

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
MAY 4, 2017

VI) PUBLIC HEARINGS

Case Number 17-108

A request by Crockett Engineering (agent) on behalf of Welcome Home, Inc. and Mid-Missouri Veterans, LP (owners) for a major amendment to the C-P plan known as "Veterans Campus". The subject site is located at 2112 and 2120 Business Loop 70 East. The applicant is seeking an additional screening variance for Lot 2, and is updating the C-P plan to match the plat (Case #15-18) of the property.

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the major amendment to the "Veterans Campus PD Plan".

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners, any questions? Ms. Rushing?

MS. RUSHING: I have question. Question. The ownership of the lot to the south, is it owned by one of the property owners to the north?

MR. PALMER: Yes.

MS. RUSHING: Okay. I mean, it seems unlikely that it's going to be residential. Do you –

MR. PALMER: It's -- it's zoned R-1, and as I said, the stipulation would remain that once that lot is developed, it would -- it would require that the screening be put in place at that time.

MR. STRODTMAN: Any additional questions, Commissioners? Mr. MacMann?

MR. MACMANN: Just as a clarification, those lots all around there are all R-1 currently? It's just -- it's woods.

MS. RUSHING: Right. I was -- that's why I was asking because the topography doesn't seem to be amenable to putting in a residential development, but you never know, I guess.

MR. STRODTMAN: Ms. Loe, do you have a question?

MS. LOE: I notice they added some parking. Did -- was there a reason?

MR. PALMER: I'm -- that would be because the larger building footprint. I think it's required.

MS. LOE: No. This is above and beyond what's required.

MR. PALMER: Is it?

MS. LOE: Uh-huh.

MR. PALMER: I'm not sure then.

MR. ZENNER: Mr. Stephens is here from Crockett Engineering, which is the design firm that's responsible for the C-P plan. I believe he may be able to shed some additional light on that for you.

MR. STRODTMAN: Commissioners, are there any additional questions for staff before we open

up the floor? We see none. We'll go ahead. And this is public hearing, so we'll go ahead and open the floor to anyone who would like to come forward.

PUBLIC HEARING OPENED

MR. STRODTMAN: We will just ask that you give us your name and address and try to keep it to about three minutes.

MR. STEPHENS: Hello, there. Jesse Stephens again with Crockett Engineering, 1000 West Nifong. I think Rusty gave you a pretty accurate characterization of what we're trying to do with this. The main goal was to try to eliminate the screening variance and save -- the two lot owners are Patriot Place, which is with Columbia Housing Authority, and Welcome Home is the lot to the east. And so part of the idea of the R-1 lot to the south is that it's common green space that both of them use, and so the stipulation of the -- without the variance, Welcome Home will be required to place a screening fence that separates their property from that common green space, so it makes it more difficult for them to access. Down below, although it's zoned R-1, there's no intent by either of those property owners at this time to do anything with that property other than common shared green space. So it's just an inconvenience for Welcome Home to have an additional stipulation of screening that's not required, that their neighbor is not required to have. And in terms of the monument sign, we're just basically trying to -- we're still within compliance of all City requirements on that. We meet all requirements of the signage ordinance. And actually adding the sign lost a couple of parking stalls. I don't think we have added any additional parking from the original approved C-P plan.

MS. LOE: There's four more stalls than there were previously. There wasn't a need for extra parking?

MR. STEPHENS: There is a need for extra parking, but they felt that the -- having a sign was more important to them than the two stalls that they lost. So --

MS. LOE: Well, somehow you squeezed four extra stalls in, so --

MR. STEPHENS: Right. Well, I will say that the -- the plan for Welcome Home did evolve after the initial approval of the C-P plan. Patriot Place's plans were pretty well in place at the time of the approval of the C-P plan. Welcome Home evolved as they received money. There was a phase one part of the project. It -- it stalled because wanted to complete -- do phase one and phase two as one project. So the whole idea behind this is that we're trying to get the C-P plan consistent with what's being built and what's been final platted, so --

MR. STRODTMAN: Additional questions, Commissioners? Ms. Loe?

MS. LOE: So I'm just -- since parking is such an ongoing issue, so you're saying that they've -- I mean, you're providing parking beyond what's required and you're saying they actually require -- could use additional parking?

MR. STEPHENS: Well, Welcome Home particularly, there's shared parking between -- between Patriot Place and Welcome Home, but Welcome Home has far less parking than Patriot Place does. So, I mean, they -- they definitely have a need for as much parking as they can get.

MS. LOE: All right. Thank you.

MR. STEPHENS: Thanks.

MR. STRODTMAN: Any additional questions, Commissioners? Thank you, sir. Anyone else like to come forward? Come on up, sir. Just give us your name and address, please.

MR. CRANOR: My name is Lawrence Cranor; I live at 2106 Ammonette. On the plat map you saw before, it was in the lower left-hand corner. I have grave reservations about the screening in place. When I step out of my front door, I have a direct line of sight to the south side of the campus. The building of the apartments on the left are right there. The pavilion and flagpoles and the southwest quadrant of the building on the -- on the far east are all within my view. When loud conversations take place at the pavilion, they're audible within my living room. I have had construction going on outside my bedroom window for two years. The elevation difference you can't see here, but they're on top of the hill. The end of Ammonette is at the bottom of the hill. Speaking from the bottom of the hill, we get a lot of noise, we get a lot of light coming from that location. I had met with Steinhaus and the director of Welcome Home about two years ago before they began any construction, and the concern -- the grave concern that I had was that they would encroach on the waterway easements which take up and gobble up about half of that R-1 lot. Now, my backyard is at the same level as the creek there, so any obstruction, any encroachment on the waterway has a potential to cause flooding for me. This last weekend was a pretty dramatic illustration of that. I wasn't really aware that there was a variance on the screening as it stood. When I had met with them, I also got this assurance that, no, there's this military perspective that values a sort of sense of being on base, and it's very important to us to preserve a solid green buffer between us and the residential neighborhoods next door. In the meantime, it has been somehow decided that that R-1 lot to the south would actually make a great park, would make great gardening space. What is omitted from the plat map are the raised gardens that have been built and are being actively cultivated on the north part of the R-1 lot. That -- if you're gardening, you're definitely not going to value having lots of shade or screening between my front porch and the back of this lot. I can see the construction equipment. I can see what's going on. It's been really noisy and they're going to be very busy. So any variance that opens that up to my front porch is an active detriment. It is to my neighbors, as well. The reason why that was broken into two lots long, long ago is very, very clear. They've got a hotel on the top of the hill and then the residential neighborhoods back behind it. They never did anything with it. They were quiet. We never had any beef or -- now it's become very, very, very noisy. I would mention that my parents moved onto to Ammonette in 1978. I grew up -- they're still there. I grew up on that street. I now live down the hill. My parents have retired but they're still there and still active. Marita is next door is a newcomer. She showed up in '79 or '80. Two other neighbors have been there 20 years. My best friend lives across the street. I also get to call him a newcomer because his family moved onto Ammonette when I was in sixth grade. This is a special little community. It's very, very quiet. It's a dead-end street that we've always really enjoyed being able to raise our kids on because there's no through traffic, there's no activity. When you posed some questions about lines of sight and

what's here, I could answer any question on that, but, in the meantime, I am -- I regret that I didn't think or realize that I should have submitted information in writing in advance, but it's my contention that there is development going on in the southern lot already, so any variances that's condition on this lot not being developed have already been triggered, so --

MR. STRODTMAN: Commissioners, additional questions for this speaker? Mr. MacMann?

MR. MACMANN: I have a couple of questions just to clarify what Mr. Palmer said, and thank you for bringing this up, sir. You stated, Mr. Palmer, that the -- the existing -- the pre -- the variance is on Lot Number 1 of the north lot, and this would be -- this action would be to extend that to the east to cover Lot Number 2?

MR. PALMER: Correct.

MR. MACMANN: So as we speak, the lot next to this gentleman's property already has its variance; is that my understanding?

MR. PALMER: Right.

MR. MACMANN: All right. That's where I thought we were.

MR. PALMER: Yeah.

MR. MACMANN: Sir, who gardens this property, this --

MR. CRANOR: I assume residents of the property to the west.

MR. MACMANN: And you would still --

MR. CRANOR: Those have been occupied for most of a year now.

MR. MACMANN: The Patriot Place?

MR. CRANOR: Yes. Yes. Yes.

MR. MACMANN: If I can keep them straight in my head.

MR. CRANOR: It's difficult.

MR. MACMANN: Yeah.

MR. CRANOR: And, in fact, the -- our one lot to the south is, according to the deed, is registered to a separate legal entity entirely, but --

MR. MACMANN: That's -- some of that is funding, as far as I understand.

MR. CRANOR: But, functionally, it's treated -- they are interacting as an integrated unit.

MR. MACMANN: All right.

MR. CRANOR: And, in fact, spilling over into the third lot.

MR. MACMANN: Well, let me just clarify one thing. You said that there was development going on on the southern lot. Are you referring to the raised garden bed or are you referring to something else?

MR. CRANOR: Raised garden beds are what I've been able to observe from my front porch. I have also been aware of their participation in a number of contests to develop the area into a park -- paths, benches. I, again --

MR. MACMANN: Are these items present or are you --

MR. CRANOR: They are not yet. Again, construction is still ongoing, but it has been made clear

that they consider this shared green space.

MR. MACMANN: I don't have any more questions at this exact moment.

MR. STRODTMAN: Thank you, Mr. MacMann. Commissioners, any additional questions? I see none. Thank you, sir. Anyone else in the audience who would like to come forward, we'd like -- come forward at this time, please. Come on up, ma'am. Would you please give us your name and address?

MS. PICKENS: Tracy --

MR. STRODTMAN: Why don't you get up so the recorder can get it legally.

MS. PICKENS: Tracy Pickens; I'm at 2105 Ammonette Street. We just want to protect the area. There's vegetation, there's animals that roam that area, and we would just like the green space to be there. That's it.

MR. STRODTMAN: Thank you. Commissioners, any questions for this speaker? I see none. Thank you, Ms. Pickens. Any additional people like to come forward? I see none. I'll go ahead and close this public hearing.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners?

MS. RUSSELL: I have --

MR. STRODTMAN: Ms. Russell?

MS. RUSSELL: Well, actually, I have one more question of staff. The open space lot, the R-1 lot, who owns that piece?

MR. PALMER: As he said, it was -- it's under a third-party ownership, but it's Columbia Housing Authority and then I forget exactly who owns the third lot, but it's an entity of the City. And as it -- well, the northeast lot, Lot 2, I believe, is -- is actually a nonprofit organization --

MS. RUSSELL: Right.

MR. PALMER: -- but the rest of it or the other two lots are and entity or --

MR. STRODTMAN: But it's safe to say, Mr. Palmer, that Lots 1 and 2 combined somehow own the -- the R-1 --

MR. PALMER: Yeah.

MR. STRODTMAN: In some legal format?

MR. PALMER: Yeah. Correct. As you said, they virtually operate as a single unit and --

MR. STRODTMAN: But for tax purposes and other reasons, they are separate entities?

MR. PALMER: Right.

MR. STRODTMAN: Ms. Russell?

MS. RUSSELL: Well, I'm just wondering about this gardening that's going on and --

MR. STRODTMAN: If that's --

MS. RUSHING: They're small beds. They're not like --

MS. RUSSELL: I know.

MR. STRODTMAN: My impression is, Ms. Russell, and my assumption is the residents from the

home that's under occupancy that's been open for about a year are utilizing the R-1 for a gardening situation, potentially a park, for their own intended use or maybe people that --

MS. RUSSELL: Right.

MR. STRODTMAN: -- they invite. I don't know.

MS. RUSSELL: Right. Well, and when I -- I go out there frequently, and just -- I know it's not the Welcome Home people or the Patriot Place people that are even doing this gardening, but that doesn't mean that they might not want to sometime, so that -- it was just a comment.

MR. STRODTMAN: Yeah. That was my assumption.

MS. RUSSELL: Yeah.

MR. STRODTMAN: I just assumed, but it could be a totally different third party. Yes, Ms. Burns?

MS. BURNS: Are we to the point where I might ask Mr. Stephens to come back up and ask any questions?

MR. STRODTMAN: If you have additional questions.

MS. BURNS: Mr. Stephens, I have a question, if you don't mind.

MR. STRODTMAN: We'll go ahead and reopen Case 17-108. Mr. Stephens, come back up. And for technicalities, would you just give us your name and address again?

PUBLIC HEARING REOPENED.

MR. STEPHENS: Sure. Jesse Stephens, 1000 West Nifong.

MS. BURNS: Have you had discussions with the neighbors that have spoken about some of these concerns?

MR. STEPHENS: I have not. This is the first I've been made aware.

MS. BURNS: Is this something that you would be willing to address and work with them, so I've got to say it, there could be a win-win situation.

MR. STEPHENS: Sure. I mean, if there's been some conversation -- needs to be some conversations, it sounds like there's issues with -- that maybe need to be worked out, not necessarily with the Welcome Home, but with the occupants of Patriot Place. You know, I think some of the concerns that were brought up are not going to be alleviated by the fact of whether we put a fence up on Welcome Home or not. The fence is already not required on the part adjacent, so there may be -- but, yeah. I think that Columbia Housing Authority and Welcome Home would probably be open to a conversation.

MS. BURNS: Okay. Thank you.

MR. STEPHENS: Sure.

MR. STRODTMAN: Any additional questions for this speaker? Thank you, Mr. Stephens. We'll go ahead then, unless there's additional -- we'll go ahead and close this case officially.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, additional discussion? Ms. Loe?

MS. LOE: Maybe a question for staff, but I guess the comments from public have me wondering if this screening that currently exists between the occupied -- the northern site and the existing R-1 --

occupied R-1 meets our screening requirements.

MR. ZENNER: It does. It was permitted according to the plans and according to our screening standards. That I do know because we did have a number of issues with the screening that is in the southwest corner at the time that the Patriot Place project was being completed and attempting to obtain its CO, so that has been installed in accordance to our requirements. The variance granted on the southern property line of the Patriot Place project was authorized with the original C-P plan approval, and there was no requirement. I do not have the original C-P ordinance, but I do recall from the discussion when this project was brought forward for Planning Commission and Council review that Lot 1 was considered as part of the overall campus amenities as they related to both Patriot Place and then the Welcome Home site, and that may have been improved for particular passive-type recreational activities which would include gardening. So if there are vegetables being grown on this or other cultivation activities that are being utilized by the Patriot Place residents, that isn't against the zoning designation of that property at this point. And we would have to go back and dig through the minutes of the original approval of this project, but I believe that that was an identified potential use for this southerly land. Building construction that is on this site does not impact any of the environmental features either that are on Lot 1. So while the rain events of this past weekend were quite significant, they were significant throughout the City of Columbia and, therefore, may not have been mitigated by the increase in the impervious surface that is here, but would not have been any different than experienced in other areas of similar development.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any additional questions for staff? Comments? Any discussion?

MR. MACMANN: Mr. Chairman?

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I have a motion.

MR. STRODTMAN: Sure. We would love to hear it.

MR. MACMANN: In the case of 17-108, Veterans Campus C-P plan amendment, I move that we accept same.

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

MS. RUSSELL: Second.

MR. STRODTMAN: Thank you, Ms. Russell. Mr. MacMann has made a motion to approve Case 17-108 and Ms. Russell has seconded that motion. Commissioners, is there any discussion needed on this motion? Yes, Ms. Burns?

MS. BURNS: I guess I would just -- I'm concerned about voting for this without a guarantee that there is going to be continued discussion between the property owners and Crockett Engineering. I don't even know if I can add something like that to this motion that that discussion take place.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I'm certainly open to an amendment of that nature, particularly since the City

very indirectly, as Mr. Steinhaus' organization is independent, does have some influence over this. I'm all for continuing the conversation, so I'm not sure exactly what you would like to -- I just -- Ms. Burns, my -- there's already no screening allowed on his side. That's already a variance there, and the construction issue, so I would suggest that if you do have that continued construction noise, that you address that with the City in that venue. But I see this as a variance to the east and a signage issue.

MS. RUSHING: Uh-huh.

MR. MACMANN: I mean, am I missing something else there? I mean, I appreciate the gentleman's concerns, but I do believe that -- well, like I said, there's no --

MS. RUSHING: Yeah. I think his concern is on the eastern edge of his property or the western edge of these lots, and we're dealing with the southern edge of the top of the northern two lots. So they're two different issues.

MR. MACMANN: I'm all for -- if you want to make some kind of encouraging communication motion, I don't know what that would look like. You know, we have actually brought people to have them speak together to coordinate, although we don't have anyone from Mr. Steinhaus' organization here. There's no one from CHA present.

MS. BURNS: Well, since we're making a recommendation to City Council, I -- I will take at face value that both parties have agreed to speak and continue this discussion and come to possibly some additional agreements. And if not, then it will be visited at the City Council meeting where additional concerns could be heard. And we're not making the decision, we're simply making a recommendation.

MR. STRODTMAN: Right, Ms. Burns. Any additional discussion, Commissioners, on the motion in front of us? Ms. Russell?

MS. RUSSELL: Well, I just want to make a point that eventually construction noise will go away, so it's not going to be there forever.

MR. STRODTMAN: True. And as Mr. Zenner stated, legally, you can garden on an R-1. So it is a different use than what's been there and it is probably definitely louder than what has been there and that definitely is an inconvenience. But, hopefully, the noise will go away and the neighbors can maybe accommodate each other and get along. So, with that, I would go ahead and ask for a roll call on the motion that we have been --

MS. BURNS: I believe we need a second.

MR. STRODTMAN: Ms. Russell.

MS. BURNS: Oh, thank you.

MR. STRODTMAN: No. Did I have Ms. Russell? Yeah. Ms. Russell seconded.

MS. BURNS: Thank you.

MR. STRODTMAN: Mr. MacMann made the motion and Ms. Russell seconded.

MS. BURNS: Okay.

MR. STRODTMAN: If there's no further discussion, we'll go ahead and ask for a roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing,

Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Strodman. Motion carries 8-0.

MS. BURNS: Motion carries 8-0.

MR. STRODTMAN: Thank you, Ms. Burns. Our Planning and Zoning Commission will -- recommendation for approval will be forwarded to City Council for their review.