

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
JUNE 7, 2018

COMMISSIONERS PRESENT

Ms. Sara Loe
Mr. Dan Harder
Mr. Michael MacMann
Mr. Anthony Stanton
Mr. Rusty Strodtman
Mr. Brian Toohey

COMMISSIONERS ABSENT

Ms. Joy Rushing
Ms. Lee Russell
Ms. Tootie Burns

I) CALL TO ORDER

MR. STRODTMAN: Good evening. Good evening, everyone. We'll go ahead and call the Thursday, June 7, 2018, regular meeting -- Planning and Zoning Commission regular meeting to order.

II) INTRODUCTIONS

MR. STRODTMAN: May we have a roll call, please.

MS. BURNS: Yes, Mr. Chairman. We have six; we have a quorum.

MR. STRODTMAN: Thank you, Ms. Loe.

III) APPROVAL OF AGENDA

MR. STRODTMAN: Mr. Zenner, is there any changes to our agenda this evening?

MR. ZENNER: No, there are not, sir.

MR. STRODTMAN: Thank you, sir.

IV) APPROVAL OF MINUTES

MR. STRODTMAN: From the May 24, 2018, meeting, was there any changes or corrections needed to those minutes? I see none. Can we just have a thumbs up for approval of the May 24th meeting, and that is a thumbs up across the board, except for mine, and I was not voting since I was not here.

(Six votes for approval, one abstention.)

MS. LOE: Abstain?

MR. STRODTMAN: Abstain. Yes, ma'am. Sorry.

V) TABLING REQUESTS

MR. STRODTMAN: With that, we'll go ahead and start with our first matter, which is a tabling request, Case 18-85. At this time I would ask any Commissioner who has had any ex parte communications prior to this meeting related to this case, please disclose that communication at this time. I see none.

Case No. 18-85

A request by Engineering Surveys & Services (agent) on behalf of Central Bank of Boone County to vacate alley right-of-way generally located between 203 East Walnut Street and 115 North Providence, and designated as an alley on the M-DT Regulating Plan of the UDC. (A request to table this item to the August 9, 2018, Planning Commission meeting has been received. This is the applicant's third tabling request.)

MR. STRODTMAN: May we have a staff report, please?

MR. ZENNER: Yes, sir. As was provided to you within the Planning and Zoning Commission packet, a third tabling request is at the discretion of the Planning and Zoning Commission per your rules of procedure. The applicant is here tonight to explain the necessity for this request. We are going to let the applicant's testimony, as well as the decision of the Planning Commission to grant or not grant the requested tabling to the discretion of the members that are present. Staff does not have a recommendation as this is the Commission's prerogative. The applicant's agent is here and would be able to address the Commission's questions as to the necessity for the tabling.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any questions of Mr. Zenner on that? Mr. MacMann?

MR. MACMANN: Thank you, sir. Mr. Zenner, if the applicant were to withdraw at this time, how long before they could resubmit this application?

MR. ZENNER: Since it has not been recommended by denial for the Commission, the one-year delay in application -- of receiving an application of similar nature does not attach. They would be required to resubmit in accordance to our regular application submittal deadline and repay all filing fees.

MR. MACMANN: So other than the refiling -- filing, we're looking 60, 90 days?

MR. ZENNER: Probably less than that if they were --

MR. MACMANN: Pushing it in --

MR. ZENNER: If they're wanting August 9th, it would be submission deadline prior to the August -- that would get you to the August 9th agenda, and I don't have that readily available.

MR. MACMANN: One more question to follow up, Mr. Chairman. Mr. Zenner, if we were to not table this and proceed, what then? I guess, I will ask him when he comes up here if he's ready to proceed.

MR. ZENNER: The -- the application has been properly advertised. It has been continued to this meeting. The notifications -- property-owner notifications have not been redistributed as a result of tabling within our confines. Staff does not have a staff report prepared because this is a request to table. We typically do not prepare a staff report for public presentation. However, we will have a recommendation should that be the Commission's desire, as well as an overview of the general project off of this single slide. We can make a presentation.

MR. MACMANN: That's the only question that I have. I just have a quick comment. Given the nature of alleys, downtown in particular, and Council's concern with them and getting them right, I just

recommend that we proceed in a fashion that gets as much of this correct regardless of the time it takes.

MR. STRODTMAN: Thank you, Mr. MacMann. Commissioners, anyone else have questions of staff? If not, I'll go ahead and open the floor to anyone who would like to come forward and speak to us on this Case 18-85.

MR. KREIDE: Again, I'm Matthew Kreide, agent and engineer with Central Bank on this, offices at 1113 Fay Street. And as I say, I've got a tabling request here. The concern is we have not been able to find a satisfactory alternative for this alley with staff, and we don't want to proceed forward with, you know, any sort of disagreement with staff. And, you know, as you say, Mr. MacMann, we want to find the right alternative and the right answer for it. I have -- I had hoped with the last two tabling requests, we would have had time to resolve it, and we were not able to. So I've asked for, hopefully, quite a bit more time and get us -- give us some time to get this right. But that's the intent for the request is to -- just give us -- give us the needed time to make it happen and the -- when it satisfies staff and my client.

MR. STRODTMAN: And your thought is is the -- you would have ample time between now and the August 9th meeting to correct it?

MR. KREIDE: Yes. That's my hope, yes.

MR. STRODTMAN: Okay. Commissioners, questions of this -- I'm sorry. I'm just fumbling tonight. I'm off one meeting and I'm just out of tune. Mr. MacMann?

MR. MACMANN: I do have a question. Thank you, Mr. Chairman. Mr. Kreide, your clients are totally okay with going the route that we're going right now?

MR. KREIDE: Yes.

MR. MACMANN: Okay. You understand my concern is not directed to you or your clients. It's just we developed a new policy here in the new M-DT, getting it right, because this will set a precedent.

MR. KREIDE: Uh-huh.

MR. MACMANN: You know, vacation, easement, transfers, properties, yadda, yadda, yadda. This will set a precedent and the more right that we get it, you know, regardless of the time, that's -- that's kind of what I'm thinking here. And I'm open to wonderful ideas and your all's ideas, I think we got it in 60 days. Right?

MR. KREIDE: Yes.

MR. MACMANN: -- that's -- that's your idea?

MR. KREIDE: That's -- yeah. That's our idea.

MR. MACMANN: Okay.

MR. KREIDE: And I -- and I can assure you, staff is very aware of that and, you know, from the initial request that came on this to this new request, the review process has been much more intensive and more -- more consideration on getting this -- getting this right.

MR. MACMANN: Okay. Well, I hope that your engineering firm and your clients understand that we need --

MR. KREIDE: Uh-huh.

MR. MACMANN: -- and I'm glad staff is taking that time. Thank you, Mr. Chairman. I don't have any more questions at this time.

MR. STRODTMAN: Any additional questions, Commissioners, of this speaker? I see none. Thank you, sir.

MR. KREIDE: Thank you.

MR. STRODTMAN: Anyone else like to come forward this evening to speak on this matter? I see none. Commissioners, discussion? Recommendation for tabling? Mr. Stanton?

MR. STANTON: As it relates to Case 18-85, I move to table until the August 9th regular Planning and Zoning Commission meeting.

MR. TOOHEY: I'll second.

MR. STRODTMAN: Thank you, Mr. Stanton, for the recommendation for tabling this case, and Mr. Toohey for the proper second. Commissioners, any questions on this motion? I see none. Ms. Vice Chair, when you're ready for a roll call.

MS. LOE: Yes, Mr. Chairman.

Roll Call Vote (Voting "yes" is to recommend approval. Voting Yes: Mr. MacMann, Mr. Stanton, Mr. Strodtman, Mr. Toohey, Ms. Loe, Mr. Harder. Motion carries 6-0.

MS. LOE: We have six voting for, none against. Motion carries.

MR. STRODTMAN: Thank you, Ms. Loe. Recommendation for tabling this case has been approved. Moving on to our next case. At this time, I would ask any Commissioner who has any ex parte communications prior to this meeting related to this case, please disclose that now so all Commissioners have the same information.

Case No. 18-86

A request by Engineering Surveys & Services (agent) on behalf of Central Bank of Boone County for the dedication of a street easement for a new alley on Lots 311 and 312 in the Original Town of Columbia, and generally located on the south side of Ash Street, approximately 130 feet west of Providence Road. The dedication is located within the M-DT Regulating Plan area of the UDC. (A request to table this item to the August 9, 2018, Planning Commission meeting has been received. This is the applicant's third tabling request.)

MR. STRODTMAN: May we have a staff report, please -- staff comments?

MR. ZENNER: If I could say so ditto for the minutes as to 18-85. And just as a correction, you would think after I have posted this slide for three times, I would have gotten the case number correct. This is Case 18-86. This is the replacement -- the location of the replacement alley as it relates to the vacation request under 18-85. Again, the applicant is requesting a third tabling. Pursuant to the rules of procedure for the Commission, that is at the prerogative of the Commissioners. The applicant has provided testimony under 18-85 as a result of why that request for a third tabling was being made. The conditions are the same, since these co-joined, but separately numbered cases. I don't know if it's necessary for the applicant to provide the same explanation for the Commission, but this is all relating to

the necessity to be able to have a resolution between City staff comments as well as the applicant's comments, the Central Bank of Boone County. So this would afford an opportunity to continue the dialogue between the two parties.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, probably no questions for Mr. Zenner? I see none. I don't think there's a need for -- Mr. MacMann?

MR. MACMANN: It's -- at the Chair's discretion, I would like to make a motion.

MR. STRODTMAN: I would love to have that motion, sir.

MR. MACMANN: In the matter of Case 18-86, Central Bank of Boone County, M-DT alley dedication and regulation plan amendment, I move that we table to date certain, 9 August 2018.

MR. TOOHEY: Second.

MR. STRODTMAN: Thank you, Mr. MacMann, and Mr. Toohey. We have received a motion to table Case 18-86 to the August 9th Planning meeting. We have received a second from Mr. Toohey. Is there any discussion needed on this motion? If not, Ms. Loe, when you're ready.

MS. LOE: Yes, Mr. Chairman.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Mr. Stanton, Mr. Strodtman, Mr. Toohey, Ms. Loe, Mr. Harder. Motion carries 6-0.

MS. LOE: We have six approval, no denials. Motion carries.

MR. STRODTMAN: Thank you, Ms. Loe. Recommendation has been approved for tabling Case 18-86 to the -- to our August 9, 2018, Planning Commission meeting.

VI) SUBDIVISIONS

MR. STRODTMAN: Moving on to our first subdivision item of this evening. At this time, I would ask any Commissioner who has had any ex parte communication prior to this meeting related to Case 18-108, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. I see none. Thank you.

Case No. 18-108

A request by Simon & Struempf Engineering (agent) on behalf of On Point Construction, LLC (owners), seeking approval of a 17-lot preliminary plat to be known as "Woodstrail Ridge". The 6.37-acre parcel is located on the south side of Blue Ridge Road, south of terminus of Derby Ridge Drive. The property is zoned R-1 (One-Family Residential).

MR. STRODTMAN: May we have a staff report, please.

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the "Woodstrail Ridge Subdivision Preliminary Plat".

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners, any questions of staff? Mr. MacMann?

MR. MACMANN: Quick procedural question. Mr. Palmer, could you go back to the screen where you had your bullet points? I think one more back.

MR. PALMER: This one?

MR. MACMANN: That one right there. Thanks. I just needed to look at that. My computer is not up and this helps. Thanks.

MR. STRODTMAN: Mr. Palmer, can you show us with your mouse there, where is the -- that common lot? Is that --

MR. PALMER: On here, it would be basically where this FPO is. It's not exactly following that line, obviously, but it's much of this area where this trail is located. A lot of it's -- it would be stream buffer also, but then a chunk is over here for that storm-water basin, so --

MR. STRODTMAN: Thank you. I was just trying to picture it from --

MR. PALMER: Yeah. On this one, it's -- it's this line here down to here, and then this darkest line, so -- yeah. Which -- it follows the floodway line through there, which cannot be included in their development lots.

MR. STRODTMAN: All right. Okay. I was just trying to see where that -- the trail was in comparison. Commissioners, additional questions of staff? I see none. I will -- this is a subdivision matter, so if anyone would like to come forward this evening from the audience, we would just ask for your name and address. And if you don't want to, you don't have to. Commissioners, any discussion? Questions? Motions? Mr. MacMann?

MR. MACMANN: I just had a quick question of staff. Again, I'm sorry. My computer is down. How long is this stub, this cul-de-sac -- ish? I would assume the 350?

MR. PALMER: It's -- yeah. It's -- it's right around there, though.

MR. MACMANN: -- (Inaudible).

MR. PALMER: It was -- it was below the 350, but it's -- it's, like, 345 or something like that.

MR. MACMANN: All right. Thank you for that information.

MR. PALMER: Uh-huh.

MR. STRODTMAN: Commissioners, any additional questions of staff? Anybody like to make a motion for discussion? Mr. Stanton?

MR. STANTON: As it relates to Case 18-180 [sic] Woodstrail Ridge Subdivision Preliminary Plat, I move to approve.

MR. STRODTMAN: Thank you, Mr. Stanton. Do we have a second?

MR. TOOHEY: I'll second.

MR. STRODTMAN: Mr. Stanton has made the motion for recommendation of Case 18-108, Mr. Toohey has made the proper second. Commissioners, any discussion needed on this motion? I see none. Ms. Loe, when you're ready for a roll call, please.

MS. LOE: Yes, Mr. Chairman. Case 18-108.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Mr. Stanton, Mr. Strodtman, Mr. Toohey, Ms. Loe, Mr. Harder. Motion carries 6-0.

MS. LOE: We have six votes for, zero against. Motion carries.

MR. STRODTMAN: Thank you, Ms. Loe. Recommendation for approval will be forwarded to City

Council for their consideration.

VII) PUBLIC HEARINGS

MR. STRODTMAN: Moving on to our first public hearing matter this evening, Case 18-105. At this time I would ask any Commissioner who has had any ex parte communications prior to this meeting related to this case, please disclose that now so all Commissioners have that same information to consider on behalf of this case in front of us.

Case No. 18-105

A request by Brush & Associates (agent) on behalf of James Harris (owner) seeking annexation and assignment of A (Agriculture) district zoning upon annexation for a ten-acre property located south of St. Charles Road and approximately 700 feet east of Dorado Drive. The owner is seeking annexation of the property in order to connect to City sewer services, and intends to combine this parcel with the adjacent lot to the north to create one single-family farm/home lot.

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of A zoning as permanent City zoning upon annexation.

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners, are there any questions for staff? I see none. We'll go ahead and -- do you have a question, Mr. MacMann?

MR. MACMANN: A procedural question for Mr. Zenner and for our staff attorney. The motion to approve or deny this would just be for the permanent zoning?

MR. ZENNER: That is correct. Annexation is a policy matter of City Council.

MR. STRODTMAN: Any additional questions? I see none. We'll go ahead and open the floor to anyone who would like to come forward this evening. We would just ask for your name and address, please.

PUBLIC HEARING OPENED

MR. BRUSH: My name is Dan Brush; I'm with Brush & Associates, 506 Nichols Street. I'm here. The Harris, the owners, are here also. We would be happy to answer any questions. The reason we're requesting the A zoning is if you've driven by there and noticed the topography of the area, there really is no way to access this thing to substantiate a R-S zoning on ten acres out there. The best you're ever going to do is really one house, unless some sort of a street is ever projected to come in from the south. That's the only way you're going to get access. We're combining the two lots mainly to go ahead and have access to the road and to access to the utilities, and we can get into that, too, later. Otherwise, we'd be happy to answer any questions on the A zoning or anything else.

MR. STRODTMAN: Thank you, Mr. Brush. Any questions? Mr. MacMann?

MR. MACMANN: Just on your utilities. They come in from where, Mr. Brush?

MR. BRUSH: They come in from St. Charles. The sewer runs up along on that --

MR. MACMANN: -- (inaudible).

MR. BRUSH: Yeah. They come in along that ditch up there, and so does the water. It's adjacent to St. Charles.

MR. MACMANN: I thought I had seen it there. I'm by there all the time. It's -- yeah.

MR. BRUSH: Yeah. And electric is all over the place out there, so I'm not really sure who is going to serve it as far as electricity goes.

MR. STRODTMAN: Any additional questions of Mr. Brush? I see none. Thank you, sir.

MR. BRUSH: Thank you.

MR. STRODTMAN: Anyone else like to come forward this evening? I see none. We'll go ahead and close the case.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, questions, discussion? Any additional information needed from staff? Mr. MacMann?

MR. MACMANN: I have a motion if there are no questions.

MR. STRODTMAN: I think we'll take that motion.

MR. MACMANN: All right. In the matter of Case 18-105, Harris permanent zoning, I move that that zoning be accepted.

MR. TOOHEY: I'll second.

MR. STRODTMAN: Thank you -- Mr. -- thank you, Mr. Stanton. Mr. Stanton has made a motion to approve Case 18- --

MS. LOE: Mr. MacMann.

MR. STRODTMAN: I'm sorry. I'm so used to Mr. Stanton. He made the last one. I wrote down the last one. I'm sorry. I'm totally --

MR. MACMANN: Mr. Chairman, I have another pair.

MR. STRODTMAN: I have mine here, unfortunately. It's not that. A motion has been made on Case 18-105 by Mr. MacMann to approve this case. It has received its proper second from Mr. Toohey. Is there any additional discussion needed on this motion? And, if not, Ms. Loe, if you're ready for a roll call, please.

MS. LOE: Yes, Mr. Chairman. Case 18-105.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Mr. Stanton, Mr. Strodtman, Mr. Toohey, Ms. Loe, Mr. Harder. Motion carries 6-0.

MS. LOE: Six affirmative, no denials. Motion carries.

MR. STRODTMAN: Thank you. Our recommendation for agricultural assignment will be sent to City Council for their consideration. Moving on to our next case, 18-106. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to this case, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

Case No. 18-106

A request by Brush & Associates (agent), on behalf of James Harris (owner), seeking approval of a one-lot final plat to be known as "Harris Estates" and a design adjustment from Section 29-5.1(f)(1)(v) of the UDC pertaining to stem lot access. The 10.61-acre parcel is located on the south side of St. Charles Road approximately 700 feet east of Dorado Drive and is comprised of two lots containing 0.61 acres and ten acres. This request is being concurrently reviewed with Case No. 18-104 and Case No. 18-105 which propose rezoning of the 0.61-acre parcel and annexation of the ten-acre parcel. The subject property is currently unimproved.

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends:

1. Approval of the design adjustment to Section 29-5.1(f)(1)(v) to allow the creation of a stem lot with less than 30 feet of stem width in a special zoning district; and
2. Approval of the "Harris Subdivision Final Plat" pursuant to minor technical corrections as directed by staff.

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners, questions of staff on the staff? Yes, Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Mr. Palmer, I appreciate the creative idea. It sounds wonderful. How do we record that? Where do we keep that information so when those -- either of those properties goes, that's an offer that's out there? I just -- okay. It's a wonderful idea, it's just someone has to know that it's available to them so their planning process may be easier than these folks.

MR. ZENNER: Given that -- given that the adjacent properties rely on this particular stem --

MR. MACMANN: Currently. Right?

MR. ZENNER: -- currently, so back up a little bit, and we haven't covered this in the annexation request because it was not relevant. The information I'm going to provide you will tie into Case 18-104. The planned district property that is to the north of the annexation tract, the roughly ten-acre tract of land, is the former Terebinths PUD for back in the early '90s. It has expired as a development plan for proposed development. And as part of that Terebinths PUD plan, this particular stem lot or this stem was part of the primary driveway network. Development of anything that is left over should Case 18-104, which is the next case, recommend approval of this 0.61-acre tract being rezoned to A, you'll still have the PUD designation on either side of it. And at some point, we're likely going to have action to either take the old remaining portions of Terebinths out of the PUD designation and put it into the more standard residential subdivision zoning designation and potentially plat or something else, and it is at that point that per the platting standards, if this stem is going to be utilized as access, the stem lot at that point actually, if it's adjoining R-1, the design adjustment you're granting on this future A parcel would not trigger technically the need for the R-1 to have any greater access because that R-1 property, it's not a special district, and all other stem lots outside of our special districts only require a 20-foot stem. So, I think, as Mr. Palmer pointed out, we would seek to obtain the additional five feet, but we may not necessarily be

required to obtain it depending on what the adjoining zoning is.

MR. MACMANN: What they -- where they go with it.

MR. ZENNER: Where they go with it.

MR. MACMANN: I'm just -- I'm just trying to find out the -- how are we going to remember and how are they going to know.

MR. ZENNER: The -- as long as our regulations don't change about special districts requiring some additional dedication of right-of-way, that'll always be part of our standard requirements for the adjoining lots that would then come in subsequently for development. The shared private driveway access that the applicant is agreeing to show on this final plat --

MR. MACMANN: That will show on his plat.

MR. ZENNER: That's showing on his plat as part of the recording requirement, so the -- that is affording the adjacent PUD parcels the opportunity to use that access. We would evaluate at a time that the adjoining parcels come in for development, the impact that they create, and potentially the necessity for an upgrade of that shared --

MR. MACMANN: Depending upon zoning?

MR. ZENNER: Depending on their zoning.

MR. MACMANN: All right. Thank you.

MR. ZENNER: So we can cover all of that at that point. The other thing I want to point out, just so we're clear as to why we are sequencing these projects this particular way, and this, I believe, will be also possibly addressed more fully in the next case, you cannot zone a parcel of property A unless it has two and a half acres. So the recommendation of approval on the annexation request gets us the annexation. The recommendation for approval of this plat combines the two. Should Council or the Commission decide in 18-104 that they do not want to approve a rezoning to A on the 0.61 acres, the plat still can survive with having a split zoning line and they will have their access that they need through a combined and consolidated plat that allows utilities as well as the road access. So that -- that's why this is a little bit out of sequence. One would think you would have handled it numerically, however, as we started to look at how you have to stack the actual applications against each other to ensure that they meet the code requirements, that is why they are in the order that they're in.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any additional questions of staff at this time? I see none. We'll go ahead and open it up to the public, if anyone would like to come forward.

PUBLIC HEARING OPENED

MR. BRUSH: My name is Dan Brush, offices at 506 Nichols Street. Basically, this would be more than happy to answer any questions you have.

MR. STRODTMAN: Thank you, Mr. Brush. Commissioners, any questions of this speaker? I see none. Thank you, Mr. Brush. We'll go ahead and close if nobody else is going to come forward.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion on this case, Case 18-106, or -- yes,

Mr. MacMann?

MR. MACMANN: If there are no questions?

MR. STRODTMAN: I see none.

MR. MACMANN: In the matter of Case 18-106, Harris Estates Final Plat and design adjustment, I move for approval.

MR. STANTON: Second.

MR. STRODTMAN: Thank you, Mr. MacMann, and Mr. Stanton. He had to get his name in there. We have had -- we have received --

MR. MACMANN: -- (inaudible).

MR. STRODTMAN: We have received a motion from Mr. MacMann to accept Case 18-106, it has received a second provided by Mr. Stanton. Is there any discussion needed on this motion? I see none. Ms. Loe, whenever you're ready, please, may we have a roll call.

MS. LOE: Yes, Mr. Chairman. Case 18-106.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Mr. Stanton, Mr. Strodtman, Mr. Toohey, Ms. Loe, Mr. Harder. Motion carries 6-0.

MS. LOE: Six in favor, zero against. Motion carries.

MR. STRODTMAN: Thank you, Ms. Loe. Approval for the design adjustment for stem width and approval of the final plat will be forwarded to City Council for their consideration. Moving on to the Case 18-104. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to Case 18-104, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

Case No. 18-14

A request by Brush & Associates (agent), on behalf of James Harris (owner), seeking to rezone 0.61 acres from PD (Planned District) to A (Agricultural District). The subject parcel is located approximately 700 feet east of Dorado Drive and on the south side of St. Charles Road and is currently a vacant parcel of property. The owner intends to combine this parcel with the adjoining ten acres to the south (subject of Case No. 18-105) to be used as a large single-family residence and farm.

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning from PD to A, subject to approval of the requested annexation of the ten acres to the south (Case No. 18-105) and approval of the final plat (Case No. 18-106) that will combine the subject site with the annexation parcel.

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners, any questions of staff? I see none. We'll go ahead and open this up for the public. If anyone would like to come forward?

PUBLIC HEARING OPENED

MR. BRUSH: Dan Brush, Brush & Associates, 506 Nichols Street. When you get out there and

look at this site and when you start talking about the site to the west and so forth, really with the steep slopes that you have there, the stream buffer and the easements pretty well kill any kind of a building site you're going to get on that site, not to mention any type of forest you would save and so forth. The same thing applies to the little piece that's north and east, and also to the east there. Those steep slopes on that thing, I don't know how you would be able to get a multi-family structure, I mean, even single-family attached. At best, you might get a single-family home in there, but I really don't see that as much of an option even on that -- those two pieces. We're asking for the A zoning simply so we have a contiguous zoning through the entire site, and beyond that, I'd be happy to answer any questions.

MR. STRODTMAN: Thank you, Mr. Brush. Commissioners, any questions of this speaker? I see none. Thank you, sir.

MR. BRUSH: Thank you.

MR. STRODTMAN: Anyone else like to come forward this evening? I see none. I'll go ahead and close Case 18-104.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. If there are no questions?

MR. STRODTMAN: I see none.

MR. MACMANN: In the matter of Case 18-104, Harris rezoning -- rezoning, I move for approval.

MR. STRODTMAN: Thank you, Mr. MacMann.

MR. STANTON: Second.

MR. STRODTMAN: Mr. Stanton. We have received a motion for approval of Case 18-104 by Mr. MacMann. It has received the proper second by Mr. Stanton. Is there any additional discussion needed on this motion? I see none. Ms. Vice Chair, when you're ready for a roll call, please.

MS. LOE: Yes, Mr. Chairman. Case 18-104.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Mr. Stanton, Mr. Strodtman, Mr. Toohey, Ms. Loe, Mr. Harder. Motion carries 6-0.

MS. LOE: Six votes in approval, zero against. Our streak continues, motion carries.

MR. STRODTMAN: Thank you. Thank you, Ms. Loe. Planning and Zoning's recommendation of Case 18-104 for approval from PD to A will be forwarded to City Council for their consideration.

VIII) PUBLIC COMMENTS

MR. STRODTMAN: Any -- anyone in the audience who would like to -- any public comments? Anyone in the audience like to come forward and speak to us?

IX) STAFF COMMENTS

MR. STRODTMAN: Anyone on the staff like to give us some comments?

MR. ZENNER: Your next meeting will be June 21st, same time, same place. Show up earlier as the weather is getting better at a work session, if you would, so we can have more full and lengthy discussion. But your items on the June 21st agenda are as such. We have a total of six items at this

point. We have a couple of rezoning requests, and then we have combined public hearing and subdivision items. Case 18-115 is Truman Solar, LLC. This is a rezoning request from agricultural land to planned district, a little bit different than what we just discussed here this evening, going in the opposite direction. We have a request from 18-128, that's Bristol Lake Plat 1, Lot 97. This is a request to go from PD, the Bristol Lake PD actually down there towards our Philips Lake Park, from PD to R-1, and this is to correct a parcel's zoning designation as it relates to two cases under the public hearing and subdivision section. Case 18-109 is an annexation and a permanent zoning request that is associated with 18-128, and then we have a preliminary plat that goes with that annexation and permanent zoning request called Bristol Ridge. The last two items we have are downtown-related matters. The American Islamic Center, which most of you are probably familiar with where it is located. They are looking at providing and proposing an addition onto the property, not necessarily onto the mosque itself, but they are looking at constructing a new school facility. They are seeking to have the school facility designated as a civic structure, which has an impact as it relates to the M-DT design requirements. We have had significant coordination with the applicant from an architectural perspective and the staff report will be -- it will be a complex comparison between the applicant's proposed architectural treatments to show how the integrity of the M-DT standards are actually being met versus what the actual M-DT standards would have required. So be prepared for a little bit longer presentation on that just because of the nature of the justifications that need to be made in order to designate a civic structure per the new zoning requirements. And associated with that is a final platting and a design adjustment action to consolidate what now are three individual lots that the Islamic Center owns, one of which has the actual mosque on it, has their school on it on another, and then if you are at all familiar, there is a rental residential structure on the very southern end of their total overall property towards Elm that is the third parcel. All three of those are being proposed to be consolidated into a single lot in order to allow for construction over property lines, which is a requirement under the new UDC, as well. Just so we have some context so you all can see where we are, our Truman Solar, LLC, project is out on I-70 Drive S.E., and it is just to the east of our Ashley Furniture building. This is an 80-acre tract of land. Not all of the parcel is being proposed to be improved with solar facilities, though it is needing to be rezoned from its current A designation to the PD designation given the fact that this is a private solar operation, and we will get into that in greater depth in the staff reports. You will notice there is some FPO on this property. Based on the design plan that has been submitted, the proposed improvements stay out of the FPO environment. You have then the rezoning request for Bristol Lake. This is that little piece that I was referring to that is actually zoned PD. And then as we go to the next slide, which includes the portions for the annexation, as well as the preliminary plat, you will notice where the PD label is. That is inside the area that is proposed to be platted, and part of the zoning change was to ensure that the annexation designation, which is a request for R-1, did not conflict with the PD designation that was in the original Bristol Lake planned district, so we're trying to ensure that we've got consistent zoning between an existing lot that will then be incorporated into a future plat with an area that's being annexed. And then the Islamic Center sites, most of you are familiar with this, Locust

and Fifth, and you'll notice the yellow lines that are represented here are the existing lot lines and that's what will be corrected and consolidated into a single lot within Case 15-122. So with those items, that is all that we have on the agenda for the coming meeting. We will bring to you for a work session some new information, I believe. I'll have to look to find out what we have in the hopper, potentially a presentation from our Business Loop CID possibly, as well as possibly half of the meeting allocated toward discussing what we discussed this evening in work session before we invite Ms. Buffalo back to discuss potential options as it relates to the Climate Adaptation and Action Plan that was presented. With that, though, we are finished for this evening, and we thank you for your attention.

MR. STRODTMAN: Thank you, Mr. Zenner.

X) COMMISSION COMMENTS

MR. STRODTMAN: Commissioners, any comments from Commissioners this evening? Mr. MacMann?

MR. MACMANN: I'd like to make a motion.

MR. STRODTMAN: Before you do that, I would just like to thank Ella Toohey this evening. She is doing a summer-school project and she is shadowing us this evening, so hopefully she learned something this evening. So, thank you, Ella.

XI) ADJOURNMENT

MR. STRODTMAN: Mr. MacMann, would you like to make a motion?

MR. MACMANN: Thank you, Mr. Chairman. Thank you, Ella. It's great to have everyone here. I move that we adjourn.

MR. STRODTMAN: Do we have a second?

MR. STANTON: Second.

MR. STRODTMAN: Mr. Stanton, thank you. We are adjourned.

(The meeting was adjourned at 7:55 p.m.)

(Off the record.)