

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
JUNE 21, 2018

COMMISSIONERS PRESENT

Mr. Rusty Strodtman
Ms. Tootie Burns
Ms. Sara Loe
Mr. Dan Harder
Mr. Brian Toohey
Mr. Anthony Stanton
Ms. Joy Rushing
Mr. Michael MacMann
Ms. Lee Russell

COMMISSIONERS ABSENT

I) CALL TO ORDER

MR. STRODTMAN: Good evening, everyone. We'll go ahead -- good evening. We'll go ahead and call the Thursday, June 21, 2018, City of Columbia Planning and Zoning Commission regular meeting to order. May I have a roll call please,

MS. BURNS: Yes. We have nine; we have a quorum.

MR. STRODTMAN: Thank you, Ms. Secretary.

II) APPROVAL OF AGENDA

MR. STRODTMAN: Mr. Zenner, any changes to the agenda this evening?

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

MR. STRODTMAN: Thank you, sir.

III) APPROVAL OF MINUTES

MR. STRODTMAN: Commissioners, we have minutes from the June 7, 2018, regular meeting. Are there any corrections or changes needed to the June 7 meeting notes? I see none. I'll take a thumbs up for approval of those notes from everyone that was here.

(Unanimous vote for approval.)

MR. STRODTMAN: And that's unanimous. Thank you.

IV) TABLING REQUESTS

MR. STRODTMAN: Moving to our first item of the evening, tabling request.

Case No. 18-115

A request by Cypress Creek Renewables, LLC (agent) on behalf of Dunlop Development, LLC (owner), seeking rezoning of an 88-acre parcel of land located on the south side of I-70 Drive SE, approximately 2,000 feet east of St. Charles Road. The property is currently zoned A

(Agriculture District) and the applicant is requesting approval of the PD (Planned District) zoning to allow for the installation of a 10MW solar energy facility. (A request to table this item to the July 5, 2018 meeting has been received.)

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

MR. ZENNER: Yes, you may, Mr. Chairman. This is an item that has been requested to be tabled to the July 5th meeting. The purpose for the tabling was to allow for additional staff comments to be addressed as it related to the PD plan. Applicant did not have adequate time in which to prepare their response completely to the City staff prior to the actual agenda needing to go live for this particular meeting. Since the item was advertised, a formal request to table was necessitated. Staff supports the request for tabling. We have received the response comments and are going to be prepared to move forward onto the July 5th agenda with this item.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any questions of staff at this point? I see none. Is there anyone from the -- in the audience this evening that came forward this evening -- to come to Case 18-115? If you did, you're welcome to come forward to speak to us this evening. You're not required. When you come forward, you just have to wait till you get to the microphone, so we can have it recorded. And before you get started, would you give us your name and address, and then you're -- the floor is yours.

MS. GOLLAHER: Hi. Thank you. I'm not here to speak for or against, I just had a few questions that I'm they are probably being addressed in the process, but I just wanted to make sure.

MR. STRODTMAN: Can we get your name?

MS. GOLLAHER: Diane Gollaher, G-o-l-l-a-h-e-r.

MR. STRODTMAN: And your address?

MS. GOLLAHER: 205 Searsport Drive.

MR. STRODTMAN: Thank you, ma'am.

MS. GOLLAHER: Okay. So my question was, I wanted to see for the setup of this plan -- I think it's pretty close to my house -- whether there is a plan for a tree border around it, whether it will make any kind of noise like a hum, or whether it will produce any kind of pollution. And I've also had some questions about whether would energy go -- be allocated to like -- I don't think it's in our neighborhood, but I'm not really sure.

MR. STRODTMAN: You know, my suggestion -- I'll kind of let Mr. Zenner step in, too. Those types of questions, it's good that you brought those up and they'll be noted in the staff report. Your probably best bet would be to come back on the July 5, 2018 --

MS. GOLLAHER: Okay.

MR. STRODTMAN: -- meeting. Assuming it's not asked to be tabled again, then a presentation would be given. If it's not clear to you at that time, then you would have an opportunity to come forward and you could ask those questions or clarify them.

MS. GOLLAHER: Because their representatives aren't here at the current time for the --

MR. STRODTMAN: And we -- typically we'd only -- we would prefer that you come back when it's the actual case, so we could discuss it with all of the people that would be relevant.

MS. GOLLAHER: Sure. Right.

MR. STRODTMAN: But we wanted to give you a chance tonight just in case you can't come back on July 5th. And it was advertised for this evening --

MS. GOLLAHER: Oh, right --

MR. STRODTMAN: -- so it was just more of an opportunity for you just in case you couldn't come back.

MS. GOLLAHER: Right. And can you -- yeah. I may not be able to. Can you pass those on to the representatives of the company?

MR. STRODTMAN: They are.

MS. GOLLAHER: I'm sure they're covering that kind of thing, but I just wanted to be sure because I haven't really heard much about it.

MR. STRODTMAN: Yeah. That's why we wanted you wait to get to the microphone, so we could get that in the record.

MS. GOLLAHER: Right. Sure.

MR. STRODTMAN: So those -- those notes will be passed along.

MS. GOLLAHER: Okay.

MR. STRODTMAN: And if they aren't being addressed, they will be too.

MS. GOLLAHER: And I'm sure there'll be some kind of a report coming out of it that will address all those items and be available or something of the sort?

MR. STRODTMAN: You -- yes, ma'am.

MS. GOLLAHER: Okay. Thank you.

MR. STRODTMAN: Thank you.

MR. ZENNER: Mr. Chairman, if I may. In response to this particular speaker's questions, we do have the application fully available electronically on the City's website, and the site plan that has been submitted that has been revised at this point, the initial -- the initial site plan is available to actually be reviewed, along with the full application and some other significant documentation that was supplied.

MR. STRODTMAN: Okay.

MR. ZENNER: For those that may be watching on television or here in the audience, the ability to access the full application that has been submitted is available at www.como.gov. Once you get to our City's main web page, you are going to want to look under the map icon, which is in the center section of the website and click on the community dashboard. It is a hyperlink underneath the map icon. And then once you are there, it will pull up a City map. You can zoom into your particular section of the City where this parcel is located on the eastern edge. And within that, you will notice the case number for this particular case, 18-115. If you click on that case number, it will pull up a link to the application materials. It will also pull up when the staff has been prepared, the actual staff report, as well. We do not have a

staff report at this time. It is still in -- the project is still in review, but all of the application materials that have been submitted up to this point are there, and you can look at that. Contact information for the applicant is also available at that point if you wanted to try to reach out directly to the applicant to express your concerns, as well. The project manager for this particular case is Rusty Palmer here in our office, and Rusty can be reached at 874-7239 with any additional questions that may be needing to be answered.

MR. STRODTMAN: Thank you, Mr. Zenner. That was very thorough. Thank you. Appreciate it. Commissioner, any further discussion, a motion for -- yes. Mr. MacMann?

MR. MACMANN: If there is no other discussion, just, Diane, to answer your question -- one of your questions, the City is going to buy that power.

MS. GOLLAHER: (Inaudible)

MR. STRODTMAN: We can't -- we can't --

MR. MACMANN: I'm sorry. I just -- I just wanted to put that out there. Thank you, Mr. Chairman. In the matter of Case 18-115, Cypress Creek Renewables, LLC, rezoning, I move to table said item to date certain 5 July, 2018.

MR. STANTON: Second.

MR. STRODTMAN: Thank you, Mr. MacMann, for a --

MS. DAVIS: I have a question.

MR. STRODTMAN: Ma'am, I'm sorry.

MS. DAVIS: Okay. I --

MR. STRODTMAN: Can you come to the microphone and give us your name and address?

MS. DAVIS: My name is Pat Davis, and I live at 6500 I-70 Drive. I live exactly east of that property. And the owners actually have more than 88 acres there. So what -- what are they going to do with the remaining of the acreage?

MR. STRODTMAN: The same -- the same -- the same thing would be said, as we mentioned to the -- the lady before you is that information is on the website today. You can go ahead and look at the website today. There's plans out there. If no, if you'll come back to the July 5th meeting, more information will be discussed at this -- at that time.

MS. DAVIS: And what is this zoning that you're giving this allow?

MR. STRODTMAN: We're not doing anything tonight, ma'am, other than we're accepting a request to table this item to a future date.

MS. DAVIS: Okay.

MR. STRODTMAN: So no discussion is going to be had on this case, other than to postpone it, table it, for another two weeks.

MS. DAVIS: So we have to come back on July 5th?

MR. STRODTMAN: If you're able to, yes.

MS. DAVIS: All right. Thank you.

MR. STRODTMAN: You're welcome. Is there anybody else in the audience that would like to come forward related to this case? Anyone else like to come forward that's here? Okay. We'll go ahead and close the public participation. Commissioners, we have a motion that has been made by Mr. -- Commissioner MacMann for Case 18-115 to table it to July 5th. It received its proper second by Mr. -- by Commissioner Stanton. Is there any discussion needed on this motion? If not, I would ask Ms. Burns to give us a roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann. Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Case 18-115 will be tabled to the July 5, 2018, meeting.

V) PUBLIC HEARING

Case No. 18-128

A request by Crockett Engineering Consultants (agent) on behalf of Valley View Gardens, Inc. (owner) for approval to rezone Lot 97 within Bristol Ridge Plat 1 from PD (Planned Development) to R-1 (One-Family Dwelling). The subject site is located at the northwest corner of Baxley Court and Bradington Drive, and addressed as 4705 Bradington Drive and was shown as a lot being within the Bristol Lake Tract 2 PUD plan.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the rezoning of Lot 97 within Bristol Ridge Plat 1 from PD to R-1.

MR. STRODTMAN: Thank you, Mr. Smith. That was a good report. Commissioners, any questions of staff? I see none. We'll go ahead and open it up.

PUBLIC HEARING OPENED

MR. STRODTMAN: Anyone like to come forward and speak on Case 18-128?

MR. CROCKETT: Mr. Chairman and members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. As stated by Mr. -- Mr. Smith, this request is a small piece of a larger request that's coming before you tonight. It also has another rezoning request that goes along with it, as well as a preliminary plat that's tied to it. This piece is noted as 97 is an undevelopable portion of Bristol Lake Plat 1 that was set up for redevelopment. Being that the rest of the property would come in or is requesting to come in as R-1, it made sense that this piece would go along with it since it would combined with that R-1 development. With that, I'm happy to answer any questions that you have for this case.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, any questions of this speaker? I see none. Thank you, sir. Anyone else like to come forward this evening on Case 18-128? I see none. I'll just go ahead and close that out.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion on Case 18-128 to consider the rezoning of Lot 97 from PD to R-1? Ms. Russell?

MS. RUSSELL: Well, I'm going to go ahead and make a motion.

MR. STRODTMAN: And we would love your motion, I think.

MS. RUSSELL: Regarding Case 18-128, I move to approve the rezoning of Lot 97 within Bristol Ridge Plat 1 from PD to R-1.

MR. STANTON: Second.

MR. TOOHEY: I'll second.

MR. STRODTMAN: Thank you, Ms. Russell, for a motion for Case 18-128 for approval of PD to R-1, and second by Mr. Stanton. Commissioners, any discussion needed on this motion? I see none. Ms. Burns, when you're ready.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann. Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval of Lot 97 from PD to R-1 will be forwarded to City Council for their consideration.

VI) PUBLIC HEARINGS AND SUBDIVISIONS

MR. STRODTMAN: Moving on to our next case for the evening.

Case No. 18-109

A request by Crockett Engineering Consultants (agent) on behalf of Alan E. Easley Trust and Virginia Easley DeMarce Declaration of Trust (owner), Valley View Gardens, Inc. (owner) and Bristol Lake Home Owners Association Number 1, Inc. (owner) to annex 18.88 acres, 11.22 acres and 0.79 acres, respectively, into the City of Columbia and apply R-1 (One-Family Dwelling) as permanent zoning. The subject sites are zoned County A-1 (Agriculture), and generally located on the east side of Bearfield Road, approximately 1,400 feet north of Gans Road.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the suggested R-1 permanent zoning pending annexation.

MR. SMITH: But do we want to do a vote right now on the annexation or go ahead and do both of these at the same time?

MR. ZENNER: The annexation -- well, the annexation, we're doing a zoning vote on the R-1, not the annexation. Secondly, Mr. Smith's report, I don't believe he indicated that the bulk of this property is actually owned by the Easleys, if I am correct. And the Easley portion, it is a portion of the Easley tract of land. This is not an entire annexation. We just want to point that out to you. There is more property that is under the ownership of the Easleys to the north of what is proposed to be annexed. So we are

applying zoning that would be, as Mr. Smith has pointed out, consistent with the development intensities surrounding and contiguous with the City. There is nothing within the City code that prohibits an applicant from proposing only a portion of their property to be brought into the City; however, we thought that it would be advisable to inform you that this is a portion of a larger tract of land that may, at some point in the future, be petitioned to be annexed, as well. With that, we would need to take a vote on the permanent zoning prior to moving forward to the subdivision plat or Mr. Smith can provide the subdivision report at this point and you can take the two votes separately after the subdivision report has been presented. I would suggest, however, for the purposes of containing comments as they relate to this request that you probably receive those at this point, so the minutes can connect the comments related in the annexation and permanent zoning, and then we can go to the subdivision and do the same.

MR. STRODTMAN: My suggestion would be as well just go ahead and vote this out and then we'll move on to the next one and keep it separate, but we know they're all together. Commissioners -- thank you for the reports. Commissioners, any questions or discussion for -- with City staff? I see none. We'll go -- oh. Mr. Stanton.

MR. STANTON: Just a quick one. Okay. So we vote on the zoning. Do we have to tie it to the pending annexation or just vote the zoning and then leave it alone? Okay.

MR. SMITH: Typically, our recommendation is -- is permanent zoning, you know, pending the annexation of the property.

MR. STANTON: All right.

MR. STRODTMAN: Thank you. We'll go ahead and open it up to the public portion.

PUBLIC HEARING OPENING

MR. STRODTMAN: Just give us your name and address and the floor is yours.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. Like the last request, this is a zoning portion that coincides with the larger preliminary plat that will be the next item on the agenda. Again, this is like zoning for what's developed out there currently, and we believe it's suitable for the area. I don't have any presentation for this portion but will follow up with the preliminary plat. So happy to answer any questions should the Commission have any.

MR. STRODTMAN: Thank you, Mr. Crockett. Any questions for this speaker? I see none. Thank you, sir.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Anyone else like to come forward from the audience this evening?

MR. BRIDGEMAN: Thank you for letting me speak. I'm Jay Bridgeman; I live on the west side of Bearfield directly across the -- this property. And the questions I had tonight are number one, has the Committee or the -- have you considered the traffic effects of the increased dwellings that would be built on Bearfield Road specifically? That was one concern we had as a family is that there would be increased traffic with the increased number of homes. Number two, does the property itself include an access road to Bearfield? So maybe you could clarify for me that if homes are built on this tract, would

they have an access to Bearfield or would they have to exit their development through the current development? And then, lastly, would this -- would the zoning include a tree -- a request for a tree border in order to shield the -- you know, along Bearfield to make a tree border for the homes. And then -- and then, lastly, because I'm new to Columbia, if this in direct relation to the annexation, if this property is annexed, my understanding -- we currently live across the street, which is not City property, it's County property. And so how would the annexation of this property affect future annexations, for example, like, would my property be annexed into the City at some time in the future based on the annexation of adjacent properties? I don't know the answer to that. And would this affect, you know, property taxes? Like how would property taxes be affected if this -- this property became annexed by the City. So -- and there's another person that, I think, wants to come and speak is my daughter.

MR. STRODTMAN: Sir, if you -- Mr. Bridgeman?

MR. BRIDGEMAN: Yes?

MR. STRODTMAN: If you -- to answer -- I think if you will give us one more case, the next case, I think, will answer a lot of your questions about the layouts and the roads and the access points and things of that nature.

MR. BRIDGEMAN: Sure. Yeah.

MR. STRODTMAN: To answer your last question briefly, you know, annexation is not something that someone annex -- you would have to annexate [sic] your own land.

MR. BRIDGEMAN: Yeah.

MR. STRODTMAN: So it's something that -- that, you know, has really nothing -- this is just something separate from -- you know, they can't annex your land --

MR. BRIDGEMAN: Right.

MR. STRODTMAN: -- so it has really nothing to do with your land.

MR. BRIDGEMAN: Perfect.

MR. STRODTMAN: So hopefully the next case will answer all your questions, but I think Mr. Smith might have something.

MR. SMITH: Yeah. I'll go ahead and interject there. Just so the speaker is aware, the City does have a number of annexation agreements that could come into play if this portion or this property is annexed. I don't know exactly which property he owns, but if he does own the property, he may be knowledgeable that he is subject to an annexation agreement. That is something that we could talk about later, but, right now, I do know that there could be annexation agreements that are affected by the annexation of this property.

MR. BRIDGEMAN: Good to know. Glad I came.

MS. BRIDGEMAN: Good evening. My name is Abigail Bridgeman, and I live at 4807 South Bearfield Road. I had a question concerning the environmental effects of the construction going on across the street. On our property, we do have a creek called Clear Creek, which directly funnels into the Rock Bridge State Park Cave, which could affect the population of special bats that lives there. I was

wondering if the construction company has taken into account the possible environmental effects that it could have upon the state park?

MR. STRODTMAN: My general question is going to be -- answer is going to be yes, but I'm going to refer to City staff if they want to expand on that, or it may be discussed at a later case that might still be going on this evening.

MR. ZENNER: Generally speaking, the environmental -- environmental related, environmental protection measures are taken into account at the time of site plan submission by the developer. We do have a storm-water ordinance, we do have stream buffer protection standards. This particular property, as the plat will show in the following case, does have a stream corridor buffer along its northern boundary. We require through construction maintenance and management of all types of storm-water control devices to ensure that during rain events we are not discharging construction debris or sediment into the existing creek. Mr. Crockett with Crockett Engineering may be able to better express during our subdivision review some of the other measures that they may be instituting as a part of the construction process. Given your question, we can probably cover that in our next case, sir.

MS. BRIDGEMAN: Thank you.

MR. STRODTMAN: Thank you, ma'am. Any additional speakers like to come forward? And we thank you for that last speaker. We really do appreciate you coming in. It was a good question. Commissioners -- we'll go ahead and close this -- I see no further -- anyone else coming forward. We'll go ahead and close that discussion from the public.

PUBLIC HEARING CLOSED

MR. STRODTMAN: And, Commissioners, discussion on the approval of R-1 zoning upon annexation? Ms. Russell?

MS. RUSSELL: I'll go ahead and do another motion.

MR. STRODTMAN: I don't see any questions.

MS. RUSSELL: In regards to Case 18-109, I move to approve the requested R-1 permanent zoning pending annexation into the City.

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

MS. BURNS: Second.

MR. STRODTMAN: We have -- Commissioners, we have received a motion by Ms. Russell for Case 18-109 to approve R-1 zoning upon annexation into the City. We received a second by Ms. Burns. Is there any discussion needed on this motion? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Yes. Thank you.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann. Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for R-1 zoning upon annexation will be forwarded to City Council for their consideration. Moving on to our next case, Case 18-30. And I just realized I had forgotten something all night. At this time, I would ask any Commissioner who has any ex parte communications prior to this meeting related to this case, Case 18-30, 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.

Case No. 18-30

A request by Crockett Engineering Consultants (agent) on behalf of Fred Overton, Inc. (contract purchaser) for approval of a 67-lot preliminary plat on R-1 (One-Family Dwelling) zoned land, to be known as Bristol Ridge, pending annexation and permanent zoning. Additionally, the application is seeking design adjustments from Sections 29-5.1(c)(3)(i)(H) and 29-5.1(c)(3)(ii) of the UDC pertaining to connection to undeveloped lands and block lengths, respectively. The 31.01-acre subject site is generally located on the east side of Bearfield Road, approximately 1,400 feet north of Gans Road.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends the following actions:

1. Denial of the requested design adjustments;
2. Approval of the preliminary plat subject to the correction to comply with the UDC provisions prior to forwarding for Council consideration.

A Commission support of the design adjustments would not require revision to the submitted plat.

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

MR. MACMANN: Thank you, Mr. Chairman. Mr. Smith, could we return to the -- there. That's exactly where I want to go. Thank you very much. The proposed road to the north, the collector there, is -- where is that on CATSO; do we know?

MR. SMITH: This one, or the east-west?

MR. MACMANN: Uh-huh. The east-west.

MR. SMITH: The east-west would be an extension of the collector that currently comes through Discovery Park and stubs into the park district property, which is the Phillips Farm Road. That's probably a good -- so this is the start of that collector. CATSO does show it -- it technically shows it to the south, but I think they've recently amended it, so it will be shown as this location. This is the planned location for the collector. The collector is actually shown extending all the way to the west, so it's a complete --

MR. MACMANN: Is there -- if I may, is there a time frame on that?

MR. SMITH: Not that I'm aware of, no. The park district is constructing a portion there or would be, depending on if they're moving forward with their approved PD plan, so they do have plans for some of that construction for that field house.

MR. MACMANN: But that stops well short of this area?

MR. SMITH: Correct.

MR. MACMANN: That's my question for the moment. Thank you, Mr. Chairman.

MR. SMITH: And this alignment, I would say, not to -- sorry, not to cut you off, this alignment is again proposed. It may not be exactly here, it could be further to the north, it could be further to the south.

MR. MACMANN: Well, as you said, given our terrain, we have -- if we're going to go east-west there, we don't have -- have all the options in the world.

MR. SMITH: Right.

MR. STRODTMAN: Any additional questions of staff? I see none. We'll go ahead and open it up to public input.

PUBLIC HEARING OPENED

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. Thank you for the time, and this is the project we've been kind of alluding to so far, so I appreciate that. With me tonight is Fred Overton, the applicant for the -- for the proposed development and again the overview, I think, Mr. Smith did a pretty good job. We have 59 single-family lots, even though it's noted as 68, it's 59 single-family, the other are common lots, roughly 31 acres, and of course annexations and zonings pertaining to the site. Again, as you see, and this is the preliminary plat that's before you tonight. Of course, I want to spend most of my time addressing the two design adjustments that we're requesting tonight, both for street connectivity, as well as block length. Street connective, again, this is what we're proposing. This is what City staff has asked us to do, actually asked us to stub a street from our development going north across the creek into undeveloped property. Now as we talked about that is, you know, the UDC is in a little bit of conflict here, and staff agrees with that. We have some issues with regards to that. First of all, we have two blue line streams. And I believe Mr. -- Mr. Smith indicated that is a minimal footprint creek that runs across our north property line and I will disagree with that. That's a relatively large creek, and it may not look that it is physically in the field, but it drains all of Phillips Lake Park, all of Phillips Lake. It's a substantial creek. It's a regulated waterway that drains roughly 500 or 600 acres and goes way on the other side of Highway 63, so it's a large drainage area, so it is significant. It has a -- it's a type two stream buffer. We add the blue-line streams, then we add in the steep slopes, we add in the floodway that's out there, we add in the flood plain, we add in the climax forest, we add in the stream buffers, and then we add in a trail that the Columbia Parks and Recreation wants to add out there, and you can see what we're up against. You can kind of see the areas that we're trying to -- that we're asked to stub a street to that may or may not be extended in the future. Then you take out the fact that it's not a 50-foot of right-of-way that we're going to be grading, this is just a schematic, but we're going to be grading a much larger swath going through that area because you have to fill it in that location. You have to fill it so that we have ample storm structures underneath the creek so we can get over it, and then we have to fill on both sides of it, so it's a large swath that we're clearing out, and then you can see all the

sensitive that we're going to be encountering. So that's the -- that's the reason why we're -- that we're opposed to making that connection or -- and why we were asking for the design adjustment. We also -- Mr. MacMann kind of talked to your question a little bit with regard to Phillips Farm Road. This preliminary plat has been to CATSO, not that that's a common occurrence, but staff has asked us to discuss this before CATSO for the very purpose of the east-west road that we may or may not tie into. CATSO has looked at it and said that this development doesn't have any impact on that roadway alignment. The issue with that is is they don't know where that road may go. Obviously, I don't think it's going to slide much further south, but it may go further north. If it does go where it's on the CATSO plan, you can see that if it goes through there and this road must tie into it, you can see the challenges that it's going to present. And so, you know, that's -- that's the concern that we have with that regard. Again, we have the criteria for design adjustment. You know, is it consistent with the -- with the comprehensive plan? We believe that it is. It will not create significant adverse impacts on any lands abutting the proposed plat. I don't believe that it will. It would actually prevent adverse impacts with regards to sensitive areas. It will not make it significantly more difficult or dangerous for automobiles, bicycles, pedestrians. It will not. I don't think that it's going to have any issue with regards to -- with regards -- to make it more difficult for automobiles. The idea there is that the east-west road to the north of us is a neighborhood collector. The purpose of a neighborhood collector is to transfer the traffic from a neighborhood collector to the adjacent major collectors and arterials. Well, we have major -- major collectors adjacent to our property, and so we think that that's how they're going to filter out. Again, we are going to provide pedestrian connectivity. So the only time -- so connectivity isn't just vehicular, it's also pedestrians, as well, which we're providing. And of course the design adjustment request is to address a unique feature. We believe the unique feature is the abundance of sensitive areas in that location, and then it will not, you know, adverse impact on public health and it will not. Of course, the UDC states that when a new subdivision adjoins unplatted or undeveloped lands, it'll go through here and it says is unnecessary and inappropriate due to existing proposed developments. It goes to the end, or designation of sensitive areas. And so the UC [sic] states that -- that, you know, that it's okay to ask for design adjustment in this location, and staff even states that if the connection -- if the -- if the connection impacts a sensitive area, that should be taken into account when determining the connection is appropriate. And so I think that -- that that statement right there is -- I think we can illustrate that it's not appropriate at this location. I want to talk about block lengths a little bit. Again, you've seen this. This is what staff is asking us to do. On a two-dimensional standpoint, this looks great, and when you say yes, we can do this. And then you simply take your eyebrow out and put a street connection through there, it's not -- not too hard to do. When you look at it on a three-dimensional standpoint, when we're up against, as Mr. Smith indicated, we're staying out of the stream buffer and the sensitive areas across our north property line. But to do that, the two streets are going to be separated by about 32 foot of vertical difference. And so to add a connecting street between the two, that street is going to add a couple more intersections, it's going to be steep in grade, and we're going to have to cut, adjacent to those sensitive

areas, cut the material down, cut the hillside down even further to make that connection. So when you look at 2-D, yes, it makes perfect sense. When you add that third element, that -- the third dimension in there, I think that's the issue that we have. Again, we can go through design criteria. This is very similar to the other one. We believe it's going to be safer for pedestrian uses by not having so many intersections, as well as intersections with steep grades in the development. The request is, as staff states that the request does not appear to address a unique feature to this site. However, the request also does not appear to significantly impact surrounding property owners of the -- of the safety of the site. Now, they say it doesn't address a unique feature, and I will say that it does because we want to protect the -- the steeper slopes on the backside and we don't want to have steeper -- steeper streets than 32 percent -- or, excuse me -- 32 for the vertical difference. I think that's a unique situation to this piece. In conclusion, the preliminary plat is in accordance with the UDC and other City policies, and we believe the design adjustments are justified and appropriate. I would like to talk about just real briefly, and I'll finish up really quickly, and I believe that Ms. Abigail -- and I'm sorry, I didn't catch your last name -- but I would like to comment on her comments just a little bit with regards to this property will be in full conformance with the storm-water regulations for the City of Columbia both with quantity and quality, so we are going to protect the environment, so we are going to cleanse the water before it discharges from our property. And then that is -- that crossing down there, it is Clear Creek. There's no hiding that. It is an actual portion, the upper reaches of Clear Creek. And so, we want to stay out of that as much as we can. And so, we're doing what we can and we have stream buffers. We're going to do full compliance with the City regulations. And so, with that, I would be happy to answer any questions, and I respectfully ask for your favorable consideration of the preliminary plat along with the two design modifications.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, questions of this speaker? Mr. MacMann, have you got a question?

MR. MACMANN: Thank you, Mr. Chairman. Good afternoon -- or good evening, Mr. Crockett. Can you enlighten me on why a stub to the east wasn't viewed as an option, rather than going north where we've got to cross the creek, or go down the --

MR. CROCKETT: Absolutely, Mr. MacMann.

MR. MACMANN: We have fewer sensitive areas there.

MR. CROCKETT: When you talk about to the east --

MR. MACMANN: I'm kind of looking at the east --

MS. LOE: Lot 40 or 39.

MR. CROCKETT: Because we're tying into an existing street that already comes in from the neighbor to the south, so that comes out of the development already. And then as you see, this -- this -- these steeper slopes and this blue-line stream continues to go in a south -- in a southeast fashion. So, basically, you go over there and you encounter the same situation if you're -- if we're talking about the same location.

MR. MACMANN: I think we are. I think we are. And I knew it came in right there. I was looking

at the letter of the regulations rather than –

MR. CROCKETT: Sure. Absolutely. Yeah. I think the location that we have shown, I think staff would concur, that's really about the only location that we really have to work with, and is it appropriate or not? I -- staff believes it is, we believe it's not, and that's the reason why we're asking for the modification.

MR. STRODTMAN: Anything further, Mr. MacMann?

MR. MACMANN: When we discuss, I'll say something.

MS. LOE: Well, I follow up on that.

MR. MACMANN: Go ahead.

MS. LOE: This -- because I don't understand why it can't be located close to where the stub-out coming in from the previous location is. I mean, at that point, they've pulled away pretty much from the Lake Drive, so, you know, why -- why doesn't Lot 39 or 40 work? You're out of the floodplain. I agree you're close to where Braxley Court ties in.

MR. CROCKETT: Oh, bear with me, please. What you're referring to and going off of here and going across, basically, on our far easterly side, we're still going to have to cross that stream buffer. We're still going to have to cross the creek itself because –

MS. LOE: Right.

MR. CROCKETT: -- what happens, it comes in, and we still have some significant features over there. And then it runs into -- not too far over, we have another major collector that runs north and south through there, so we have connectivity back through our -- through that development, and we're basically going to have -- you know, we're going -- we already have connectivity to that location, to that area, with the connection to the south, because then it consequently has connection further to the east from that point.

MS. LOE: From the Lake Drive, whatever that's called?

MR. CROCKETT: From Phillips Lake Drive?

MS. LOE: Phillips Lake Drive.

MR. CROCKETT: That's the east-west that goes across to the north. That's not constructed yet.

MS. LOE: Right. Because it doesn't look to me as if this partial seems to plug connection for any future development on the northeast side of it.

MR. CROCKETT: Correct. Because that -- that development north of us is bound by two major collectors and a neighborhood collector already. You will already have those three roads going through that development.

MS. LOE: No. It's bound on the west side by Clear Creek. I mean, just as you've pulled the property lines for this development below the creek –

MR. CROCKETT: Right. Let me -- let me -- let me scroll through here.

MS. LOE: I'm saying if we don't allow a connection through and the property to the northeast of this property wants to connect to the south or west, you're forcing it to go over Clear Creek.

MR. CROCKETT: No. The -- what's going to force it to go over Clear Creek is going to be the

neighborhood collector that's on CATSO, because that road will -- will go through this piece of property, and that connection will also -- it's in the -- in the works to go out to go through the park and tie back into Ponderosa. And then -- and then --

MS. LOE: That will be a connection. I agree.

MR. CROCKETT: Right. And then north and south, and I -- I'm sorry I didn't show here, north and south along the east property line of that tract is another, I believe, a major collector that comes from Bristol and it is projected to go up and tie into Nifong or -- yeah. I believe it is Nifong. And so, that will be a major collector on that property, as well. So it will have several points of connectivity via major and neighborhood collectors.

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

MR. ZENNER: Mr. Chairman?

MR. STRODTMAN: Sir?

MR. ZENNER: Before Mr. Crockett leaves the podium, we just have a question to ask from the staff perspective.

MR. CROCKETT: Uh-huh.

MR. ZENNER: Tim, we're looking at the plat that you all have submitted this evening for the Planning Commission as consideration -- the actual physical plat for this, and we're having great difficulty identifying any floodplain or flood way along the secondary creek, the unnamed tributary.

MR. CROCKETT: There is none. There is no regulated floodplain or flood way.

MR. ZENNER: So the map that you have shown the Planning Commission here that was all of the overlaid colors --

MR. CROCKETT: Uh-huh.

MR. ZENNER: -- is identifying something that is not actually supported by anything that the Planning Commission is considering before them this evening?

MR. CROCKETT: No. What is -- what is shown here, Pat, is stream buffer and the steep slopes along that secondary waterway. The -- the yellow color or orange color is stream buffer, because it is a type two regulated waterway. And then the teal color is climax forest. And then the green that's underneath it is the steep slopes right there. That's the steep slopes. There is the climax forest. There is the stream -- the stream buffer. So there is no -- there is no -- the yellow there is the flood way. There is the floodplain. So there is no floodplain or flood way that goes up that secondary creek, but there are other sensitive areas that are along it.

MR. ZENNER: Thank you for that clarification. We were just a little bit confused with what was being presented. Thank you.

MR. CROCKETT: Okay. Okay. Yeah. Thank you.

MR. STRODTMAN: Thank you, Mr. Crockett. Anyone else like to come forward this evening?

MS. BRIDGEMAN: Good evening. Abigail Bridgeman, 4807 South Bearfield Road, Columbia,

Missouri. I see that we have a connection to Bearfield Road and already standing on Bearfield Road are two private driveways that connect to three private residential houses. Will the connection to Bearfield affect any traffic or cause problems for families leaving their private residence?

MR. STRODTMAN: I'll refer to staff. Mr. Smith?

MR. SMITH: Well, the -- the request for subdivision was reviewed by our Public Works Department. It did not trigger an automatic traffic impact analysis which sometimes can determine if the impact on the roadway necessitates any improvements on that street. Given the low amount of new residential homes which would be, I think, 58, they could do an additional traffic impact study even if it's not automatically triggered, but upon review, they did not think it was warranted at this point. So no official study has been done on that. They did feel the additional trips being generated by this site could well be handled by the existing road as it is, given the low existing traffic volume. But Bearfield is currently not considered to be constructed to any type of City minimum standards. It has, I think, approximately 22 feet of pavement, which is below what the City standard for a local residential street is. It's unimproved, non-curb and guttered. So other things to take into consideration is one -- is something that Council can look at, as well, as far as the conditions of the infrastructure at that point, but that is the current situation on that site.

MS. BRIDGEMAN: Thank you.

MR. STRODTMAN: Thank you, ma'am. Anyone else like to come forward this evening and speak on Case 18-30? I see none. We'll go ahead and close the public input portion.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion, comments? Mr. MacMann?

MR. MACMANN: I kind of want to get your all's feedback on the stub or lack thereof. I view the north stub proposal to be problematic in the extreme, particularly given our work session topic. I understand the connectivity issue. I don't see a good solution there, other than stepping off right after where they come in. I mean, do you all see something different that I don't see?

MR. TOOHEY: Well, I mean, we had a case a few months ago off of Vandiver where they wanted connectivity through sensitive areas and we denied that request, so --

MR. MACMANN: Well, down to the west of this location, well to the west of this location.

MR. TOOHEY: I understand. We had a case over there where they wanted to go through sensitive areas, and we denied that request. So, now, here we're looking at approving one.

MR. MACMANN: I would rather not approve one is what -- I guess is what I'm saying. I'm just trying to look for a response to staff's concern for connectivity. I mean, I guess I understand what staff is saying, but going north is a problem in my view.

MR. STRODTMAN: I originally thought that maybe there was a direction, like Ms. Loe had suggested, maybe move it further, you know, southeast, but it still continues to be a problematic design even there. And then as we get closer down to the existing tie-in, it kind of defeats the purpose of having it then. But I -- and I also kind of agree with Mr. Toohey that this is kind of a flip. It's usually the City

saying, you know -- but it's different.

MR. TOOHEY: And I do agree. I mean, you're trying to balance the sensitive areas with the connectivity, so what's more important in this situation?

MR. STRODTMAN: So did you have --

MS. LOE: I have real reservations about the rest of the site to the east and northeast, and the connectivity to that site if we don't approve someone. I fully appreciate the comments that we've tried to avoid connecting across sensitive lands, but it does appear to me that if we don't provide something, we would be pushing that site to potentially connect to the west across even greater issues. I mean, Clear Creek has a great -- bigger floodplain at that location. We're crossing bigger areas. So we're beginning to land lock that site to an extent. It has the park on the east, other -- I mean, yes. CATSO may, at some time, come through, but just as this development benefitted by having Bradington there, I don't think we should isolate a piece of property and say you've got to wait for the City to build a road before we'll let you do anything else. So if we don't have a solution, I'm not sure I can support the proposal.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Commissioner Loe, where would you put that stub?

MS. LOE: Well, again, I was hoping that closer to the east -- southern east edge would work better, but Mr. Crockett says no. So I'm thinking it may have to be a different geography of site, a different plat shape in order to accommodate something. They -- they -- this seems very neatly drawn within the boundaries of the sensitive areas. Unfortunately what that's doing is isolating the rest of this site and --

MR. TOOHEY: But they're -- go ahead. But they're also having to deal with the steep slopes along with it, so I don't know --

MS. LOE: Well, I agree. I think these spots look pretty challenging, given that proposal or presentation we were just given.

MR. STRODTMAN: Additional discussion? Motion for consideration?

MR. MACMANN: On the second design adjustment, I have no problem with a long block in this case.

MR. STRODTMAN: I agree. Mr. Stanton?

MR. STANTON: As it relates to case -- oh. Can we do it?

MR. STRODTMAN: Is there any additional discussion needed? Are we ready for Mr. Stanton's motion consideration? I think we're ready, at least to hear what you have to say.

MR. STANTON: As it relates to Case 18-30, Bristol Ridge Preliminary Plat, I move to approve the preliminary plat with design adjustments.

MS. LEE: Second.

MR. STRODTMAN: Commissioners, we have a motion by Mr. Stanton for Case 18-30, and a second that was received by Ms. Russell. Is there discussion needed on the motion that we have at the moment? If not, I would ask Ms. Burns for a roll call when she's ready.

MS. BURNS: Okay.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Russell, Mr. Toohey, Mr. Harder. Voting No: Ms. Rushing, Ms. Burns, Ms. Loe, Mr. MacMann. Motion carries 5-4.

MS. BURNS: Five to four, motion carries.

MR. STRODTMAN: So recommendation -- our recommendation for approval will be forwarded to City Council for their consideration, and what am I doing, with the 5-4?

MR. MACMANN: Automatic review.

MR. ZENNER: They -- this is an item that will appear under old business on the Council's agenda. Given that this is responding to the annexation request, as well -- the annexation and the permanent zoning, as well as the rezoning, I would imagine that full set will be put under old business so they are all discussed together.

MR. STRODTMAN: At the same time. Yes, Mr. Crockett. Yes, please come forward, sir. Just name and address. I'm sorry.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. Given the handful of no votes on that, would it be appropriate that there could be a statement for the record that the no votes possibly -- I don't want to put words in your mouth -- but that the dissenting vote was due to the design adjustment and not necessarily the preliminary plat. Would that be something for the file we could ask for?

MS. BURNS: I would be uncomfortable with that.

MR. CROCKETT: Okay.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I would second Commissioner Burns, because I -- I have multiple reasons to vote in the way I voted.

MR. CROCKETT: Okay. Thank you. Appreciate it.

MR. STRODTMAN: Thank you. Moving on to our next case. I kind of lost track, Case 18-121. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to Case 18-121, 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.

Case No. 18-121

A request by Simon & Struempf Engineering (agent) on behalf of the North American Islamic Trust, Inc. (owner) to rezone the 1.3-acre property east of Flat Branch Park, and currently occupied by the Islamic Center of Central Missouri Mosque, so that a proposed addition to the Mosque (a new school) may be designated as a "Civic Structure" on the M-DT (Mixed Use-Downtown) Regulating Plan. The Mosque is presently designated as a Civil Structure on the Regulating Plan. The subject site is zoned M-DT (Mixed Use-Downtown) and is addressed 205 S. Fifth Street.

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

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends approval of the amendment to designate the new school building as a Civil Building in addition to the Central Missouri Islamic Center Mosque on the M-DT Regulating Plan.

MR. STRODTMAN: Thank you, Ms. Bacon. Commissioners, questions of staff? Mr. MacMann?

MR. MACMANN: Just a request of our staff attorney. Attorney Caldera, could you ponder some verbiage to cover what she said by -- when we get to that point?

MR. CALDERA: Yes.

MR. MACMANN: Thank you. We're -- everyone is -- okay.

MR. CALDERA: The one question I was hoping you wouldn't ask me. Okay.

MR. MACMANN: I have no other questions. Thank you.

MR. CALDERA: Yeah. Yeah. Trying to put it up there. How do you get this up there?

MS. LOE: Have the screen match what she said.

MR. MACMANN: We can, but we would have to -- our motion would have to substantially include what she had said. Right. I'm just -- I just want to make sure -- i's and t's.

MS. LOE: What's on the screen, is that -- can we substantially what he said.

MR. MACMANN: What -- define substantially for me.

MR. ZENNER: Well, let's go back and we'll show you what we mean, architecturally.

MS. BACON: So, typically, you know, we, as a City, do not require exact adherence elevations. We have typically not even required them. So substantial conformance would be, you know, think about what we allow administrative review for now. Right? So it's usually minor site types of corrections, so if someone needed to -- to move the window a little bit here or there, or change out, you know, the color slightly or something like that, it just needs to have the overall harmony and effect. If you were to completely, you know, cut off a third of the building or to -- just substantial changes would be something that is outside the normal realm of -- of what a change order might be, for instance.

MR. MACMANN: For the record, Mr. Chairman, I do believe the applicant and the City staff can work this out. I just want to make sure everyone has as much flexibility in the agreement understanding going forward.

MR. STRODTMAN: Agreed. I think it's appropriate to wait until they have a chance to conference.

MR. MACMANN: Yeah.

MR. ZENNER: If we may, after -- after conferring with legal, the applicant submitted what you see here on the screen in front of you as a supplemental exhibit to the application in order for us to prepare the staff report this evening. The applicant also submitted this table that is here in the upper portion of the slide. What Ms. Bacon is asking that the Commission's recommendation include is that the full construction plans are in substantial compliance to the exhibit submitted and the analysis provided in this table, both of which can be listed as Exhibit A and Exhibit B of the application received for the

requested rezoning.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners -- Mr. MacMann, does that clarify to --

MR. MACMANN: It does. I think I could draft a motion if we ever got to that point or when we do get to that point -- excuse me. I didn't mean to speak --

MR. STRODTMAN: We'll be ready. Ms. Loe?

MS. LOE: Ms. Bacon, in your presentation, you identified that identifying the school as a civic structured, the relief from the M-DT form requirements would affect the new school building onsite only?

MS. BACON: Correct.

MS. LOE: And that there's other requirements that do apply to parking and landscaping?

MS. BACON: Correct.

MS. LOE: If you go back to their chart, one of the questions I had was -- this is going to come up in the next -- or the exhibits in the next cases, on the plan was about the parking. So Item 29-4.2(e)(i)(D) identifies that no street walls are being provided. That's a requirement tied to the parking, so I was wondering why that's not being required?

MS. BACON: So that's a really good question. Because it's in this particular section, this can supersede that. It's not going to -- it's not going to change other parking requirements, because other parking requirements aren't covered in 29-4(2). So anything that's in 29-4(2) is -- are the only elements that are subject to relief and that's specifically laid out in the Code.

MS. LOE: I would -- my interpretation is that the relief is for the building only. When civic buildings are designated on the Regulating Plan, they are exempt from the building form standards. Additions to civic buildings -- I mean, we debated this quite a while in session to discuss when a gymnasium might be added to a civic building, for example. So when civic -- additions to civic buildings shall require amendments, so we are -- as you said in your presentation, it's the envelope of the building. This is beyond the envelope of the building. So, to me, this is a discrepancy or inconsistent. I believe there's requirements in the form base that apply beyond the envelope and identifying the building as civic does not relieve the site or landscaping from those requirements. I do agree that our definition of civic building includes green space and characteristic building forms that are governed by civic or religious traditions. And if the parking -- if it could be shown to me that that is what was governing the absence of the parking lot, I would be interested in that.

MS. BACON: I think the -- I think the awkwardness comes from the fact that this particular requirement had been included in the building form standards section.

MS. LOE: I agree it's a little murky, but I think there's a clear distinction. I also think the building section or the parking section is pretty clear that parking standards are still going to apply. What's the parking setback line for this property? Is it 24 feet per the notes?

MR. ZENNER: Yes. The parking setback line is a standard 24 feet --

MS. LOE: Okay. And what was drawn in the plan again is not 24 feet, based on my rough

dimensioning. So I'm going to have a problem when we get to that.

MR. ZENNER: I believe -- while you were seeing and what has not been addressed, I think, in Ms. Bacon's report possibly clearly enough, you have designation request for civic structure. You have a request as well for a series of what would be perceived as variances to the other standards of the M-DT code. As part of this application, and part of this has to deal with how we believed to be more appropriate to take care of a series and a bundle of variations to the Code standards conclusively through a rezoning request, instead of requiring -- because Council has to make ultimately this final decision as it relates to the civic structure and its impact to the overall downtown. Typically, variances to other portions of the M-DT standards are covered in an adjustments process that's described in Article VI of the MDT, and that process is actually either administrative depending upon the scale, or it is a required Board of Adjustment action. The Board of Adjustment is a quasi-judicial entity. It does not have the opportunity to have the Planning Commission's recommendation nor Council's involvement in this process. The downtown is an area considered of significance, and it was in staff's opinion and advice to the applicant that all potential modifications as it related to the M-DT standards be taken into consideration as part of this request, and that's obviously what is -- what is represented in this particular table. The applicant is looking all of the factors of the M-DT, be it in the building form standard section as it's listed here in 29-4-2, and then E which would apply to the urban general standard and the street wall. And it's asking for relief for that as part of the package of getting civic structure designation.

MS. LOE: But just for my clarification, you're saying the items that I'm pointing out aren't items that would be granted under the civic structure exemption, but would be a variance request?

MR. ZENNER: Would be more of a variance request. And to raise the standard for consideration to the bodies that would likely most be interested in addressing those; i.e, the Planning Commission and weighing in, and ultimately the City Council as it relates to the designation of this structure and the amendment of the plan. It was the advice of staff as followed through by the applicant to present these particular requests. It's almost like making a modification to a planned district and requesting that relief be granted to a series of standards concurrently with the revision to a previously approved development. Your --

MS. LOE: My concern with that is that this is the first request that's come forward under the UDC to add a civic structure. And in my mind, this muddles the exemption a bit in that it is confusing what may, as Ms. Bacon has already pointed out, some of the items that do apply are contained in that form based section. And by not delineating clearly which items are being exempt because of the civic structure exemption, and which ones are being granted per a variance request, we could very well get the next civic building come forward and say, well, we don't want to meet all these siting conditions because previous projects have gone through and not had to meet all these siting requirements. I don't like to set precedents like that, I'm afraid.

MR. ZENNER: I completely appreciate that, Ms. Loe, and I will go what Ms. Bacon, I believe, was looking at. The design requirements for the urban general frontage address street walls.

MS. LOE: Uh-huh.

MR. ZENNER: The general provisions which are outside of the site specific conditions for the urban frontage also address parking and they address street walls. There is an overlap. It is in our opinion that the Planning Commission and the Council have the ability to consider modifications for the standards that apply to the design requirements that this particular structure would need to make as they relate to the design standards for the urban general street frontage. Should those be granted, the provisions that are in the general that would conflict would likely be also exempted. All other standards, as Ms. Bacon has pointed out, that are not requested, that do not have a -- do not have a companion component in the form based standards would apply to any development on the site, or would apply to the development onsite, and would apply then likewise to any development that is built in addition to the proposed civic structure as it would to any other non-civic structure. So that -- our -- our basis and our tracking of why we believed what is being proposed is appropriate, it lies in that. The Commission can choose to make whatever recommendation they would like. Council can evaluate that recommendation and take whatever action they would desire. If it would be helpful for the Commission, and if it is desired by the applicant, after potentially hearing public input for staff to come back and revise this particular table to identify where these conflicting or crossover criteria may be, an option would be to postpone a vote on this, allow us to come back and modify the table so you can see that information and you have that in front of you to be able to assess how you would like to do that, otherwise, you can take action this evening as you see fit.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, additional questions of staff? I see none. We'll go ahead and open it up to the public portion.

PUBLIC HEARING OPENED

MR. STRODTMAN: Anyone would like to come forward, just give us your name and address. If there's going to be a lot of speakers, we would just ask to try to keep it to about three minutes each. If there's not, then you're fine to go ahead and go forward.

MR. SIMON: Keenan Simon, Simon & Struempf Engineering, agent for the applicant. My understanding based off the UDC is there's still standards held for landscaping, parking setbacks, that we would have to be granted a variance for in order to move forward to develop the site. The only one that conflicts is specifically street walls that was noted in there is my understanding, just to try and bring a little clarification to that. Try and make this real quick. Rachel touched base on all of the stuff that I kind of wanted to go over with you anyways, but --

MR. ZENNER: Mr. Simon, if you haven't stated your name and your address, if you would please do so.

MR. SIMON: Yeah. Keenan Simon, Simon & Struempf Engineering, 210 Park Avenue, Columbia. So what we've got here is the definition in the UDC. Essentially, the main things I wanted to touch on is the structure to be utilized the needs for assembly, religious worship, or education also include a perimeter of green space, and then the characteristic building forms that are governed by civic

or religious traditions. Basically, with this or with the proposed civic structure addition, we meet almost every one of these categories. The proposed structure is going to be located -- or is going to be the location of the Islamic school, it's going to be identified towards the center of the parcel, which is going to allow for a campus-like setting. We're going to maintain the green perimeter that is already established around the mosque and/or there will also be a playground central for the school that will be also green space. Also the proposed building does identify as an extension of the mosque architecturally and culturally. And then we have the same displays that kind of show and reference these items as well. And here is just another example of a campus setting downtown. It is also -- has an identified civic structure. You'll see the green space that's around it, and then you have a parish office and a small school space for Sunday school, and this is the Sacred Heart Catholic Church. So that is all I have to say. Are there any other questions in regards to the applicant?

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

MR. SIMON: Semi, who is the elected council chairman for the -- the Islamic Center is here to speak as well. He has held eight public meetings with -- at the mosque with different groups to try and better explain what they are doing. This is my third attempt at trying to get the construction documents through. The proposed elevation that you're seeing in the displays was -- is actually the construction documents that were a permitted set in 2015. The intent is to utilize this updated to the current building code and move forward with this school, just to give you a little background information as well.

MR. STRODTMAN: Thank you, sir.

MR. NECIBI: My name is Semi Necibi, 5504 Hodgsdon Mill Drive, Columbia, Missouri. And thank you for the time. I'm the Shura Council Chairman of the Islamic Center of Central Missouri.

MR. STRODTMAN: You're fine. Take your time.

MS. LOE: That was the right button. Yeah. Right there.

MR. NECIBI: Okay. So this -- okay. Thank you. Okay. So this summary sheet goes back to 1999. This community has been trying -- the Islamic, the Muslim community in Columbia have been trying to expand outside the current structure, the Islamic Center. And there were multiple attempts -- if you go to 1999 and up until 2002, that was the first attempt, but we were able to generate at the end construction documents only. We spent about \$71,000. Then there was the second attempt. It took two years and cost \$120,000. We were able to generate construction documents only. And there was ICCM remodeling only. Basically, all the attempts were focusing the Islamic Center some remodeling. And the third attempt took six years, \$88,000, were able to generate construction documents. Next round, we went through remodeling the remediation of the building, and parcel brought back the Islamic school next to the Islamic Center. So what's next? If we were to duplicate or triplicate the existing English language, we're going to have fourth experience with construction documents, spend \$100,000. So what was the reasoning? So let's -- as part of the administration, and if you look the initials, the red column, it has people's names. I've been there since 1999. Those are my initials at the bottom and I'm coming back this term and the ongoing term. I appreciate all the efforts that's been made by my predecessors. We

pull out the project that's been approved by Council, but due to special circumstances, we were not able to proceed with moving ahead with the project. So what I'm calling for right now is to enable us as a community to move ahead with having this new addition, this civic property. So besides the Islamic Center, it's a monument. It has been there for years. It stands out. We would like to add another component, so the beauty, the appearance, all of that to come as part of a lot coming. So what we're doing, we're putting our project that's been approved before. We do have some elements of strength at our end if we use them. We are in a position to build costs down and satisfy all the needs of our community. So these are -- that's where I'm heading. It's not my own baby. I do not have any personal input in this project. It's something that has been approved. We'd like to bring it aboard according to the new code. And that's to be considerate to our community, who has struggled for almost 18 years to move ahead with the project. It's an educational process. I myself am an educator, so it's an educational process and the procedure is simple. Go to your stakeholders, interact with them, give each entity the opportunity to express themselves open heartedly, willingly, and after that, proceed. And just the good documentation for this, we held more than eight or nine community hearings with every particular stakeholders and when we decided to move ahead, the entity in charge is the Shura Council. That's the entity who went ahead and decided to move ahead with -- with the project. We went back to the community, despite all these years of drought, we went back to them. We started in March 8th, if I'm not mistaken. I can make corrections, pull out my documents. To this date, we're able to generate more than \$450,000, more than 52 percent of the document. And you're familiar with Ramadan, fasting, challenge was \$100,000, and we were able to reach the target before the end of Ramadan. And we -- just to set up the record, we went ahead and we told the community between this aid and upcoming aid, another challenge \$100,000. In two days, we got \$10,000. So all these indicators that the momentum is set up for this community to put an end to all these years of drought to be in a position to add a new civic property next to the beauty of the Islamic Center and I witnessed the birth of the Islamic school in 1992. I was single at that time. Now I have my kids, 25, and they attended the school. And so many community members were in opposition to have their children grown up and they themselves, they have their own children. So my appeal to you is to enable this community, despite all -- some of technical difficulty that we might encounter, but it is an opportunity to make a dream come true. We've been waiting for it for more than 25 years. So this community, the Islamic Center, has been established in 1983. To this day, there is not a single addition that took place. So we are witnessing history in the making. We'll be able to make that a reality. Otherwise, the easy way is to postpone it and, at that time, maybe all these youth, a lot of them, they're connected to a place that would shape their minds and they'll be doing something else. Thank you very much.

MR. STRODTMAN: Thank you, sir. Commissioners, questions of this speaker? Yes, ma'am?

MS. RUSHING: I have several short questions. Do you currently have educational activities at the mosque?

MR. NECIBI: That's correct.

MS. RUSHING: Okay. And so this would be basically expanding on those activities by building a school. Correct?

MR. NECIBI: That's correct.

MS. RUSHING: And you saw the two exhibits that staff put up that you -- your organization submitted as to what the school was going to look like and -- and any necessary changes that they needed to -- to build it the way that you need?

MR. NECIBI: Yes. Correct

MS. RUSHING: And it's your intent to follow the -- both the table and the general artistic representation of the school?

MR. NECIBI: Correct. Yes.

MS. RUSHING: And do you really see that you're going to need any substantial changes from that information that you provided?

MR. NECIBI: I don't foresee it's going to require so many changes. We've been in a position, we do have talented people who are working on many City projects. They are in a position to -- to assist us with this. The architect who had given up with the 2014 project, I called up him, and he's willing to update the documents to be in line in accordance to the 2018 code.

MS. RUSHING: So what -- excuse -- I'm sorry to interrupt you.

MR. NECIBI: Yes. Yes.

MS. RUSHING: Okay. So what I'm hearing is that absent someone bringing up a concern that you need to make a change to address, you don't anticipate any major changes?

MR. NECIBI: We won't anticipate any major changes.

MS. RUSHING: Okay.

MR. NECIBI: Thank you.

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

MR. NECIBI: Thank you very much.

MR. STRODTMAN: Thank you. Anyone else like to come forward this evening?

MR. EL DEIB: Mr. Commissioner, members of the Planning and Zoning Commission, audience attending tonight's meeting which I don't see much at the end, I greet you all with peace, including myself. I'm sorry. I forgot to mention. My name is Muhammad El Deib, and I live 2307 Cherry Ridge Lane. And I happen to be one of the former chairmen of the Islamic Center of Central Missouri. I do appreciate very much the opportunity given to us tonight to speak with you and we are so grateful to the City staff and members for their continuous support and listening and answering questions and -- (inaudible) -- especially during the last project that Mr. Simon and engineers that worked on it for some time. I do also appreciate the availability of Ms. Rachel Bacon to answer questions, though we still have more to requiring answers. I would like to mention that we are grateful that we had our Chairman, Dr. Semi Necibi, who just superseded me and has took for his third year of his term of four years, was full of energy and determination to finish a project before his term is over. However, this has left members like us and

others lacking information to satisfy their interest, their -- regarding this -- our project. To be more specific, we got a note today -- just today that the proposed structure is going to be a steel building that does not -- I'm saying that does not meet the City requirement as original pointed regarding the outside -- the bricks of the facade. It is a steel building, which again to us -- many of us thought it is going to be a steel structure. And this is completely a different identity that we still lacking the information and we are seeking this information to set aside many of the community members, especially those who has been here in Columbia for 30 years or more. The second item here which I would -- I would have shared very much, the applicant and the Center as well to be settled on -- there are two terms interchanging in this application, a new school, and being a former chairman, the Center has a very humble school next to the Center at 408 Locust. And as any private school, religious school, they -- they go through fiscal trouble, and we're trying to unroll this as -- as we go. There is another term being used as an alternative to the new school which is community center. I myself favor the term community center rather than to have a new school since there is already a new school exist on the premises at 408 Locust. At the end, I would like to request from you humbly to give us a little bit of time until the next meeting to gather more information to set aside many of us who still lacking information, the building, what is the steel building is going to be, whether it is going to meet the requirement of the City. We don't want to rush. I know Dr. Semi is very energetic and he works from 4:00 in the morning, and we are behind him, but again, I would appreciate very much you giving us some time to the next meeting to gather this information and know what options we have regarding either the steel building that may fail down the road and get rejected because it does not meet the civil structure, or just to go for another option which is a steel structure as a frame for this building and then take responsibility for the difference in cost. Thank you very much.

MR. STRODTMAN: Thank you, sir. Commissioners, any questions of this speaker? Thank you, sir. Anyone else like to come forward that has not spoken to us this evening?

MR. SIMON: Keenan Simon, SSE, 210 Park Avenue. I just wanted to clarify. We recently just had up on the screen costs of developing construction documents. It's about \$120,000 a go. These documents went through permitting and were approved in 2015. We are not changing those. The cost to start over would be astronomical.

MR. STRODTMAN: Thank you, sir.

MR. SIMON: About another \$120,000, \$150,000.

MR. STRODTMAN: Thank you.

MR. SIMON: We're -- yeah. We're maintaining the existing documents. Yeah. It's a steel frame structure for the gymnasium to get the clear span, but we're going to be providing the same finishes that are similar to the mosque.

MR. STRODTMAN: Thank you, sir.

MR. SIMON: Yeah.

MR. STRODTMAN: Is there anybody in the audience that would like to come forward that's not come forward yet this evening? I see no one. We'll stay open just a little bit longer.

MR. MURAYWID: Good evening to everybody.

MR. STRODTMAN: Greetings.

MR. MURAYWID: My name is Ahmad Muraywid and appreciate you looking at our case, and I very much appreciate the effort of our chairman.

MR. STRODTMAN: Can we just get your home address, sir?

MR. MURAYWID: 1822 Tremont Court.

MR. STRODTMAN: Thank you.

MR. MURAYWID: Thank you. And our chairman, Dr. Semi Necibi, and his sincerity and I feel the community have not been able to do things for all these many years. But I see probably because of that, things going a little bit faster in the community than we have chance within the community to know what is this zoning changing had not been really addressed very well in the community. We didn't know what it's going to mean to the future needs. Of course, the community's needs are much more than this proposed today things and what this structure going to affect the future of our needs, and this really was not studied very well within the community, was not presented to and things are moving a little bit fast. And I understand why, but things have to be done and that -- hasten to not really prevent appropriate studies. Thank you so much to share that.

MR. STRODTMAN: Thank you, sir. Anyone have questions? Thank you, sir. Anyone else like to come forward this evening? I see no one. We'll go ahead and close the public hearing portion.

PUBLIC HEARING CLOSED.

MR. STRODTMAN: Commissioners, discussion, additional information needed on Case 18-121?

MS. RUSHING: I'm willing to make a motion.

MR. STRODTMAN: Ms. Rushing, we would take that motion.

MS. RUSHING: I move to approve a request by Simon & Struempf Engineering, agent, on behalf of the North American Islamic Trust, Inc., owner, to rezone the 1.3-acre property east of Flat Branch Park and currently occupied by the Islamic Center of Central Missouri Mosque so that the proposed addition to the mosque and new school may be designated as a civic structure on the M-DT Mixed Use-Downtown Regulating Plan. And I am not making any additions to that motion. I believe this is what is before us today.

MR. STRODTMAN: Ms. Rushing, were you -- were you on Case 18-121?

MS. RUSHING: Oh. Am I on the wrong one?

MR. STRODTMAN: I think there was a -- I think a couple of them thought maybe you were on 18-122.

MS. RUSHING: Right. I'm on 121.

MR. STRODTMAN: Okay. So your motion is to approve Case 18-21 [sic], as presented?

MS. RUSHING: Yeah. 18-121, as presented.

MR. STRODTMAN: Thank you, Ms. Rushing. Do we have a second?

MS. LOE: I'll second.

MR. STRODTMAN: We have received a second by Ms. Loe. Commissioners, Commissioner Rushing has made a motion to approve Case 18-121, and has received a second by Ms. Loe. Is there any questions on this motion? Mr. Stanton?

MR. STANTON: I feel like we're missing something. Ms. Rachel, didn't we need to add to --

MS. BACON: You can make that motion as presented. That was a recommended addition. It is not required. If this motion fails, it could be presented in a different way, but I see a first and a second, and it can go through the motions.

MS. RUSHING: And my reasoning is that the requested amendments and all of that, to me, are new. And so if there are changes that need to be made, then they would have to come back with those changes.

MS. LOE: Well, I'm going to have some discussion on this, so -- when we get to that point.

MS. RUSHING: Okay.

MR. STRODTMAN: Okay. Thanks for that clarification. Commissioners, any discussion on this motion? Ms. Loe?

MS. LOE: I fully support identifying the school building as a civic building, but I do have some questions about the modifications or variances that have been lumped in with this request. And I guess in order for me to support it, that would be detangled a little bit because supporting it, I'm supporting the variances that I fully support the civic building. We really fought for some of that parking and street wall language, and we have a real intent of creating a downtown that is not full of open parking lots such as some of the neighborhood is around your space right now. And I would have a very hard time supporting going forward without trying to do what we really want the City to grow -- to move in a direction we really wanted. So this is nothing to do with the school. I fully support that, but it's about some things that have been attached to that.

MS. RUSHING: Which is consistent with what I was attempting to do with my motion.

MS. LOE: Unfortunately, the case has supporting materials, such as that chart, which identifies some of those variances.

MS. RUSHING: But we're not approving the subject of that chart.

MR. MACMANN: If I may, I believe Commissioner Loe is saying that because of how they were presented, that makes them part and parcel of the civic designation and therein lies your issue. Correct?

MS. RUSHING: And that was -- I think that was the intent of the recommendation that we make the designation subject to their compliance with those two documents, which is not part of my motion. My motion deals solely with designating them as a civic structure, and my understanding is that that designation does not exempt them from the requirements that Ms. Loe is concerned about.

MR. STRODTMAN: Ms. Loe?

MS. LOE: Point of clarification. If those documents were included in the case documents that were provided to us, are they considered -- if we approve the school building as being a civic building only, but don't agree or include the chart and additional documentation --

MS. RUSHING: Then they would need to come forward to a variance --

MR. MACMANN: If -- if they were to address those specific issues.

MS. LOE: Those would not become --

MS. RUSHING: Uh-huh.

MS. LOE: Sorry.

MR. MACMANN: Sorry.

MS. LOE: Those would have to come as separate variance requests.

MR. STRODTMAN: Mr. Zenner? Looking for a clarification.

MR. ZENNER: There will be a clarification and maybe I'll untangle this for you and make it simple. The criteria with the exception of the parking -- the street wall requirement that are shown within the table that articulates how the two -- how the project compares with our standards that would otherwise be applied to non-civic structure construction and what is being shown on the development plans to justify civic structure compliance could easily remove the request to waive omission of the street wall. That could be a recommendation. Then you could subject it to the detailed development plan that has been presented, the architectural elevation and the table less the street wall waiver. The provision that exists and the relief that is available to the applicant at that point is to proceed forward as a major amendment to the downtown -- to the M-DT design standards and proceed through with the Board of Adjustment requesting relief. Conversely to that, you could make a recommendation of denial of this particular waiver that they've included within their table. Council will see that recommendation of the denial or of approval subject to that being removed and they can reverse that decision. If it is the proclivity of the Planning Commission to support the project with the street wall requirement being required per your recommendation, great. We can then make the table and the architectural elevation a part of that if that's your desire. Council can always add back in the waiver of the street wall and avoid going to the Board of Adjustment. I don't know what their action would be, but the Board is the ultimate relief valve should the applicant seek further relief if they do not get it from the Commission and your vote or from the Council to waive the street wall standard. While it is hard fought and I agree that that was a major discussion, I believe that it probably is in the best interest to pursue forward with the request to not include that street wall waiver; i.e., meaning it is required per your recommendation, and go through the defined process for a Board of Adjustment variance to waive it. That would be my -- after reviewing the Code and looking at how the site plan is structured, we do have some existing parking lots that already here. Therefore, existing parking and existing improvements would be legal nonconformities. The unfortunate nature of this is we are looking at building a brand-new structure on the property. Therefore, this is defined as development within the Code. Development within the Code must be fully compliant with all of the regulatory standards unless otherwise waived. Again, as I had pointed out earlier in my original comments, we were looking at simplifying the waiver process. However, if the Commission decides that they want the street wall, pull it out or make it as a -- make it as a condition of your recommendation that street wall shall be required, not waived as presented, and move on. That's the way to basically get

through this issue, so we have clarity, the public has clarity as to what's going to be built on this site and what it is going to look like. That is part of the rationale behind conditioning the approval based upon the architectural exhibit that has been presented and the other criteria. We don't want them coming back and saying instead of 11 percent fenestration, we're only going to do 5 percent. At that point, Ms. Rushing, your point is correct. They would have to come back to a different body. They would have to come back and ask for relief of that. That would not be this body, because you would have already approved or made a recommendation of civic structure. We basically would tell them you're not meeting that recommendation; go to the Board. We would much rather prefer that the plan as it's been submitted this evening with maybe this one exception be what is required of them to submit to avoid going through any additional actions by another Board or Commission with the exception possibly of the street wall requirement.

MS. RUSHING: Well, if Ms. Loe would like to make a motion along those lines, I would be willing to withdraw my motion.

MS. RACHEL: I think you have to vote it down.

MR. MACMANN: Could --

MR. ZENNER: Or you can amend. Could they amend. Could they amend the --

MS. RACHEL: Or amend.

MR. MACMANN: You could withdraw or remove. Yeah.

MS. RUSSELL: You can withdraw the motion.

MS. LOE: Or amend it.

MS. RUSSELL: Or Ms. Loe can make an amendment to the Motion.

MR. ZENNER: That would be correct.

MS. RUSHING: Either way.

MS. RUSSELL: Do you want me to do it?

MR. MACMANN: If I may. Commissioner Rushing, if you would withdraw your amendment, maybe we could start clean.

MS. RUSHING: Yes. I'm willing to withdraw my motion, you withdraw the second.

MS. LOE: I withdraw my second.

MR. STRODTMAN: So there's a clean slate, since we did not vote on anything. So, Commissioners, any discussion, motion?

MS. LOE: Just discussion. I think part of my issue with this is that it's conflating these issues and I would just like to make a decision on whether or not we're designating this new school building as a civic building. So, a motion --

MS. RUSHING: So a motion that --

MS. LOE: Yeah. Okay. So --

MS. RUSHING: Well, you know staff's -- I think staff's concern is -- and correct me if I'm wrong -- that they had reached agreements as to details as to what this building will look like and they may not

have the power to do that if we don't make this designation subject to those agreements. Is that –

MR. ZENNER: I would suggest, Ms. Rushing, that is a correct statement and a correct perception. Designation of the civic structure does not assure that what has been provided to us and what our analysis has been based upon, that this is an appropriate civic structure designation, would be actually -- and I hate to be skeptical -- what would be submitted at the time of actual permitting. Right now, we have a detailed layout of the criteria that has been submitted per the design that is what our justification is based on, that we do have consistency, we are in compliance in these different areas. And without that being more clearly articulated, either by inclusion of the comparison table and the architectural element, I would be concerned that that may not necessarily be what we receive at the time of building permitting and we would, in essence, be allowing a building to be constructed that may not meet the intended -- the definition intention of what a civic structure would be at that point.

MS. BACON: We ourselves are asking for standards, what we need to be looking at when we review the building plans coming in. The challenge here too is that civic buildings once designated, it's one thing if they're an existing building. They're going to be held to what they already are. But this will be a brand-new civic building. And the Code specifically says in 29-4(2) that civic buildings are designated from the form -- the building forms. And then 4.2 has all those building forms. Now, is street wall really a building form? I would argue probably that it's not, but it is listed in the building form section that civic structures are provided relief from. And so that is an awkward thing. I definitely think there's a good point that Mr. Zenner had about removing that from your -- your motion, or draw it out specifically, but that is a criteria that we went through because that is the only criteria that we have when those plans come in.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Hearing what I'm hearing, it sounds as if most of Ms. Rushing's motion resubmitted with substantial agreement or comportment to the terms minus the street wall is the motion we're looking for. Is that –

MS. RUSHING: Does that meet your concerns?

MR. MACMANN: Does that make legal and staff's concerns? I would like to thank members of the Committee for bearing with us here. We spent a very long time writing these standards and this is the first time we've had to truly apply them, and we want to make sure we get it right for you all, for us, and for everyone in the future.

MS. BACON: So after conferring with legal, your -- your motion may be approval of the amendment to designate the new school building as an addition on the M-DT plan as a civic structure with the inclusion of substantial conformance with Exhibits A and B, so that would be both the architectural elements and the chart with the amendment to the chart to the street wall component.

MS. RUSHING: To exclude the street wall?

MS. BACON: To exclude the street wall so -- and so everyone understands, and in the future, if no -- if the street wall is asked to not be built, it will go to the Board of Adjustment, because under the motion made by this body if approved, that street wall is not going to be exempted out. Hopefully,

everybody is on the same page. Does that work?

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: Yes. Can you please put up your recommendation -- if you have a recommendation on the screen, please?

MS. LOE: Yeah. We can just be -- can that be the motion?

MR. STANTON: Please put it on the screen.

MR. STRODTMAN: Yes. We've done it in the past where that motion -- we can --

MR. ZENNER: The motion -- let me state the motion for the record then, please, if you would like. We don't have the ability, Mr. Stanton, unfortunately, to type that motion here.

MR. STANTON: No. But you had it up there before.

MR. ZENNER: Oh. Oh --

(Multiple people talking simultaneously).

MS. BACON: Oh. Oh. It's -- I'm looking at it and I'm like well, you can't -- you can't see it. Yeah.

MR. ZENNER: We apologize. There we go.

MR. STRODTMAN: There you go.

MR. STANTON: Thank you.

MR. ZENNER: So if you would like me to restate the motion, and I'll just need conference, and a first and a second. I'll state it, somebody first -- give me a first and a second on it. So, the recommendation to approve Case 18-121, North American Islamic Center Trust, Inc., to designate as a civic structure on the M-DT plan a proposed new school addition to the Central Missouri Mosque property, subject to substantial compliance with the architectural elevation shown in Exhibit A of the application and the comparison table of M-DT standards to the proposed architectural design of the school building as shown in Exhibit B of the application, less the standard of a request for street wall waiver as stated in Exhibit B.

MS. RUSHING: So moved.

MR. MACMANN: Second.

MS. LOE: Second.

MR. STRODTMAN: We have a motion made by Ms. Rushing, seconded by Mr. MacMann. I would repeat it, but I'm not going to -- for Case 18-121. Commissioners, is there any additional discussion needed on the motion on the floor? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Thank you.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann. Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for Case 18-121 will be

forwarded to City Council for their consideration. Moving on to Case 18-122. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to this Case 18-122, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

Case No. 18-122

A request by Simon & Struempf Engineering (agent) on behalf of the North American Islamic Trust, Inc. (owner) for a one-lot replat and design adjustments to Sections 29-5.1(g)(4) and Appendix A.6(b) pertaining to utility easements and lot corner truncations, respectively. The 1.3-acre subject property is located east of Flat Branch Park and is addressed 205 S. Fifth Street. The final plat will combine three existing lots for the purpose of redevelopment to allow construction of a new school on the site. The site is zoned M-DT (Mixed Use-Downtown).

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

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends the proposed replat has been found to comply with the provisions of the UDC with the exception of the requested design adjustments and minor technical corrections. Staff supports approval of the design adjustments and plat as follows:

- 1 Approval of the design adjustment to Section 29-5.1(g)(4) waiving the dedication of ten (10) foot utility easements adjacent to Elm, Fifth and Locust Streets.
- 2 Approval of the design adjustment to Appendix A.6(b) regarding the corner truncation of ninety-degree street intersections and substitution of a ten-foot truncation versus the require 30 feet.
- 3 Approval of the Central Missouri Islamic Subdivision Plat 1 subject to minor technical corrections.

MR. STRODTMAN: Thank you, Ms. Bacon. Commissioners, questions of staff? I see none at this time. We'll go ahead and open it up to the public.

PUBLIC HEARING OPENED.

MR. STRODTMAN: If anyone would like to come forward and speak on Case 18-122, just please give us your name and address beforehand.

MR. EL DEIB: My name is Muhammed El Deib, and I live at 2307 Cherry Ridge Lane. Again, I appreciate the opportunity for talking to you tonight, and this is very interesting to know that there's three tracts, and they're effectively becoming a one lot. However, at the time Elm Street was generated due to the curving way of the street, it did generate a small triangle. Can you see it between Elm Street borders? And the Islamic Center has been cutting the grass many times of this, even planting some -- some roses and some flowers over there to make it more appealing and more beautify the area. I am here tonight asking your kindness and request of this small triangle, which is not -- is nothing to be included with the plan so it will be including just a small triangle and we'll take care of it down the road. Thank you very much.

MR. STRODTMAN: Sir, may I ask you a question? Do you own that small little tract, that little triangle? Does the -- do you --

MR. EL DEIB: No, I don't. The City of Columbia, and we were asked several times in the past, the City can -- yeah -- grant it to you or can vest it to you. And since we have this opportunity of they are consolidating those three tracts might be helpful for the City not to worry about cleaning or cutting the grass from time to time, and we already invested our effort in cutting the grass and planting flowers. I'm sure many of you passes by Elm Street and see those red flowers coming very nicely. With the heat, of course, some of those flower leaflets are dropped off.

MR. STRODTMAN: Yeah. I just want to clarify that. We're not able to grant someone's land. We can't -- that's not our land to give to you to accept, so that would be between you and the City, and that would outside of our purview.

MR. EL DEIB: Does this require an application on our behalf?

MR. STRODTMAN: I will assume it's -- it would be a different process that you would maybe purchase the land from the City or, you know, they grant it to you, but it would be --

MR. EL DEIB: It is a small triangle.

MR. STRODTMAN: Yeah. I see it on the map. It is very small and I thank you for taking care of it--

MR. EL DEIB: No problem.

MR. STRODTMAN: -- but that would be outside of our purview, and it would be something that you guys would have to do outside of this with the City and not us.

MR. EL DEIB: Just make a recommendation or --.

MR. STRODTMAN: Sorry. We can't do that. It sounds good.

MR. EL DEIB: Thank you very much, sir.

MR. STRODTMAN: Thank you. Any additional speakers like to come forward this evening? I see none. We'll go ahead and close the public input portion.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion? Mr. MacMann?

MR. MACMANN: If none of my fellow Commissioners have any questions or conversations, in the matter of Case 18-122, Central Missouri Islamic Subdivision Plat Number 1 final plat with all design adjustments --

MS. BACON: And --

MR. STRODTMAN: The minor --

MS. LOE: Approval of the Central Missouri Islamic --

MS. BACON: And subject to minor technical corrections.

MR. MACMANN: Okay. I'm glad you guys finished that for me. I didn't hear what you said. That's why I was, like, what? Thank you. I so move.

MS. LOE: Second.

MR. STRODTMAN: Thank you, Mr. MacMann and Ms. Loe. So, Commissioners, we have received a motion by Mr. MacMann on Case 18-122. It has received its proper second by -- from Ms. Loe. Is there any discussion needed on this motion? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann. Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation will be forwarded to City Council for their consideration on Case 18-122.

VII) PUBLIC COMMENTS

MR. STRODTMAN: Anyone from the public like to come forward this evening?

VIII) STAFF COMMENTS

MR. STRODTMAN: Mr. Zenner?

MR. ZENNER: Your next meeting will be July 5th, same time, same place. As we discussed this evening in work session, we will have a guest speaker or visitor for you. We will request that Ms. Buffalo from our sustainability office come down and have a conversation with you about what was discussed today, about our climate action and adaptation plan and recommended suggestions that may be brought back to the mayor's task force relating to the same, and we will also attempt to arrange a presentation by the Business Loop CID executive director, as well as to explain what is going on with the CID at the request of the chairman. Your agenda for July 5th contains four items, two public hearings that just straight up public hearings. Our tabled item from this evening for Cypress Creek Renewables, LLC. This is the rezoning for the ten-megawatt solar farm from A to planned district. You will also have another annexation and permanent zoning request. This is located off of Mexico Gravel Road. It's part of the Lewis & Smarr Subdivision. It is specifically Lot No. 3. The applicants are the Fitzgeralds. And then your other two items that are on the agenda are actually a combined pair again. We seem to have a fire sale on those here lately. This is Harbison Second Addition. A rezoning request is the first component of this. This is off of Fay Street just to the north of where Logboat Brewery is, a request from industrial zoning to M-N -- Mixed Neighborhood, so it will be one of the first that we have had suggested to go to the M-N zoning district in an odd offering to downzone. And then a corresponding subdivision plat to do another consolidation, as well as a set of design adjustments that go along with that. Similar to this evening's final plat here for the Central Missouri Mosque, we are looking at a reduction in the road right-of-way for Fay Street and then a waiver of the dedication of the required utility easements along the frontage of the particular property. So you can put yourself into the right frame of mind as to where these parcels are located, Cypress Creek Renewables referred to as the East Columbia Solar Farm or Truman Solar Farm, LLC, on previous mapping here on the east side of town; the Lewis & Smarr Subdivision Lot 3 parcel here

off of Mexico Gravel Road. That is again an annexation request from County R-A to City R-1. And then our Harbison Addition in the OTA subdivision plat on Fay Street just north of the railroad tracks. So those are your four items for the agenda for July 5th. I'd like to wish you all a happy first day of summer and the summer solstice. It's still actually a little bit lighter than usual for when we tie up a meeting at 9:30 at night, and you will be good hands at the next meeting. I will not be here, so color commentary will be made by Ms. Bacon, and then we will have our other staff filling in for other -- other aspects of the meeting for you. But the glowing person -- well, no, actually, the glowing personality of our counselor won't be here that evening, either, will you?

MR. CALDERA: I'll be here.

MR. ZENNER: You will be, so he will be here, too. So you can ask him all the pressing questions. Thank you for your attention this evening, and if you have any questions of us, we'll be more than happy to answer them.

MR. STRODTMAN: Thank you, Mr. Zenner. Any questions of staff? No? Before a motion is made for adjournment, I would just ask all Commissioners to let us know if you're not going to be present at the July 5th regular meeting or work session. We want to make sure that quorum is not a factor related to the July 4th holiday being right before, so if you are going to be absent, please let us know as soon as you can so we take that into consideration. That's all I have and I would -- Mr. MacMann?

X) ADJOURNMENT

MR. MACMANN: Are you done, sir?

MR. STRODTMAN: I am.

MR. MACMANN: I don't want to interrupt you. I move we adjourn.

MR. STRODTMAN: Do we have a second?

MS. BURNS: Second.

MR. STRODTMAN: Second. We are adjourned.

(The meeting adjourned at 9:26 p.m.)