

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
November 6, 2025

Case Number 332-2025

A request by Marmar Atailah (agent), on behalf of Marmar Atailah 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.