

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

Case Number 212-2025

A request by Nick Timberlake (agent), on behalf of SevenFrisco LLC (owner), to allow 7 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 7 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 denial of the conditional use permit to allow 7 Fyfer Place to be operated as an STR.

MS. GEUEA JONES: Thank you. Are there any questions for staff? Seeing none. We will open the floor to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public would like to comment on this case, please come forward.

MR. TIMBERLAKE: Nick Timberlake, 5605 Abercorn Drive. First, I just want to mention that my cleaner is an amazing woman. She's a single mom with five children. She has a business mostly built on the back of cleaning short-term rentals. She supports her family and her employees through this business. She is going to be directly affected by this -- by any ruling that you guys make. But -- and there are many other ancillary businesses that are supported through short-term rentals. And I just -- I think they're -- they viewed it in a negative light, or at least have been discussed in a negative light many times, probably rightfully so, because they've been abused in some scenarios, but there are many people that are using these to serve the City, and in many ways, even if it's individuals locally that need help during difficult times, or if it's just we live in a university city that -- and tourism is going to be a big part of -- part of who are as a city now and moving forward forever. And so one thing I want to say specifically, Ms. Jones, is we have tried and we have followed all of the requirements of the City when it comes to ownership. And I -- you are saying that, in fact, we will be -- it sounds like you're implying that we're in some way trying not to be above-board with the way we're operating. And I would just advocate that if there is not a way today for you guys to feel confident about that and the processes, that maybe there is a process that we at least spend more time evaluating a way to make that clear because I -- I -- this is going to be the case moving forward with any couple if they currently own two separate Airbnbs, they're

going to have to split up ownership, and it sounds like there are still questions as to if, in fact, there is ownership or financial interest or any of these things. If you don't feel like the process is clear today, I would just ask that maybe look into some requirements at the City so that we can make that more clear, if you're wanting to be basing rulings on that one way or another because we very much tried to be above board with how -- how we did everything. I just want to state that. And I -- I -- moving forward, I don't want anybody to have -- you know, I would like to eliminate doubt when it comes to that. I think that's probably the right thing to do, because I have a very strong feeling that it's going to happen more and more often moving forward. Or we can say that the ordinance today are effective as they need to be, but for us to be -- for us to be approving or denying short-term rentals based on something we -- you know, we 100 percent to followed the requirements to the letter of the law to this point, for us to be denying short-term rentals even though we did that just doesn't seem like the right thing. So again, I'm not speaking to this property because I feel like I have a very good idea of what's going to happen. But I just kind of felt the need to mention that, because I don't -- we are God-fearing citizens that care about this city, care about doing right by the city, serving the city in any way that we can, and in no way are we trying to be shady or hide anything. We tried our best to follow the requirements as best we could. So if you have any questions or comments.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: You're not the first case with people that are married and separated and had -- that's not what this makes this a unicorn. That's not why you're -- the judgments are falling as they're falling. It has nothing to do with that. Like I told your father, you're technically sound. You did everything you needed to do technically, and business-wise with the State -- you know, the State of Missouri, all that good stuff, you're -- you're technically sound. It takes more than that in this body because when that -- we're not futile Japan and we're not medieval Europe where this land barons, and everybody else lays down to the land barons. We are citizens that project 50 and 100 years down the road on the growth of the City.

MR. TIMBERLAKE: Yes.

MR. STANTON: So don't beat yourself up about the -- you're technically airtight. That's not the problem.

MR. TIMBERLAKE: Yeah. I understand. But she did say that that was the reason that --

MR. STANTON: There's other red flags and there's different -- there's different Commissioners that -- that make their votes.

MR. TIMBERLAKE: Yes.

MR. STANTON: You know, you've got some yeses up here for their reasons.

MR. TIMBERLAKE: Sure.

MR. STANTON: Just like there's nos up here for our reasons, and that's why the yeas and nays fight and we count the votes up. So that's that.

MR. TIMBERLAKE: Yes.

MR. STANTON: I understand that there's other small businesses that are affected. I had a diversity, equity and inclusion consulting business. I'm a bad businessman because I've already pivoted. I had a minority contractors alliance that goes after minority contracts, federally funded.

MR. TIMBERLAKE: And I'm going to help my -- I'm going help --

MR. STANTON: I've got to pivot. Cry a tear real quick. Boom. I've got to pivot with my business plan, make a move if I'm a businessman.

MR. TIMBERLAKE: Yes.

MR. STANTON: And I'm a businessman. I do that.

MR. TIMBERLAKE: I guarantee you not everyone is as good businessman as you are.

MR. STANTON: I pivot. I move. I adjust my business.

MR. TIMBERLAKE: Yes. And I'm not -- Ms. Jones, I'm not trying to specifically personally call you out. It's just that if there are -- if the regulations have holes in them in such a way that there's still uncertainty, I, as a -- if we're going to be -- if that's going to be a strong factor in the decision one way or another, it just seems like the right thing to do to try and fill those holes in the process.

MS. GEUEA JONES: That is certainly something we will consider. I think I would point out that there are several other factors that are different than just a simple husband and wife who had an STR and then they split them up, that, specifically, that we are talking about single plat with four admittedly condos. You know, I understand that they're separate ownership, but they are all on the same piece of property. They are all identical. They were all previously co-owned, and they are all currently going to be managed by one of the owners. So you either have a serious conflict of interest problem, or you have a shared interest problem, and that is my point. I don't have a problem with you having one --

MR. TIMBERLAKE: Or -- or

MS. GEUEA JONES: -- and the other three can go into mid-term rentals. We're not saying you have to go get a year-long lease on everything. But I do think that it is naive to not see that there is a problem and not understand why we think there's a problem. Any other questions for this speaker? Commissioner Wilson?

MS. WILSON: I know it's been said several times, and while Commissioner Stanton was speaking, I thought I would say it again, even though our chairperson has said it. I want you to see it from just -- I'm going to be personal and say from my perspective. Somehow you're getting paid. One of the ways you're getting paid is being the manager of the properties. You're the manager of all of the properties. That makes you have a financial interest in all of the properties.

MS. TIMBERLAKE: Actually, we have not taken one dime from this, myself or anybody else. That's an assumption that you could make, but not -- we have not taken one dime from this property.

MS. WILSON: That is a statement, but, logically speaking, if I'm working, I'm not working for nothing, particularly if it's profit-generating business. And if you're a non-profit, we can make that argument all day. But if you're a profit-generating business, you're here to make a profit, and so -- and to share those profits. So, you know, I'm not getting technical because I don't know what's going on. I'm

just saying the presentation of how -- how things have come this evening appear to make it seem like there is a financial -- a shared financial interest, and that's why I was sharing with your father earlier. That would have been something I would have relied on the attorney to assist with. Give us separate agents. Give us separate management. That way, it makes more sense. Right?

MR. TIMBERLAKE: Yeah. Our registered agent at the state level is the same attorney, if that's what you're referencing. But -- but yes.

MS. WILSON: No. I mean specifically to each application, you have an agent listed for each one.

MR. TIMBERLAKE: You mean me being the designated -- okay. I got you.

MS. WILSON: Yeah. Yeah.

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

MS. ORTIZ: I -- oh, God. Oh, I -- I have two, but I lost the first one, so I'm just going to say the second one, which is more of a comment, that we are citizens just like you that live here, and there are opportunities for you to get involved in restructuring and rewriting and making suggestions through the current ordinance. We just had a vote at our last Council -- or our last Planning and Zoning meeting where we overall recommended some changes to the ordinance, and that's going to Council. You can voice how you feel about those proposed changes. I'm not a fan. I voted against it. You have the opportunity to do so, and especially because you have a vested interest. This is your business. You should -- you should take up on that and get involved in government if that's something that is of interest to you, and that's an opportunity everyone in the room has the right to get involved with. So I really would encourage you to do so.

MR. TIMBERLAKE: Thank you. I appreciate that.

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

MR. STANTON: If these four had came before me were totally separate, unrelated people, and every -- every case that we just heard had a separate person discussing them, unrelated, my vote would still be the same.

MR. TIMBERLAKE: Uh-huh.

MR. STANTON: It would, because there's things that we're all looking at differently, oh why oh why not we're voting.

MR. TIMBERLAKE: Yeah. I appreciate that.

MR. STANTON: You're trying to kind of like figure out what's making us tick, and what I'm going to tell you is you did everything technically sound, but I think you could have done a little more research on, number one, how this whole STR thing is going, and maybe adjusted your game plan. I'm speaking publicly. I'm speaking through you, but you have to know your antagonist. You have to know your opponent. And before you came before us, I would have looked at all the other -- I want to see what makes us tick, and maybe would have adjusted. And all I'm going to say is you're very smart. You have a very smart family. Modify your business model, you're good, period.

MR. TIMBERLAKE: Thank you.

MS. GEUEA JONES: Anyone else? Thank you very much.

MR. TIMBERLAKE: Thank you.

MS. GEUEA JONES: Any other members of the public, please come forward.

MS. MITCHELL: I thought it was -- My name is Laura Mitchell; my street address is 209 Ridgeway in the center of town. I thought I might address the fact that there's actually an elephant in the room here that we haven't talked about. So apparently, these STR units on Airbnb, are listed for \$1,000 a night. A thousand dollars a night. So with the number of stays that they've had, that is an incredible income. On the other hand, if those things were longer-term rentals, maybe \$2,000 a month, maybe \$3,000 a month, nowhere near what you can make on Airbnb. So I think the agent likes to point to it being a benefit to the community, but it is a huge benefit to the property owners. I think that's all.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Please come forward.

MS. TIMBERLAKE: Thank you. I'm Lotta Timberlake; I'm the mother, and the wife of Mark.

MS. GEUEA JONES: Your address?

MS. TIMBERLAKE: 2408 Beachview Drive.

MS. GEUEA JONES: Thank you.

MR. CRAIG: I'm sorry. What was the first name again. We didn't get that for the court reporter.

MS. TIMBERLAKE: Lotta, L-O-T-T-A.

MR. CRAIG: Thank you.

MS. TIMBERLAKE: I just wanted to make a correction here to those \$1,000 a night. This \$1,000 a night are on football weekends in the fall when there is no place to stay in Columbia, and there's every - - everybody else also has very high rents as do the hotel rooms and just to make it clear that there is not \$1,000 a night every night. We have, like, Nick said, there was times when we have donated the places to people that needed to stay there, so it's -- yeah. I just wanted to make that clear, so it's -- doesn't sound like --

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you. Any other member of the public to come forward on this case? Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

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

MR. WALTERS: I would like to -- just want to expand on my -- my stand is about worries -- this might be a precedent, and I'm not worried so much because if next week someone came in and they had a four-plex that was in -- with this similar ownership interest, and they were in an R-MF zoning, and they were facing a street with 5,000 cars a day, and if they were opposite a hospital or another commercial thing, I -- I'd vote the same way. However, if they -- if someone came in and they wanted to put four units owned by the same sort of ownership thing on an R-1 street with a bunch of other houses, I would vote

no. That's -- that's where I have a clear conscience on this because of the location, the specific location of what's adjusting -- abutting to. I'm not saying this to argue, but like you said earlier for the record for the City Council review, that's to expand a little bit on my stance.

MS. GEUEA JONES: Thank you. Any -- Commissioner Ortiz, and then Commissioner Stanton?

MS. ORTIZ: I'll just point out that this -- this specific one is adjacent to R-1. That's all.

MS. GEUEA JONES: Because it abuts R-1 across the street, behind, yeah. Yeah.

Commissioner Walters?

MR. WALTERS: I didn't -- I didn't imply that the -- it didn't, I said it was converted from R-MF, so as opposed to one who came in, they were on R-1 property and then wanted to convert to having this.

MS. ORTIZ: I understand. I apologize.

MR. WALTERS: That was the distinction I was trying to draw.

MS. ORTIZ: Thank you.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: That's the beauty of a diverse commission. That's the beauty of this, the different points of view, and we let the votes fall. Beautiful. It's how it's supposed to work.

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

DR. GRAY: This is both a comment and a question potentially for staff and Council. I just want to be clear that I'm making decisions based on the saturation level as, like, part of the, like, criteria that we're given. But I would appreciate, like, a little bit more clarification about this consideration around the owners and how that is outlined in the ordinance if that's what we're hearing in testimony, and to what degree that is a valid consideration in making these decisions; does that make sense?

MS. GEUEA JONES: Yeah. My point is that ownership interest is not just simply who is on the LLC paperwork, but it's also how the finances work behind the scenes. And while it may be premature, based on the fact that we're here to take the public testimony and we're here to weigh that testimony, I don't believe that they are truly separate in the sense that all the finances would be separate on the back end. That is my opinion and my stance, and ownership interest is not, to my knowledge, defined as merely who is on the LLC paperwork. They just have to sign during the licensing process an affidavit that says they don't have any ownership interest in any other short-term rentals. That is generally good enough for me, but the testimony here tonight gives me enough pause that I am not comfortable voting yes on this particular case, or these four particular cases, all of them. Does that make sense?

DR. GRAY: Yes.

MS. GEUEA JONES: Okay. And I don't know if -- okay.

MR. CRAIG: So an enumerated consideration was a threshold question to the --

MS. GEUEA JONES: Yeah.

MR. CRAIG: -- so yeah.

MS. GEUEA JONES: But also to Commissioner Stanton's point, even without that, I might still be in their vote because we're talking about four right in a row on the same piece of property.

DR. GRAY: Thank you.

MS. GEUEA JONES: Any other comments? Seeing none. Commissioner Stanton, do you want to go for a slam -- what's it called in the baseball --

MR. STANTON: A no hitter --

MS. GEUEA JONES: A no hitter?

MR. STANTON: -- or all hitter, or whatever you want to call it.

MS. GEUEA JONES: Grant slam?

MR. STANTON: Grand slam. Hey. Okay. As it relates to Case 212-2025, 7 Fyfer Place, STR Conditional Use Permit, I move to approve the requested STR CUP.

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: 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, 7 -- or 2-7.

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