast Village Arts District, which my business All Star Automotive is a member of, and we -- I personally regularly engage neighbors by phone and in person. I've had two abandoned cars removed from the street over this past couple of years and I look out for my neighborhood quite a bit. It's -- you know, I say my neighborhood because we don't just own the residence there, but with my business being there, you know, it's -- it's a very important street to me, but -- so as a -- as it's operated, as I've alluded to, there was a short-term rental. It's had 100 percent five star reviews from renters, a total of 77, and in regard to our availability, the last concern that a guest had had a response within ten minutes from both my wife and I -- that's my wife, Cara. It's not a profitable enterprise for us. You know, we've had 38 bookings this year, but it is a long-term investment for us, and in our community there on the street. Exterior renovations begin after recovering from the driveway build. You guys were certainly onto something with your curiosities about the driveway, and I just wanted to go into that part because that's been quite a complicated undertaking, as you guys quickly caught on to some of the intricacies of that. March 17th of this year, I reached out to Pat Zenner and eventually discovered the parking challenges that the property presented. It's a legally nonconforming regarding the parking of the property outside of being a rental. As you can see, it doesn't have a driveway, and, you know, at first glance, certainly doesn't have much room. In the back of the home, it doesn't work, based on the easements and all the things. That was my first attempt because that's where we had people parking initially was in the backyard. There was a gravel parking lot that neighbors the backyard. It's a very nice, easy access through there. In my pursuit of being a good neighbor and getting to know my neighborhood, I discovered that a person owns that property, they weren't comfortable with us using it that way. So we engaged them and created a formal lease document where we rent two spaces from them. It's on their gravel parking lot, and their gravel parking lot is actually on our property line a little bit, so it's just this big open space. And so now we have a formal lease agreement with them, the Bartoks. They own quite a bit of property around here. And it works very nicely. Now, those are technically offsite, even though it's physically kind of on our side, it doesn't meet the -- you know, the requirement here, but that's what we use to make sure this didn't impact, you know, traffic on the street and things like that. You know, people could still park in our backyard through there. We do now have formal permission, but I've had length -- you know, conversations at length with Mr. Zenner and that's just not an appropriate way to approach it. So anyway, March 19th, I engaged contractors to initiate the front driveway project. And between April and June, after significant efforts to confirm the logistics of the driveway, and keep the contractors moving forward, we established that for multiple reasons the giant tree that was in the front yard was going to have to be removed. It was leaning north over the neighboring home and driveway. It was a very large tree, it had a lot of big, dead limbs that had been falling in the road and the driveway, so, in July, we got

on the waiting list to have that tree removed from a tree company. August, the tree was removed. August through September, I would push the contractors and finally got them to put in the site plan. They submitted that to the City. You know, the end of September, we received that letter from the City about noncompliance. And I'll even say, arguably, you know, application should have been in sooner. You know, people in my position, we didn't need that letter to know this was not being done properly; you know what I mean? This was a very complex thing for us, and my focus was on figuring out how to get it compliant. And so significant efforts over multiple months, working with Mr. Zenner, figuring how to get that done, if it was even possible were in play. And so when we got that letter, it was actually on October 1st, I re-engaged Mr. Zenner to say, hey, this thing isn't ready, but I really feel like the City is saying apply, so that's what we did. And it was on the 1st that I got his help to help -- to assist me in getting that pushed in, and so, yeah. We got that in right away. It was actually the 29th or the 30th when I got that letter to our home, and I opened it, it was the next day we engaged Mr. Zenner, and we moved forward as quickly as possible, so yeah. We got that in, I think it was by the -- it was the 2nd that they received it and on the 3rd acknowledged, you know, receipt of it on the -- anyway. The City rental inspection happened on the 9th, and we did apply for dual licensure, long term and short term, because we know it may not, you know, get a conditional use permit. We've got to keep the property functioning, so we figured, you know, we'll make it a midterm, long term, you know, whatever it takes to be legal as a rental. And so, yeah. The long-term rental license was approved and the permit for the driveway was approved by Rob Merson from the City -- right-of-way technician. He expressed approval of the driveway on 10/14, and we did pay for the -- the permit and application. So, yeah, this weekend Dig Rite marks all the utilities. The contractor has 20 days to get that construction going before we would have to call Dig Rite again. Yeah. It's been quite a move to push these contractors, but we're getting it done, so with that, you know, I'll just close from there and answer any questions. Oh, I did just want to say that I think you'll get a change to kind of ruffle some feathers with me because this one is obviously not a clean fit, so --

MS. GEUEA JONES: Questions? Questions? Commissioner Darr?

MR. DARR: I would just say I appreciate you going through all of what you went through for the -- for the parking and the driveway.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: Yeah. I was just going to echo that. You know, we have cases that you've seen tonight where folks get multiple letters and it takes a little bit, but you -- you were right on it and it sounds like you were working towards that anyway, so we very much appreciate that.

MS. GEUEA JONES: Anyone else? Hi. You came to our hearings before we passed this into law. You knew it went into effect on June 1st. You were having it listed as an Airbnb after enforcement?

MR. KELLY: That's correct. Uh-huh.

MS. GEUEA JONES: Why?

MR. KELLY: I appreciate that question. Thank you for asking. And I expected that question, at a lot of other people's hearing, and I hadn't heard it, and I was, like, I need to be prepared to answer that because that is the reality of the situation. And the property as -- as a short-term rental, it isn't -- meaning it's a nut to crack, you know, essentially, out of desperation for keeping the property going because I was very confident that we could get to this point. It was -- there's -- these are excuses posing as reasons. There is not a legitimate reason.

MS. GEUEA JONES: Uh-huh. Yeah.

MR. KELLY: You know, just anyway, it was an effort to -- to cash flow enough to get it to this point because we saw the inevitability of big costs happening with getting it legal, and I knew it was going to take a lot of years to recoup from that, so I would say desperation. I was trying to get it to cashflow enough to get to this point.

MS. GEUEA JONES: Were you not advised that you could go ahead and start the application process, and not necessarily finish the process until you were ready?

MR. KELLY: I'm sure I was. I'm admittedly a recovering over-thinker and so I had it set in my mind that we had to have this thing like really ready upon, you know, putting the application in, so, I mean, to answer your question directly, I'm sure I probably was. It wasn't really the way I perceived it, but --

MS. GEUEA JONES: I think that I am more disturbed by your failure to apply than I am in some of the folks that were, like, I had no idea. I was living in this world where apparently, I don't Google things or get the newspaper. You knew. And the fact that you continued to operate knowing -- and knowing that you would not be in compliance if you did apply is -- is concerning to me because it tells me that you're willing to wait until someone calls you on the carpet. You're not proactive, even though you're proactive in getting the information. So help -- help me feel better about this, I guess. Like, you say that you were in contact with Mr. Zenner.

MR. KELLY: March is when I began --

MS. GEUEA JONES: Back in March. Yeah. Like, was that regular contact? Was that talk to him in March and then didn't talk to him again until you got a letter? Like --

MR. KELLY: We had a lot of conversations over the phone and e-mail, where I was trying to understand the complexities of the getting it compliant. There was just so much -- such a learning curve for me to understand how the zoning works with regard to -- well, even things like the -- the proximity of the driveway to different lines, the size of the driveway, what that means, because we had to explore the backyard and other things. So I was really lost in the learning curve of getting through all the minutiae to figure out what it takes, I guess. I was really stuck in that space of the learning curve and trying to get those things just right, you know. I kind of am a recovering, you know, overthinker on the side of perfectionist, and I was really stuck in that place where there was so much information I knew I didn't know, and I was trying desperately to figure it out and really get it right.

MS. GEUEA JONES: Well, it's unfortunate because otherwise, I mean, this is almost textbook

for why we allow short-term rentals anyway. It's a smaller home. It is literally in downtown. It is, from the pictures, cute on the inside and the out. Like, this is what the modern Airbnb envisions, it envisions a home, but close to all of the things. It's even the original green book being Airbnb envision of, hey, somebody owns an extra house a couple of blocks away or 30 minutes -- not even 30 minutes, it's not that far. But it's unfortunate because, otherwise, this is slam dunk for me to say yes. And then I hear that you knew exactly what we were doing and you knew you were violating exactly what we were doing, and you knew that even if you had applied, you wouldn't be in compliance with what we were doing. And rather than applying anyway, so that you're delaying enforcement on your particular property, you waited until we sent you a letter. And that -- I'm not saying I'm a no. I'm saying that kind of gets to me because it's flaunting the law. It's not being willfully ignorant of the law even, it goes further than that. Do you understand why I'm saying -- like --

MR. KELLY: I believe I do, yeah.

MS. GEUEA JONES: Okay. All right. And I'm just saying it for the record to make sure that everyone knows that we are aware, we have considered, and then the vote will fall where it falls, but --

MR. KELLY: Yeah. And I feel like it's important I'm transparent about those things, and --

MS. GEUEA JONES: Yeah. Yeah. And I appreciate that. I appreciate that you didn't try to, you know, blow smoke, and be, like, oh, I had no idea, when --

MR. KELLY: I can't stand hearing that because these people that are ignorant, I -- I just -- I have a really hard time believing because of how much information there is out there, to be honest, but --

MS. GEUEA JONES: Yeah. Exactly.

MR. KELLY: -- I guess I didn't feel -- I -- to me, it wasn't clear that putting in the application would -- would be something that was -- I don't know if appropriate is the right word, but something that made sense for where we were with it. I guess, to me, it just didn't -- it didn't seem like it really fit because I felt like, no, I've got to get it -- I've got to know what it takes, and I've got to get it there, you know. And when I got the letter, I reached out to Pat immediately. It was, like, I believe this means I should just apply anyway, you know, essentially.

MS. GEUEA JONES: Yeah.

MR. KELLY: He was, like, duh. You know, so we better move forward, yeah.

MS. GEUEA JONES: Well, and I appreciate that you also have the long term certificate because that -- that will be helpful too, and that -- that could have let you do, like, Nursesbnb or something while you were in the midterm, but anyway.

MR. KELLY: Thank you for bringing that up because that's something that I've wondered about with so many other cases that I've heard and so -- and I appreciate that it's brought to light, so --

MS. GEUEA JONES: Yeah. Yeah. Those --

MR. KELLY: Because that's a real fact to this.

MS. GEUEA JONES: And, I mean, our -- our construction friends here will tell you, people come in for three-month jobs all the time. My dad is in that situation right now where he's living in Tennessee,

you know, through Thanksgiving, and has to find some place that will let him rent for a month. Anybody else? Commissioner Wilson?

MS. WILSON: So the last point that our chairperson made was on my mind because you mentioned continuing to rent as an STR because you needed to offset the cost of the upcoming charges for putting in the driveway. And because you have that certificate that would have been a way to offset the costs in a way that was legal. So I just want to put that out there.

MR. KELLY: Could you explain just a little bit more for me so I understand that better, please?

MS. WILSON: Yes. You could have rented, through your long-term license to gain revenue to offset the cost.

MR. KELLY: Thank you.

MS. WILSON: Uh-huh.

MS. GEUEA JONES: Anyone else? Seeing none. Oh, sorry. Commissioner Stanton, go ahead. You raised your hand.

MR. STANTON: You took my fun out. Yeah, I mean, you know, I don't have any -- much to say, but I'm glad you came to the light. I'm glad you were crystal clear and transparent. You know me. You've been watching me all night. I've waited for these moments, but yeah. Coming to the light at any -- you know, rather you came before June --

MR. KELLY: Yeah.

MR. STANTON: -- but thanks for falling on the sword on that.

MS. GEUEA JONES: Thank you. Seeing no one else, thank you so much. I appreciate it.

MR. KELLY: You're welcome.

MS. GEUEA JONES: Anybody else to speak on this case, please come forward. Name and address again for the record, please.

MS. KELLY: All right. Thank you. My name is Cara Kelly; I live at 9955 East Owens School Road, Hallsville, Missouri. I'm Devan's spouse, and also owner -- other owner of this home. Firstly, I'd like to thank the Planning and Zoning Commission for their time. Many of you have been working tirelessly on this project to improve our community, and I'm deeply appreciative of the work that you do. Thank you. My husband and I have a great love for Columbia. I have lived here for 18 years, and I have lived in all six wards. My husband, a Columbia native, was born and raised here. To us, 302 North Ninth Street is more than a short-term rental. It's a creative outlet and a way to contribute to our community. My husband and I bought Woody's Auto Center, now known as All Star Automotive East, located at 222 North Ninth Street in 2022. And when I saw 302 North Ninth Street go up for sale in 2023 right next to All Star, I felt a strong connection to this home. This home being in the northern edge of downtown and in an area that's predominantly rental housing felt like a great space to be able to share with others. I was experiencing burnout from my job as an oncology nurse, and desperate for a creative outlet, and I've always had a passion for interior design and love for hosting. And with the help of my husband, we were able to turn this into a fun, funky, eclectic space that I hope we can share with our

community for many years to come. As a short-term rental, this is not our primary residence, but we do use it as an extension of our primary residence. As Devin mentioned, there's many days of the week where I will go into town with the children and be right next door to the business just as he needs -- he's there frequently, and it's also extension of our family's auto repair business. If our application is declined, you know, and we had to go to mid-term rental or long-term rental, okay. But we would lose that option for us to be able to spend as much time as we do there. I do feel that that is important to mention, as well. Long-term versus short-term. I feel like short-term rental, I am there a few times a week and, you know, it's a secondary home for us. And if it was a long-term rental, I probably wouldn't be there and, like, you know, coming in, let me clean my house and let me decorate for Halloween and, you know, that would be kind of weird, so -- we take our role as property owners and operators seriously. When we first took over this house, the back of it was actually pretty dark and sometimes we found unhoused individuals staying back there in the bushes. We invested in some real security improvements. We put Ring security light that is on all night and records the area. We've bettered relationships with our unhoused neighbors, nearby renters and owners. We've had -- every guest who stays, I go on their profile and I look at their reviews. I look to see have they had complaints. Sometimes I even go, if they say it's themselves and three other people coming, who is coming to the house. I've seen where some rental sites, they ask for everybody's ID, and some things like that, and I want to look a little bit more into that. Sometimes I monitor the outdoors -- outdoor cameras to ensure that everything is running smoothly, and our neighbors have our direct contact information. And in all of our time of operating, we haven't had a single complaint from -- about our guests. This isn't about monetizing SEC football weekends for us. In fact, sometimes those turn out to be the most challenging bookings. I'm a firm believer that Columbia natives and college alumni should be able to visit our city without having to pay \$1,000 plus for a hotel or a place to stay on a football game weekend. And if you look at our Airbnb listing, not only will you see all the hard work we've put into our home, but you'll see that we have the glowing reviews. We strive to provide an excellent space through thoughtful design, attention to detail, and maintaining good standards within our community. Ultimately, our goal is to improve and share the neighborhood with others. Thank you for your time. Just as Columbia has given so much to my family over the years, I hope to continue sharing our corner of it with visitors through this home and respectfully request your approval of our short-term rental license so we can keep welcoming guests to Columbia while providing affordable lodging options and keeping our neighborhood vibrant and accessible. We're committed to maintaining the quality and care that our reviews reflect, and to being responsible, engaged neighbors in this community that we love.

MS. GEUEA JONES: Thank you.

MS. KELLY: Thank you.

MS. GEUEA JONES: Any questions for this speaker? Seeing none. Thank you. And it is adorable.

MS. KELLY: Okay. Thank you.

MS. GEUEA JONES: Yeah. All right. Anyone else who wishes to speak on this case, please come forward. Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment. Any Commissioner comments?
Commissioner Stanton?

MR. STANTON: Looking at my colleagues. If my colleagues have nothing else to say, I'll entertain a motion, Madam Chair.

MS. GEUEA JONES: I believe we're ready.

MR. STANTON: As it relates to Case 04, that's -- oh, okay. 04-2026, 302 North Ninth Street, STR conditional use permit, I move to approve the requested STR CUP subject to the following: Maximum occupancy of four transit guests; a maximum of 210 nights of annual rental usage; and an installation of a UDC compliant parking area capable of supporting two parking spaces prior to the issuance of an STR certificate of compliance or business license.

MS. ORTIZ: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, and seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr, Ms. Geuea Jones. Motion carries 7-0.

MR. BRODSKY: The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. That concludes our cases for the evening. We will now go to public comments.

VI. PUBLIC COMMENTS

MS. GEUEA JONES: If there are any public comments of a general nature, please come forward now. Seeing none. We'll go to staff comments.

VII. STAFF COMMENTS

MS. GEUEA JONES: Who gets to do that tonight?

MR. ORENDORFF: It's to be me. I'm sitting in my left chair, I feel so important all of a sudden.

MS. GEUEA JONES: I know.

MR. ORENDORFF: So I guess, no comments. I don't believe I'm supposed to make any. We'll talk about the upcoming cases. Thankfully, we have a little bit of a lighter case load. Next week, we are hearing the 1500 North 7th Street. I believe that's been tabled twice now. That's the consolidated water final plat. We're also hearing a rezone from PD to M-OF on 202 North Old 63. That's at the northwest corner of Stephens Park, and we have an STR CUP at 411 McBain. Here are your maps for those three associated cases for your reference, and I think that's all we really need to go over over here.

MS. GEUEA JONES: Thank you.

VIII. COMMISSIONER COMMENTS

MS. GEUEA JONES: Are there any Commissioner comments for this evening? Seeing none.

IX. ADJOURNMENT

MS. GEUEA JONES: Commissioner Stanton, was there something you wanted to say?

MR. STANTON: I was going to ask if there's any additional conversation that needs to be had tonight.

MS. GEUEA JONES: No. I think we're good. I think we're good.

MR. STANTON: Well, I would entertain a motion to adjourn then, Madam Chair.

MS. GEUEA JONES: Is there a second?

MS. ORTIZ: Second.

MS. GEUEA JONES. Motion to adjourn made by Commissioner Stanton, seconded by Commissioner Ortiz. If there is no objection, we stand adjourned.

(The meeting adjourned at 10:23 p.m.)

(Off the record.)