

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
July 10, 2025

Case Number 210-2025

A request by Nick Timberlake, (agent), on behalf ThreeFrisco, LLC, (owner), to allow 3 Fyfer Place to be used as a short-term rental for a maximum of six transient guests and up to 210-nights annually pursuant to Section 29-3.3(vv) and Section 29-6.4(m)(2) of the Unified Development Code. The 0.1-acre subject site is zoned R-MF (Multiple-family Dwelling), is located at the East Broadway and Fyfer Place intersection and is addressed 3 Fyfer Place.

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 denying the conditional use permit to allow 3 Fyfer Place to be operated as an STR.

MS. GEUEA JONES: Thank you. Are there any questions for staff in this case? Seeing none. We will open the floor to public comment on number 3 Fyfer Place.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any member of the public would like to speak, please come forward.

MR. MEHR: Again, David Mehr, 714 Ingleside Drive. I don't want to be redundant, we are going to oppose this and the subsequent requests. I would say about renters, I live in a part of the neighborhood which has a lot of students. We make friends with some students. Some landlords do a very good job about who they get as their students, some do not. But I believe that landlords, if they pay attention, are capable of choosing good renters, whether they be students or not students. And I think it's very important not to set a precedent of allowing multiple short-term rentals close to each other. So thank you.

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

MR. TIMBERLAKE: (Inaudible) --Timberlake, 2408 --

MS. GEUEA JONES: Oh, I'm sorry. Can you say it again into the mic?

MR. TIMBERLAKE: Mark Timberlake -- sorry.

MS. GEUEA JONES: Thank you. And your address?

MR. TIMBERLAKE: 2408 Beachview Drive in Columbia. And I own one of these properties, but I'm not sure which one it is. No, I'm just kidding. I think everything has been said. I just kind of wanted to come up here and kind of right the boat a little bit. Mr. Stanton, just to clarify a couple of comments -- Mr. Stanton, we don't want you to bail us out. We're not here trying to get your guys to bail us out at all. And

we -- whenever we started the project, we knew there was talk of a -- you guys were working on a short-term, but we didn't know what it was going to say or what it was going to do. So we kind of proceeded based on that, and then, you know, we're trying -- right now, tonight, we're trying to just react to that and deal with that -- the new ordinance. And so, I think really we just wanted to come -- the -- the -- even though these units are within 300 feet, they have worked out really well. There's been a good experience, and we get good reviews. The neighbors all seem to be happy. They didn't all write e-mails, but we did talk to them and, verbally, they -- we got positive feedback. So we just thought we would come here and ask for the variance. That's why we're here. So I think that's about all I wanted to say really. We tried to comply, yeah. I mean, we were up front about, you know, we -- each one of us owns one and we ran it by the City and -- and that's apparently what we thought was right, so that's what we did. So anyway, I just wanted to clear the air a little bit on that. So if you have any comments or questions for me.

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

MR. STANTON: Mr. Lake, you did nothing illegal here. Everything is -- (inaudible) -- sound.

MR. TIMBERLAKE: Yeah. Yeah. Yeah.

MR. STANTON: It's -- and these, that's why it becomes a conditional use because now we need the human factor. You're technically sound, but not all questions and not all things are answered just technically, as you know.

MR. TIMBERLAKE: Yeah. Yeah.

MR. STANTON: You know we've got to --

MR. TIMBERLAKE: No. We're always trying to sort it out. And we -- you know, like I said, it's been -- we thought it worked well. We've had good feedback, thought we'd throw it in front of you guys and see if you wanted to grant this, and, you know, if you do, great, and if not, we'll -- we'll, you know, figure out something out -- something else out, so --

MS. GEUEA JONES: Commissioner Wilson?

MR. TIMBERLAKE: Okay. Thank you.

MS. WILSON: Thank you.

MS. GEUEA JONES: I'm sorry, sir. Commissioner Wilson?

MR. TIMBERLAKE: Oh, I'm sorry. I thought you said --

MS. WILSON: No. I just wanted to say thank you.

MR. TIMBERLAKE: I don't hear very well, so --

MS. WILSON: Thank you. And I have a soft voice. So thank you for coming and speaking and clarifying. I think the concern that I have is that we have a single registered agent for each of these properties, and that sort of puts in mind then that there's going to be a shared interest because of that. And so when you were working with your attorneys, that may have been something they overlooked, and that's possibly something that should be addressed.

MR. TIMBERLAKE: Yeah.

MS. WILSON: I don't know that that's going to make a difference, but --

MR. TIMBERLAKE: Well, it kind of depends on how you vote tonight, I think, because it may not matter.

MS. WILSON: But -- but that's just something to consider --

MR. TIMBERLAKE: Yeah.

MS. WILSON: -- because it puts us in mind that there is a flow and a stirring of interest because we have the same person acting as agent for all properties.

MR. TIMBERLAKE: Yeah. Understood.

MS. GEUEA JONES: Any other comments or questions for this speaker? Seeing none. Thank you for being here.

MR. TIMBERLAKE: Thank you.

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

MR. BENTLEY: Clyde Bentley, 1863 Cliff Drive. Just briefly, just for this and other actions you would look at, I would remind you that speculation is a gamble that has winners and losers. It's not the role of government to ensure that the winner comes out of there. So if there's speculation, someone is going to lose at some time, and it's not your job to ensure that they win.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Anyone else to speak on this case tonight?

MS. TIMBERLAKE: Good evening. My name is Kayla Timberlake, and I also live at 5605 Abercorn. I don't have a lot to add other than just the simple fact that you guys have said that this is kind of a unicorn, it's kind of a first case that's been brought up, especially just with all of the changes, and new regulations. And I kind of just -- I just don't want to diminish all of the -- the time and efforts that you guys have placed in terms of creating the regulations, and there are reasons beyond me that you guys have everything in place. And I guess I just wanted to -- to say that I don't want there to be any fear. I know there was a comment made about, you know, what about some of the other rentals right now, like, maybe the ones downtown or just anywhere else. But in my mind, those -- because of the efforts that you have made creating the regulations and laws for all of the zoning and I said regulations a million times. But I guess I think this is a case where it was kind of in the in-between part, whereas we can -- or anybody else who is trying to maybe apply for a variance in the future, those have already been zoned, like, they're already long term, and so they would be trying to change that, whereas we weren't necessarily trying to change anything that -- that we had done from the get-go. And I guess I just say all of that to just kind of ensure that -- that I do try, as a citizen here, like, I do trust the process, and I know that there are, again, so many reasons beyond me that decisions are made based on location and many other factors. But I think just maybe I just wanted to note that anything in the future that may try to change could -- they could be denied, just as we could be this evening. I understand that. But this is just -- it's like a -- I don't know. It just seems different to me because we're not asking to change something that has already been done, if that makes sense.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: What I'm going to say is going to kind of scare you a little bit. But I've been waiting to say this. Okay. As of June 1, if you're running an STR, it is illegal if you're not registered. Before then, there was no law. It was the wild, wild West. Okay? We had Wyatt Earps and Cherokee Bills and all that, and they just shooting, doing what they want to do. Right? There was no law. So there was a whole bunch of STRs out here, and you guys were operating in the wild, wild West. And then Wyatt Earp came in the form of Mr. Zenner and his staff, and we made law, and that law stands right now. So you're either on the right side of the law or you're on the wrong side of the law, and you guys are attempting to get on the right side of the law. And all those on the wrong side of the law are on the wrong side of the law. So you operated the wild, wild West. There is no more wild, wild West because Mr. Zenner and his staff are Wyatt Earp, and they put the law down, so now there is law. So we can't really -- we try not to think about what was going on in the wild, wild West; you know what I mean? So we get the argument of, well, we were already doing it. It was illegal because it wasn't a form -- there wasn't a policy in place for that land usage, and now you're becoming compliant now. And at this point, you have one under the right side of the law, so congratulations. So far -- still got to go in front of City Council, but --

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: Do you have a long-term rental license?

MS. TIMBERLAKE: Yes.

MS. ORTIZ: So were you, at one point, planning to use it as long-term rental?

MS. TIMBERLAKE: You know, I'm going to have to defer to our manager on that one. It is just kind -- yeah. All of it's just -- yeah. So -- so much back and forth, so --

MS. ORTIZ: Right. I just -- I kind of wanted to point out, like, just a little flaw in your argument, just to be kind of devil's advocate, because -- and it could totally be wrong, but I feel like I remember them being advertised as long-term rentals, but I could be wrong, but yeah. That's all.

MS. TIMBERLAKE: Yeah. And I guess, just to kind of clear the air here, as well. I'm not trying to make an argument. I really just wanted to make the point where I just, personally, I sensed a little bit of hesitancy, and I just -- in the end, I appreciate even just the discussion about all of it, because I do think that the decisions that are made this evening are going to carry on to the future, and I just -- I guess I just hope that you all trust yourselves in the sense that you're not going to feel like you're going back on a decision based on this. If, say, somebody who owns a bunch of long-term places downtown or somewhere, and then they all of a sudden want to start turning into short-term rentals, that you can still have that power and control and trust in the process to say no. Or it's -- if that's -- does that make sense?

MS. ORTIZ: I think what you're saying makes sense to me.

MS. TIMBERLAKE: Okay.

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

MR. STANTON: I had a question for staff, and it's been so long and -- hard road. Okay. So, say for instance, like, the Rise, did we make some provision, like, 25 -- we didn't do that?

MS. GEUEA JONES: No, we didn't.

MR. STANTON: Okay.

MS. GEUEA JONES: We just did the 300.

MR. STANTON: Three hundred. Got it. Okay. I'll retract that statement. I'm good.

MS. GEUEA JONES: Thank you very much for being here tonight. Anyone else to speak.

Thank you. Anyone else to speak on this case? Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments on this case? I'm going to save what I have to say for discussion. Anyone else? Okay. Anyone want to make a motion on this case? And as a reminder, we make all motions in the affirmative. Anyone want to make a motion? Commissioner Stanton, there you are.

MR. STANTON: Madam Chair, I'm batting a 1,000, I guess, is what they say --

MS. GEUEA JONES: I love it.

MR. STANTON: -- or whatever. Okay. As it relates to Case 210-2025, 3 Fyfer Place, STR conditional use permit, I move to deny the --

MS. GEUEA JONES: You need to approve in the affirmative.

MR. STANTON: Oh. Oh. Oh. I move to approve the requested STR CUP.

MS. ORTIZ: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton; seconded by Commission Ortiz. Is there any discussion on the motion? I just want to clarify that my no vote is based on the fact that from everything we've heard from the applicants, from the history of the property, from the fact that one of the owners is also the manager of the property, from the fact that they are all in the same building, I personally do not find it persuasive that they are actually owned separately in the sense that the finances are also separated. I believe that there is a in-fact shared financial interest, and -- or at least there could be, and based on that, I think that this would be a violation of the ordinance if we approved it, in fact. And that is based on the testimony that we've heard here tonight and the information that we have on the four properties. So that is what I am basing my no vote on. Any further discussion on the case? Seeing none. Commissioner Brodsky, may we have a roll call?

MR. BRODSKY: So reminder to Commissioners that if you are voting to deny approval, that it would be -- (inaudible) --

MS. GEUEA JONES: Correct. A yes vote for approval, a no vote is to deny.

MR. BRODSKY: Sorry if that was not clear into the mic.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Darr, Mr. Walters. Voting No: Ms. Ortiz, Mr. Stanton, Ms. Geuea Jones, Mr. Brodsky, Ms. Wilson, Ms. Stockton, Dr. Gray. Motion is denied 7-2.

MR. BRODSKY: The motion does not carry.

MS. GEUEA JONES: By your vote of 2-7, you have denied the application. That recommendation will be forwarded to City Council.

