

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
MARCH 21, 2019

Case Number 69-2019

A request A Civil Group (agent) on behalf of TRS Property Management, LLC (owner) to permanently zone 1.62 acres of City M-N (Mixed Use-Neighborhood) from County R-S (Single-family Residential) and C-N (Neighborhood Commercial); and 1.18 acres to City M-C (Mixed Use-Corridor) from County C-GP (Planned Commercial) upon annexation. The subject site is located on the south side of East St. Charles Road at the intersection of Talon Road, and includes addresses 5200, 5202 and 5210 East St. Charles Road.

MS. LOE: May we have a staff report, please.

MR. MACMANN: Point of order. Before we proceed, I would like to amend the agenda. I did that when I read it three times, whereby Case 69-2019, instead of reading "to permanently" reads "to permanently zoned" just so everyone is clear going forward.

MR. ZENNER: So moved.

MS. LOE: Second.

MR. ZENNER: I never thought a space was so important in my life.

MS. LOE: With that adjustment --

MR. MACMANN: Thank you for indulging that point of order.

MS. LOE: -- do we need a vote on it? No. With that adjustment, may we have a staff report, please.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends denial as submitted for the above stated reasons. Alternatively, staff would support a rezoning of the entire site to M-N (Mixed-use Neighborhood).

MS. LOE: Thank you, Mr. Smith. Before we move to Commissioner questions, I would like to ask if any Commissioner who has had any ex parte prior to this meeting related to Case 69-2019 to disclose that now so all Commissioners have the same information to consider in front of them? I see none. Any questions for staff? Ms. Burns?

MS. BURNS: So if we took the alternate and the applicant was agreeable to rezone the entire site to M-N, there would be the option to come back at a later date as they finalize their plans, whether it's a storage mart or something else, to look for the M-C zoning?

MR. SMITH: Correct. They could follow up this request with a subsequent request to upzone it then to M-C, as well, but they'd have to go through the same process generally, yeah.

MS. BURNS: Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Just real quickly. I know you don't have this in front of you. Playing devil's advocate, if the property due east of this, which is currently in the county, were to be annexed. Say this was the property up to be annexed and rezoned, would you support that as an M-C? I'm not holding you, I'm just -- where is this -- you know, where is it going?

MR. SMITH: I -- I am cautious to speculate given that --

MR. MACMANN: I know I tossed you right in there, didn't I?

MR. SMITH: Sure. Yeah. Yeah. I think it exhibits a lot of the same characteristics as this site does. I think given the site directly to the east is -- is that limited PD zoning that is just C-1 uses, I think when you look at an orderly transition, what we prefer to avoid is having C-1 or M-N uses closer to the intersection.

MR. MACMANN: Chopping it up, getting out of order.

MR. SMITH: And then going up in intensity and back down in intensity, so you're kind of leap-frogging back and forth. We like to see a real clear transition. That's not to say it doesn't happen. It does probably happen here in town, but that would be, I think a likely recommendation, yes.

MR. MACMANN: All right. Thank you.

MS. LOE: Any additional questions for staff? Mr. Smith, does the County C-GP allow storage?

MR. SMITH: I --

MR. ZENNER: That is not a something that we have looked into, although I would suggest that the C-GP, however, because of other plan restrictions associated with it, would be more akin to potentially our PD, C-1 type uses, so there would be controls over that that would not otherwise be there if it is zoned M-C.

MS. LOE: In layman's terms, I mean, so they have the C-G, which is general, so the difference between -- this may be a question --

MR. ZENNER: They may be able to answer that. We don't --

MS. LOE: So, we'll -- right. We'll hold off on that.

MR. ZENNER: Let's study the county's regulations as much as we study as ours.

MS. LOE: Okay. Any additional questions for staff? I see none. In that case, we will open up the floor to the public hearing.

PUBLIC HEARING OPENED

MS. LOE: If you have any comments -- any information to share, please come forward.

MR. GEBHARDT: Yes, thank you. My name is Jay Gebhardt; I'm a civil engineer with A Civil Group. And to answer your question right at the front, C-G --

MS. LOE: Mr. Gebhardt, we need name and address.

MR. GEBHARDT: Address. 3401 Broadway Business Park Court, Suite 105.

MS. LOE: Thank you.

MR. GEBHARDT: To answer your question right off the bat, Boone County C-G is the highest commercial zoning. It is similar to the M-C or the old C-3, and self-storage is allowed use. The thing that is preventing me from going there and submitting the plan with the self-storage on it is I don't have sewer, and Health Department has said I have to have sewer. So I'll get started here. First, I want to thank Clint and Pat for their not only fair report, but -- and that takes a lot of work to put these things together and I appreciate that. Parcel 3 seems to be the one that's in question here, so I'm not going to talk about Parcels 1 and 2 unless you have questions about them. But we're asking for M-N and staff supports them. Like I said, I can't file a zoning plan in the county because we have been required by the Health Department to connect to a City sewer. Connection to the City sewer requires annexation and annexation requires zoning, so that's why we're here. The reason we're requesting the M-C is because self-storage is not an allowed use in M-N, and it's not a conditional use in M-N, so we have to have the M-C if we have the self-storage. Since the UDC discourages planned districts, we can no longer use planned districts to limit the uses to the property. That used to be a pretty handy tool to be able to limit the uses to just self-storage, for example, but we can't do that anymore. Instead, we have to request open M-C zoning and rely on the neighborhood protections in the UDC and the limits that the size and location of this tract impose on the property -- on the use of the property. The size is 1.1 acres. It's 142 feet wide. This is just Parcel 3, which is pretty small for a commercial lot, and it's too small to accommodate most car intensive uses allowed in the M-C district. Some uses besides self-storage that would, you know, fit would be like a vet clinic or a small assembly hall or a small bakery, but we feel like self-storage is a need in this area, so that's what we're proposing. Clint, if I could get you to put up the Stadium drawing. And this is the location. If you look at where Stadium going, it's not only taking out a lot of the commercial buildings that are at that interchange, it changes the whole dynamic in this. And something that Clint had said in the staff report, I spoke to Jake Gray, who is the City traffic engineer, and he thought that Bull Run and St. Charles Road would still be maintained as an intersection with the Stadium extension, so it would not -- it's going to change access and change it a lot, but what it does is it's created an island there between a major collector, called St. Charles Road, and an expressway. And we've got a connection to St. Charles Road on the kind of western end, and then another connection on the eastern end. The staff categorizes the uses on the east end of the property of that island as heavy commercial, and we see our proposed as a self-storage as a good transition from the zoning to the east and the requested M-N to the west of Parcel 3. So in summary, the plan to build self-storage on 1.1 acres of land. Planned districts are discouraged by the UDC, so the request is as close of a match to the existing county C-GP as possible. And the size of the parcel is self-limiting to the uses within the M-C zoning district, which could be categorized as inappropriate for this location. It is just too small to work for most M-C uses, but will work for self-storage. The Route 740 extension is a game changer for the area. It will demolish several existing commercial buildings and change the traffic patterns in the area. Our proposed self-storage will be a good transition from the heavy commercial use to the east and light commercial use to the west. So if you have any questions, I would be glad to answer them.

MS. LOE: Any questions for this speaker? Mr. Stanton?

MR. STANTON: Did I hear you correctly and say you support M-N, but it doesn't support what you plan to build there?

MR. GEBHARDT: We cannot ask for M-N on that site because we can't build --

MR. STANTON: Do what you want to do with it?

MR. GEBHARDT: Yes.

MR. STANTON: Okay.

MS. LOE: Any additional questions for this speaker? I see none. Thank you.

MR. GEBHARDT: Thank you.

MS. LOE: Any additional speakers on this case?

MR. MURPHY: Good evening, Chair and Commissioners. My name is Kevin Murphy. I'm with A Civil Group, 3401 Broadway Business Park Court. As was pointed out, the only zoning districts are -- for self-storage is M-C or I-G, the industrial district. That doesn't seem to make chance, and we would gladly take M-N, a neighborhood-type zoning for this if that was a possibility. If you think of a self-storage unit, first of all, they're very low traffic, very low impact on the -- on the area that they're in, and they're used by homeowners that have too much stuff. They are used by rental owners that need to store thing in and such and it should technically be able to be in a neighborhood area so you don't have to drive to a heavy commercialized area or industrial area to, you know, get whatever you're storing out there or add to it or anything. And my second item is the Grace Lane boundary that was discussed. Even though Stadium Boulevard is many -- maybe many years off in the future, Grace Lane is currently being looked at by CATSO to be improved. If you can see on the right-hand side of Grace Lane on this depiction all those yellow houses in there immediately against it are being looked at being wiped out. They're taking that out of the residential in that area. Grace Lane will then turn -- basically, go to the Stadium right-of-way and turn up and take out many of that commercial area in there. So if you look at the full build-out of Stadium Boulevard and Grace Lane, taking out ten acres of commercial ground, and we're asking to put back -- it's actually 1.1 acre -- Jay said 1.1 of, you know, commercial in this area. It will also knock out 21 and a half acres of adjacent R-1 ground, so the property immediately to the south of us is R-1. It then leaves -- if you can see, two triangular pieces in between Grace Lane and the existing Grace Lane and the future Grace Lane connector to 740, and -- and then the connector to St. Charles Road. Those are approximately three-and-a-half-acre tracts right next to an expressway and Grace Lane is an arterial street, and St. Charles being a major collector, those are not going to develop into residential, and they abut our property where we're discussing this. The -- again, there's -- if you can go back to zoning graphic real quick. The -- as far as leap-frogging districts, that happens quite a bit. You -- you get multi-family in commercial areas. You get office-type uses in commercial areas where you have that stuff. Our property is located approximately 1,500, 1,600 feet from the highway right-of-way. Similar corridors like that throughout town that range from 1,500 to 5,000 feet in length of these commercial corridors. Grindstone Parkway and Providence, it's an arterial street and expressway. You've got Forum and

Stadium, we have an arterial street in an expressway. St. Charles and Clark Road, just on the opposite side of here, there's 1,500 feet, a distance of commercial corridor in there. That's a collector and an arterial street connection. Range Line-Big Bear is arterial streets. Vandiver and Providence are arterial streets, and Smiley and Rangeline are -- is a collector and it's -- and an expressway. Again, these are going -- the corridors from those break points or boundary points are 1,500 to 5,000 feet in length, and again we're sitting at 1,500, 1,600 feet with this property. Again, the uses to the east of us, even though they're a planned use in the County and further to the east of the intersection of St. Charles and Grace is in the City, they're being used and have been used for decades as technically industrial type uses. Immediately to the east of us, again, in the county, part of that same C-GP zoning is a friend of mine, his family, owned a brickyard there for years -- Lake of the Woods Masonry, and that's what has been operated out of there, getting large truck in and such in and out. It's now a landscaping company, and I think they rent out to -- the other building to contractors. To the east of that, the City C-1 zoning that's in the planned district is an auto repair shop. It also serves as a contractor yard, as well.

MS. LOE: Are you willing to take some questions, Mr. Murphy?

MR. MURPHY: Yes.

MS. LOE: Are there any questions for Mr. Murphy? I see none. Thank you.

MR. MURPHY: All right. Thank you. Have a good day.

MS. LOE: Are there any additional speakers on this? I see none. We'll close the public hearing.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner discussion? Mr. MacMann?

MR. MACMANN: I'm relatively familiar with this in that I have a shop out there and we travel that quite a bit, and his characterization of those uses is -- it's spot on. It's construction yards, just east of there -- construction yards and that brickyard was there forever. Though this may be a little different philosophically than I normally am, I'm supportive of M-C south of St. Charles here, mostly because we're going to be looking at a -- the isolated triangle. And where we have one case coming to us as an isolated triangle and we've had in the past where we've got these areas that we can't do anything with, and that the neighbors don't want anything done with. We have a little bit of a chance to be proactive here. And given the small size of this particular lot, that doesn't bother me very much. One-point-one-eight acres, that's not much.

MS. LOE: Other comments? My comment would be that since the current zoning does allow it and allows it next to R-1, even though the R-1 is in City, that -- that, to me, sets something up. Also the fact that they're coming to us with a proposed project and the R-1 is not currently developed, this -- I would -- I think I would have a different reaction if we had existing R-1 developed on that site. So based on the circumstances in this case, I have to agree that the M-C does not appear objectionable. Any additional comments or a motion? Mr. MacMann?

MR. MACMANN: I'll break the ice here. In the matter of Case 69-2019, I move to approve as requested by the applicant.

MR. STRODTMAN: Second.

MS. LOE: Second by Mr. Strodman. Any -- we have a motion on the floor. Any discussion on this motion? Seeing none. Ms. Burns, may we have a roll call, please.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Rushing, Ms. Russell, Mr. Toohey.

Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council.