

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
May 9, 2024

Case Number 141-2024

A request by Crockett Engineering (agent), on behalf of Richland Olivet Farm, LLC (owners), seeking assignment of R-1 (One-Family Dwelling) zoning to a 29.68-acre parcel of property as the site's permanent city zoning upon annexation. The subject site is currently zoned Boone County A-R (Ag-Residential) and A-1 (Agriculture), and is located southwest of the Richland Road and Olivet Road intersection, on the west side of Olivet Road south of property known as 251 Olivet Road.

MS. LOE: Are we doing these cases separately?

MR. ZENNER: Two separate -- two separate staff reports and there will be two separate motions.

MS. LOE: Thank you. 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 permanent zoning request for R-1 zoning, pursuant to Council approval of annexation of the property into the City's corporate limits.

MS. LOE: We appear to have lost a Commissioner, but we still have six, we still have a quorum. Thank you, Planner Palmer. Before we move on to questions for staff, I would like to ask any Commissioner if they have had any ex parte related to this case to please share that with the Commission at this time so all Commissioners have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Commissioner Placer?

MS. PLACIER: Just a matter of curiosity. On these stubs, in Old Hawthorne, is it the assumption by creating a stub that you created the potential for through traffic to then come through Old Hawthorne and that's okay with them?

MR. PALMER: Yeah. We actually require -- we require that as -- as part of our inner-connectivity approach, you know. And you'll see on the prelim that comes in, we connect each of those, so it's -- fire access is probably the major primary issue, but just general inner-connectivity is good for pedestrians and all forms of transportations.

MS. LOE: Any additional questions for staff? Seeing none. We will open up the floor to public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. My presentation basically is combined both for the rezoning -- well, for the zoning and the preliminary plat, so I'll forego that into the preliminary plat, unless there's any, you know, specific questions about this R-1 portion. There is some rhyme to the reason on what we're doing there. But to be back on your questions here, Ms. Placier, those -- those stub streets from Old Hawthorne that come into this development actually there's always some thought about how they interact, and so we take that into consideration. In this specific case, as you will see in the preliminary plat, they actually connect to a north-south collector street that's proposed in the preliminary plat that we're proposing. So, yeah. So while there may be some connection going through Old Hawthorne, the idea there is that that collector street north and south will collect that traffic and then give it to the arterials.

MS. PLACIER: Well, I just thought maybe Old Hawthorne folks would come in, but they haven't.

MR. CROCKETT: Right.

MS. PLACIER: And saying, what, all these people will be driving through out neighborhood, and nobody has, so --

MR. CROCKETT: Yeah. Yeah. Thank you. If you have any questions, I'm happy to answer them.

MS. LOE: Additional questions for Mr. Crockett? I see none.

MR. CROCKETT: Thank you.

MS. LOE: Thank you. Any other speakers on this case? Seeing none, we'll close public hearing on this case.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner discussion? Commissioner MacMann?

MR. MACMANN: If there are no other questions or concerns, I have a motion. Let me make sure I'm on the right one here. In the matter of Case 141-2024, Richland Olivet Farm annexation and permanent zoning, I move to approve.

MR. DUNN: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Dunn. We have a motion on the floor. Any discussion on this motion? Commissioner MacMann?

MR. MACMANN: Just real quick. In memoriam for our currently absent Chair, I'm going to object to the annexation part being in here. Thank you, Madam Chair, for your indulgence.

MS. LOE: Any additional discussion? Seeing none. Commissioner Carroll, may we have a roll call, please?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Placier, Ms. Loe, Mr. Stanton, Mr. MacMann, Ms. Carroll, Mr. Dunn. Abstention: Ms. Wilson

MS. CARROLL: Yes. So, wait. One, two, three, four, five -- now we have six to approve and one abstention.

MS. LOE: Thank you. Additional motions? Did you want to move or request that this be taken

off the consent agenda?

MR. MACMANN: No, I don't.

MS. LOE: Oh.

MR. MACMANN: Do you want to move?

MS. CARROLL: I -- if you're not going to, I will.

MR. MACMANN: Okay. You know, please -- please go ahead. We can both -- we could honorarium to our currently absent chair.

MS. CARROLL: I will make a motion. I will move to remove the case for annexation from the consent agenda so that these two aren't coupled when they're placed onto the consent agenda for a single vote from Council.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner Carroll, seconded by Commissioner Stanton. Any discussion on this motion? Commissioner Dunn?

MR. DUNN: Could you talk me through a little bit about the benefit of this motion?

MS. CARROLL: Yes. I would love to talk you through this. So when we have a vote that's nearly unanimous, based on the zoning, the case is coupled with the annexation. When we have an agreed upon vote, it gets placed by default onto the consent agenda with the annexation. However, we don't have the ability to vote on or even discuss the annexation, so our votes on the zoning don't necessarily reflect our votes on the annexation. Therefore, in this type of situation, I prefer to separate the cases so they both get visibility to Council separate from one another.

MR. DUNN: Fantastic. Thank you so much.

MR. ZENNER: If I may. We've discussed this before. There is a public hearing for the annexation request. Following the public hearing, the ordinance that is prepared to annex and permanently zone is one ordinance. So they aren't -- the annexation component cannot be decoupled in the ordinance process. It can, however, be placed upon the old business agenda. So just so we're clear, the ordinance that is produced to assign permanent zoning and authorize the annexation are one bill and one ordinance. So we will put it on old business. It will get its attention that you're asking for, but from a - from the technical perspective of how the legislation is prepared, the ordinance is inclusive of both permanent zoning and the annexation, and that follows the required public hearing by the statutory requirements of the State of Missouri. That is a separate public hearing to discuss the validity of annexing. But the -- the process of pulling it off of the consent agenda is, as Ms. Carroll pointed out, but the ordinance itself is merged and does not get decoupled as a result of your vote to put it on old business.

MS. CARROLL: I will revise my motion to simply remove the case from the consent agenda in that case.

MR. ZENNER: Thank you.

MS. CARROLL: Does that capture -- thank you.

MR. ZENNER: That captures, in essence, what the process is meant to do.

MS. LOE: Thank you. Commissioner Stanton, do you accept that amendment?

MR. STANTON: I do accept that, Madam Chair.

MS. LOE: All right. Any more discussion on the revised motion -- amended motion? With that, can we do thumbs up or -- yeah.

MS. CARROLL: May I ask staff a question? Are we still in discussion?

MS. LOE: Yeah. Yes.

MS. CARROLL: Do you have an idea of when this case will come on the Council agenda?

MR. ZENNER: The public hearing is being set. We just did the public hearing request. We are setting the public hearing for June 3rd, so it will be introduced. The public hearing will be held and the introduction of the item will be held on the same date. So June 3rd is when it gets introduced. It will go on the agenda for June 3rd with the designation of old business, meaning then on June 20th, I believe, is the second reading, and that would be when it would basically be discussed. There would be the Council public hearing, as well, of the permanent zoning and the annexation combined.

MS. CARROLL: Okay. Thank you.

MS. LOE: Any additional discussion? Commissioner MacMann?

MR. MACMANN: No. I'm thumbs up. I'm waiting --

MS. LOE: With that, we will take thumbs up vote on this. All in favor, thumbs up? We've got six -- abstention? And one abstention.

(Six votes for approval; one abstention.)

MR. ZENNER: And my apologies. That actually -- the second read would be on June 17th.

MS. CARROLL: Oh, okay.

MS. LOE: All right. That brings us to our second case related to this property.