

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**September 21, 2023**

**Case Number 109-2023**

**A request by A Civil Group (agent), on behalf of UPT5611COMO, LLC (owner), seeking approval of a "design adjustment" that would permit a proposed lot with less than 300 feet of frontage to have an individual driveway access which is not permitted by Section 29-5.1(f)(1)(iv)(D) of the Unified Development Code. The subject site is located southwest of the Waco Road and Brown Station intersection and is shown as Lot 104 of the proposed final plat for Uptown Business Park, Plat 1.**

MS. GEUEA JONES: May we please have a staff report.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested design adjustment.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of this public meeting, please disclose so now. Seeing none. Any questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Zenner, some of this will be a Mr. Gebhardt question. We have a proposed plat in our packet. Right? That's not the plat. I don't have -- generally don't have a problem with this, but just I'm concerned about the plat getting changed later and we come in to tweak plats because we have different -- some of that will depend upon, and I don't know this. Maybe Mr. Gebhardt can answer this question. Do they have these lots leased yet? They're certainly not under-leased, or we would know that. These are my general questions. I don't have a -- you know, it's a low impact area, that -- it's fine. I'm just wondering about having to approve a plat later, someone trying to carve it up.

MR. ZENNER: No. The only lot that I am aware, based on the developed environment here that is actively being used as the one that is immediately to the north, Lot 103, of the plat, and that is actually part of the original Dell Jones Plat Number 2. That was part -- that lot is being reconfigured in the Uptown Business Park Plat, but that was a legal lot already. So the building that is on that was legally permitted, legally authorized the access that is currently showing or has, and the replat, basically, is just adjusting the lot lines around that lot in order to carve up the extra lots, four, if I'm not incorrect, four extra lots out of the development acreage. So, no. Lot 104 at this point is not, to my knowledge, under a lease at all. It is proposed. The action here by the Board or by the -- by the Planning Commission will actually be attached. It'll be joined with the replat which goes directly to Council. So the way that this process works

is we will have to submit a separate design adjustment report that will then have its own ordinance number. We can potentially have Mr. Gebhardt update the plat we received with specific language that indicates that the plat has been approved with the design adjustment subject to ordinance number relating to Lot 104, and I believe that that actually is already on the plat because we anticipated that this was going to need to be addressed. And that would then convey forward for any future subdivision or re-subdivision actions.

MR. MACMANN: All right. As long as we're tied in, and I just have one more -- well, it's more of a comment, though. As a concept, I'm all about internal driveways. As a practical matter, no. So I'm glad you didn't go that route. Thank you, Madam Chair.

MS. GEUEA JONES: Thank you. Commissioner Dunn?

MR. DUNN: Looking at the triggering of construction of sidewalks, when that is triggered, is that burden on the City or is that going to be on the developer for this development?

MR. ZENNER: That's on the developer.

MR. DUNN: Okay. Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will open the floor to public hearing.

#### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward. You know the drill.

MR. GEBHARDT: Yes, I do. My name is Jay Gebhardt; I'm a civil engineer and land surveyor with A Civil Group here in Columbia, Missouri, at 3401 Broadway Business Park Court. I'm in agreement with staff's information in the staff report, and my question was centrally located on Lot 104 leaves some wiggle room, and maybe that's okay. And I just wanted to also point out some numbers in the staff report. It's -- it indicates that the -- if it's centered on the lot, that it would be approximately 500 feet from the existing driveway, but the actual numbers work out. If Lot 103 is 283 -- 283 feet wide, it's 37 feet to the driveway, and then you add in the 110 feet for the center, and you get 356 feet. So that would be center to center, and -- and we're okay with that. If we wanted to be a little bit more definitive for -- because I may not be the engineer working on this, it would -- it could say, you know, 300 feet separation center line to center line, just 356, or 300 -- whatever you want to use. And to answer your question, Mike, the Note Number 7 on the plat says the center line -- here it is -- access to Lot 104 shall be provided as defined in the associated design adjustment. So it's on the plat. We don't need necessarily -- Pat's already anticipated that, and we have that language.

MR. MACMANN: I just -- just I's and T's, Jay. That's all I'm doing here.

MR. GEBHARDT: Yeah.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: I'm sorry.

MS. GEUEA JONES: Are you done, Jay?

MR. GEBHARDT: What?

MS. GEUEA JONES: Are you done?

MR. GEBHARDT: Yeah. Pretty much.

MS. GEUEA JONES: Okay. In that case, Commissioner MacMann, did you have a comment or question for this speaker?

MR. MACMANN: I believe I've already spoken out -- out of turn.

MS. GEUEA JONES: Okay. Does anyone else have any questions for this speaker? Seeing none. Thank you very much.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Are there any other members of the public that wish to speak on this case? Seeing none. We'll close public hearing.

### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Are there any Commissioner comments? I don't see anyone. Would anyone like to make a motion? Commissioner MacMann?

MR. MACMANN: I will make a motion. And Mr. Stanton, did you raise your hand to speak? I didn't want to interrupt you.

MS. GEUEA JONES: I'm sorry.

MR. STANTON: No, sir. You go ahead.

MR. MACMANN: Or you were going to make a motion. Okay. I just want to say that, before I make my motion to approve this design adjustment, right now, this is fine. This is a low footprint area. But in the future, having these driveways in another location could well be problematic. And it is my hope that as this builds out in the next ten or twenty years, it is not. All of that said, Mr. Zenner, could you show me the title page, so I get these numbers right?

MR. ZENNER: I apologize. There we go.

MR. MACMANN: In the matter of Uptown Business Park, Plat 1, design adjustment, I move to approve, and I'm going to hold my sentence for a minute and look at legal to say I don't need to make multiple motions on this?

MS. THOMPSON: No.

MR. MACMANN: I move to approve.

MS. GEUEA JONES: Subject to?

MR. STANTON: Bottom, Mike.

MR. MACMANN: Subject to the future driveway being centrally placed on Lot 104, and that's as determined when allowed by staff.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Any discussion on the motion? Seeing none. Commissioner Carroll, when you are ready, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Placier, Mr. Ford,**

**Mr. Stanton, Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones. Motion carries 7-0.**

MS. CARROLL: We have seven to approve, the motion carries.

MS. GEUEA JONES: Thank you. Is there any other motion on this case? Seeing none. That recommendation will be forwarded to City Council. Moving on. That was our only case for this evening.