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BUSINESS PROPERTY
LEASING & SALES

To: Tim Teddy
Pat Zenner, please distribute to P & Z Commissioners
From: Paul Land
Re: Manufacturing and processing
Date: November 29, 2016

Can you locate on the use charts, in the current UDC proposal, where a "manufacturing and process company" or similar description such as the following companies are described as a PERMITTED use.

- Kraft Foods, Waco Rd.
- Quaker Oats, Paris Rd.
- Schneider Electric (formerly Square D), Paris Rd.
- 3 M, Paris Rd.
- Environmental Dynamics, Paris Rd.
- Engineered Plastic Components, Waco Rd.

And another, that was formerly situated on Paris Rd, called Toastmaster.

On page 133, footnote 441 eliminates "manufacturing and processing", "printing shops", "shops for custom work" among others, as obsolete or duplicative.

On page 134, Heavy Industry footnote 444... defines such as "monument and dimension stone works", "photo engraving plants", "planning mills", "plumbing and sheet metal shops", "plants and facilities" and similar uses. All of these appear as conditional uses rather than permitted uses in the IG zone district (general industrial) chart on page 134.

Companies similar to the following would also be affected:

- Hulett Sheet Metal, Big Bear Blvd.
- Ahren Steel, Big Bear Blvd.
- Many plumbing companies in Vandiver corridor

Is my interpretation correct; that companies such as the ones identified above, under the UDC, will no longer be defined as PERMITTED USE, but rather will become a CONDITIONAL USE. And that such Conditional Use permit will require approval of P&Z and City Council, rather than Board of Adjustment.

If that is the case, then these desirable uses of industrial zoned land, under the UDC, must gain Council approval. That will absolutely chill (and more than likely kill) further business and employment recruitment of end users such as these desirable companies to Columbia. What new business entry wants to appear before Columbia City Council for a use permit, versus every other community in Missouri, where such procedure is not required. These uses should be a defined "by right" permitted use in the IG district, NOT require "conditional use" permit thru council.

Please advise if you have a different interpretation than what I am observing in the Public Hearing Draft issued 9/28/16. It is confusing as it now appears, and needs to be clarified by commissioners.

To: Tim Teddy and Pat Zenner, City of Columbia
From: Paul Land, 573-445-1020
Date: December 6, 2016
Re: I-G, permitted uses

As follow up of our discussion last week:

- 1.) Plumbing and “sheet metal shops” should be permitted use in I-G
- 2.) “Stone and dimension works” should be permitted use in I-G
- 3.) “Manufacturing and process” should be permitted use in I-G, provided 80% (or some threshold) of its business activity occurs within an enclosed building, and hazardous materials are a minor component of its business activity
- 4.) “Planning mills” should be permitted use in I-G
- 5.) “Storage and distribution” of liquid oxygen, nitrogen, other chemicals, provided 80% (of some threshold) of same is contained within a bldg. should be permitted use in I-G

By “permitted use” I mean it should not require “conditional use”. These uses should be called out as permitted in I-G.

I want to make sure companies like the following do not require conditional use permits, requiring Council action, in the District I-G.

- Kraft Foods, Waco Rd.
- Quaker Oats, Paris Rd.
- Schneider Electric (formerly Square D), Paris Rd.
- 3 M, Paris Rd.
- Environmental Dynamics, Paris Rd.
- Engineered Plastic Components, Waco Rd.
- Hulett Sheet Metal, Big Bear Blvd.
- Ahren Steel, Big Bear Blvd.
- Many plumbing companies in Vandiver corridor

Call me if we need to discuss this for clarity. Thanks.

Paul Land

From: Patrick Zenner <patrick.zenner@como.gov>
Sent: Thursday, December 1, 2016 2:03 PM
To: Paul Land
Subject: Re: Manufacturing and processing
Attachments: M-1 use list.pdf; UDC Industrial Use Definitions.docx

Paul:

Thank you for your comments. Please find attached a mark-up of the Existing M-1 district use list. Annotated next to each use is an indication if that use will be either permitted "P" or conditional "C". Following the "P" or "C" designation is the Use Category under which these M-1 uses are now found within the Use Table. As many of the uses that previously existed in the code have been consolidated into a new single term I have also attached the definitions for several of new terms that exist within the code that are directly related to your concerns.

I believe this information should adequately address your concern that the businesses you have cited would be able to continue as "Permitted" in the IG district.

Pat

On Tue, Nov 29, 2016 at 3:15 PM, Paul Land <PaulLand@plazacommercialrealty.com> wrote:
Please see attachment.

Paul Land, SIOR
Owner
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Society of Industrial and Office REALTORS (SIOR)
Be sure to visit our website at www.PlazaCommercialRealty.com

-----Original Message-----

From: Scanner
Sent: Tuesday, November 29, 2016 1:28 PM
To: Paul Land
Subject: Message from "RNP0026739EF1CA"

This E-mail was sent from "RNP0026739EF1CA" (MP C4503).

Scan Date: 11.29.2016 14:28:20 (-0500)
Queries to: scanner@plazacommercialrealty.com

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Patrick R. Zenner, Development Services Manager
City of Columbia - Community Development Department
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Columbia, MO 65201
(573) 874-7246

Please update your contact info. My email has changed to patrick.zenner@CoMo.gov

Sec. 29-20. - District M-1, General industrial district.

- (a) *Purpose.* This district is intended to allow a wide range of industrial and associated uses.
- (b) *Permitted Uses.* In district M-1, no building, land or premises shall be used and no building shall hereafter be erected, constructed or altered except for one or more of the following uses, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise:

~~All permitted uses in districts M-R, M-C and C-3 (except those uses permitted in district R-3).~~

Automobile repair facilities. (**"P" – Vehicles and Equipment**)

Automobile wrecking and junkyards, if enclosed by a solid fence or wall at least ten (10) feet in height. (**"C" – Waste and Salvage**)

~~Blacksmith shops.~~

Bottling plants. (**"P" – Light Industry**)

Busbarns or lots. (**"P" – Transportation**)

Canning or preserving factories. (**"P" – Light Industry**)

Carpenter, cabinet or pattern shops. (**"P" – Light Industry**)

Chemical laboratories not producing noxious fumes or odors. (**"P" – Light Industry**)

Chick hatcheries. (**Allowed in "A" district as "P"**)

Crematories. (**"P" – Community Use**)

Distribution of bottled and canned beverages. (**"P" – Light Industry**)

Flour mills, feed mills, and grain elevators and processing. (**"P" – Light Industry**)

Ice plants. (**"P" – Light Industry**)

Machine shops. (**"P" – Light Industry**)

Manufacturing and processing. (**"P" – Light Industry**) – This use would cover those listed in your letter provided they do not include the exceptions noted within the definition of "Heavy Industry" which would need to be evaluated on a case-by-case basis.

Mechanical and construction contractors and trade shops. (**"P" – Commercial Services**)

Monument or dimension stone works. (**"C" – Heavy Industrial**)

Motor vehicle or trailer sales and service. (**"P" – Vehicles and Equipment**)

Moving, transfer or storage plants. (**"P" – Commercial Services**)

Photo engraving plants. (**"C" – Heavy Industry**)

Planing mills. (**"C" – Heavy Industry**)

Plumbing and sheet metal shops. (**"C" – Heavy Industry**)

Pounds, kennels and veterinary hospitals where domesticated animals or fowl are treated, kept, cared for, bred or boarded, under the following conditions: (**"P" – Ag & Animal-Related**)

- (1) Any outside animal run structure, pen or enclosure shall be fully fenced (including overhead).
- (2) A secondary or perimeter fence or wall shall be constructed around all outside animal run structures, pens, enclosures and outside exercise yards in a manner that protects animals from injury and contain animals securely.
- (3) A pet store, grooming or small animal care establishments that provide outside facilities (including but not limited to a run, pen, enclosure or exercise yard) which abut residential uses or zoning, such outside facility shall be subject to the following setbacks:
 - a. Two hundred (200) feet from the residential use or zoning to any outside animal run structure, pen, enclosures or outdoor exercise yard with openings.
 - b. One hundred (100) feet from the residential use or zoning to any principle structure or secondary or perimeter fence or wall, which encloses an outdoor exercise yard, without openings.
- (4) All applicable state regulations shall be met.

Sales rooms, yards and service for machinery and equipment. (**"P" – Vehicles and Equipment**)

Self-service storage facilities, subject to the following conditions: (**"P" – Personal Services**)

- (1) All storage shall be kept within an enclosed building, except recreation or other oversized vehicles, compressed flammable gas tanks, or gasoline containers in excess of two (2) gallons, shall be stored only in exterior areas screened from the view from any street frontage.
- (2) Where the site is adjacent to residentially-zoned land, a permanent screen shall be required and shall conform to the provisions of section 29-17(d)(6).
- (3) Where the site is adjacent to residentially-zoned land, twenty-five (25) feet of required yard shall be provided, and if the building exceeds forty-five (45) feet in height, one additional foot of setback shall be provided for each foot of height in excess of forty-five (45) feet.
- (4) The storage of feed, fertilizer, grain, soil conditioners, pesticides, chemicals, explosives and other hazardous materials, asphalt, brick, cement, gravel, rock, sand and similar construction materials, inoperable vehicles, or bulk storage of fuels shall be prohibited.
- (5) The use of power tools, paint sprayers, or the servicing, repair or fabrication of furniture, boats, trailers, motor vehicles, lawn mowers, appliances and other similar equipment shall be prohibited.
- (6) The sale of any item from the facility or the conduct of any type of commercial activity at the facility shall be prohibited.
- (7) Loading docks shall be prohibited.

Warehousing and distribution. (**"P" – Storage and Wholesale Distribution**)

Any industrial facility or use similar to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.

Customary accessory uses, including drive-up facilities, subject to the provisions of section 29-23.

(c) *Conditional Uses.*

- (1) The following uses shall be permitted in district M-1 only after the issuance of a conditional use permit pursuant to the provisions of section 29-23 and only if the criteria listed in this subsection are met:

Asphaltic concrete plants. (**"C" – Heavy Industry**)

Concrete plants. (**"C" – Heavy Industry**)

Electroplating works. (“C” – Heavy Industry)

Forges. (“C” – Heavy Industry)

Galvanizing works. (“C” – Heavy Industry)

Manufacture, compounding or processing of hazardous materials. (“C” – Heavy Industry)

Mines and quarries. (“C” – Heavy Industry)

Slaughterhouses. (“C” – Heavy Industry)

- a. Such uses shall be located more than two thousand (2,000) feet from any hospital, school, city park, residentially-zoned area, or platted county residential subdivision. In addition, when such uses are located in a direction of 135° to 225° azimuth (based on geodetic north and hereby determined to be the direction of origin of the prevailing wind) from any hospital, school, city park, residentially-zoned area, or platted county residential subdivision, such uses shall be located more than two thousand five hundred (2,500) feet from those hospitals, schools, city parks, residentially-zoned areas, or platted county residential subdivisions. In addition, such use shall be located more than four hundred (400) feet from any occupied building, or one thousand (1,000) feet from any occupied building affected by the above-determined prevailing wind.
 - b. Such uses shall not be in operation between the hours of 8:00 p.m. and 7:00 a.m.
 - c. Such uses shall be located only on sites which front on or have direct access to a designated arterial street which is built to city or state standards.
 - d. The emission of odorous matter in such a quantity as to be readily detectable at any point along lot lines, or as to produce a public nuisance or hazard beyond lot lines, is prohibited. Such odorous matter shall not exceed the odor threshold concentration defined in the American Society for Testing and Materials Method D1391-78, "Standard Method for Measurement of Odor in Atmospheres."
- (2) Churches and synagogues shall be permitted in district M-1 only after the issuance of a conditional use permit pursuant to the provisions of section 29-23 and only if the criteria listed in this subsection are met: (“C” – Community Service)
- a. The conditional use permit shall be valid for a period not to exceed five (5) years. Renewal of the conditional use permit shall be treated as a new request for a conditional use permit.
 - b. A site plan shall accompany the conditional use permit application, showing that parking will be provided for the church and any other associated uses in accordance with section 29-30.
- (3) Live adult entertainment businesses shall be permitted in district M-1 only after the issuance of a conditional use permit pursuant to the provisions of section 29-23 and subject to the following: (“C” – Recreation and Entertainment)
- a. Such uses shall not be located within seven hundred fifty (750) feet of any church, mosque, synagogue, school, college, university, park, athletic field, recreational facility for children, residence or residentially zoned district. Such uses shall not be located within one thousand (1,000) feet of any other live adult entertainment business. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the live adult entertainment business to the nearest point on the property line of such church, mosque, synagogue, school, college, university, park, athletic field, recreational facility for children, residence, residentially zoned district or other live adult entertainment business.
 - b. Notwithstanding any provision in chapter 23 to the contrary, a live adult entertainment business shall have no more than one (1) on-premise sign which shall be a wall sign

approved by the board of adjustment as part of the conditional use permit. The surface area of the sign shall not exceed ten (10) per cent of the area of the wall to which it is attached. The sign shall not be a neon or similar sign. The sign may be illuminated but shall not be a flashing sign. The sign shall not depict any portion of the human anatomy.

- c. No sign shall be placed in any window.
 - d. No flashing lights or colored lights or string of lights shall be placed on the outside of the building or on the inside of the building so that the lights can be viewed from outside the building.
 - e. The premises of all live adult entertainment businesses shall be constructed to include a partition or other physical barrier on all customer entrances, that will ensure that the interior of the business is not observable from the exterior of the building. In addition, all windows will be covered to prevent viewing of the interior of the building from the outside and all doorways not constructed with a partition or other physical barrier shall be covered so as to prevent observation of the interior of the premises from the exterior of the building. No live adult entertainment business shall be conducted in a manner that permits the observation of entertainers, servers or employees from the exterior of the building.
 - f. On-premise advertisement, displays or other promotional materials shall not be shown or exhibited so as to be visible to the public from the exterior of the building.
 - g. Notwithstanding the provisions of section 29-30(g), required off-street parking for a live adult entertainment business shall be located on the premises of the business.
- (d) *Height and Area Regulations.* In district M-1, any building or portion of a building hereafter erected, constructed, reconstructed or altered shall be subject to the following regulations (for exceptions see section 29-26, Height and Area Exceptions):
- (1) *Lot size.* No minimum requirement.
 - (2) *Yards.*
 - a. Front—Not less than twenty-five (25) feet.
 - b. Rear—Not less than ten (10) feet, except that no rear yard is required where the rear lot line abuts property in a nonresidential district.
 - c. Side—No requirement, except that on corner lots and where a M-1 district abuts any residential district, there shall be a side yard of not less than ten (10) feet.
 - (3) *Building height.* No maximum height.
 - (4) *Vision clearance.* On any corner lot on which a front or side yard is required, no wall, fence, sign, or other structure or no plant growth of a type which would interfere with traffic visibility across the corner shall be permitted or maintained higher than three (3) feet above the curb level, within fifteen (15) feet of the intersection of the street right-of-way lines.
 - (5) *Parking.* (See section 29-30, Off-Street Parking and Loading.)

(Code 1964, § 19.172; Ord. No. 9958, § 1, 10-3-83; Ord. No. 13098, § 1, 9-3-91; Ord. No. 13527, § 1, 12-7-92; Ord. No. 14514, § 1, 6-19-95; Ord. No. 15471, § 1, 12-15-97; Ord. No. 15828, § 2, 12-7-98; [Ord. No. 22601, § 1, 10-5-15](#); [Ord. No. 22794, § 1, 4-18-16](#))

Heavy Commercial Services. An establishment that provides semi-industrial, more intrusive types of commercial services, less compatible with common household commercial services; such as laundry services, lumberyards, newspaper publishing plants, printing shops, sign painting shops, equipment rental, and other similar uses.¹ (Permitted in IG)

Heavy Industry. The processing, manufacturing, or storage of products under potentially hazardous conditions, such as the creation of products from extracted raw materials and the use of flammable and explosive materials. This use may include, but is not limited to, concrete plants, electroplating works, forges, galvanizing works, sheet metal shops, and other similar uses. (Conditional in IG)

Light Industry. The manufacturing, compounding, processing, packaging, storage, assembly, treatment of finished or semi-finished products from previously prepared materials, servicing or sale of consumer products, which activities are conducted wholly within an enclosed building and that do not emit noxious fumes or odors.² (Permitted in IG)

Machine Shop. An establishment where power-driven tools are used for making, finishing, or repairing machines or machine parts.³ (Permitted in IG)

Mechanical and Construction Contractors. Construction, landscaping, plumbing, heating, air-conditioning, and electrical construction or repair activities and incidental storage at establishments and on lots other than job sites. This use does not include establishments where the primary activity is retail sale of goods to the general public, but includes related contracting, retail, and wholesale sales and distribution from the premises of materials used in mechanical and construction contract work. Typical uses include building and materials stores, tools and equipment rental, or mechanical and construction contractor offices.⁴ (Permitted in IG)

Storage and Wholesale Distribution. The bulk short-term or long-term storage of commercial goods in facilities that may also provide for the shipping or trans-shipping of those goods to and from commercial buyers.⁵ (Permitted in IG)

1 New definition that combines existing, undefined uses.

2 Definition revised to include restrictions on odors and fumes from some current included uses, and to avoid overlap with Research and Development use.

3 New definition for existing, undefined use.

4 New definition, based on existing, undefined uses that have been combined. Revised to clarify exclusion of primarily retail establishments in response to comments.

5 New definition. Items prohibited from storage in current code are now permitted in the IG district through use-specific standards.

BEATRICE B. SMITH

December 7, 2016

Dear Planning and Zoning Commission Members:

Thank you for listening to my comments during a previous hearing on the proposed UDO. Your consultant's original recommendation was that ***mechanical and construction contractors should be a permitted use in the M-C district*** (p. 133 table) adhering to clearly stated design and form criteria on qualitative and protective matters such as dock placement, parking space standards and increased yard setbacks. Somewhere, this clean, clear recommendation got changed to a cumbersome, time-consuming and expensive three layer conditional process with great potential for micro-management and subjectivity. **I request that Planning and Zoning affirm the consultant's original recommendation.**

My goal in your hearing was to tell you what this means to an individual who is sometimes bureaucratically referred to as a "stakeholder," a detestably effete term. No. I'm an owner, taxpayer, citizen with high standards, and a risk-taker in an uncertain economy. Those of us owning affected buildings are not *developers* nor *deep pockets corporate investors*. I work darned hard on mine because they are my *livelihood*. I sometimes wonder if code-writers have any concept of how much work and anxiety go into keeping properties in good condition and rented? Insurance, taxes and upkeep go on regardless of rental status. What is the rationale for creating additional expensive delays and uncertainty for us when buildings were purpose-built for the very purposes that are now precluded by an inexplicable change in the rules. It appears to me that a broad-brush simplistic semantic change ("Throw 'em all into a single category") is expedient for bureaucrats but it creates great hardship for those who would now have to go through a three-layered appeal process. I'm a retired educator. Speaking to you, I came up with the spontaneous analogy of the classroom situation in which Denny Dimwit throws a spitball and the teacher keeps the whole class in from recess as punishment. People chuckled, but I do feel as though many conscientious building owners *who have done nothing wrong* are being *punished* for unarticulated reasons.

You have invested so much time in hearings. Please invest 15 more minutes tomorrow to drive north on Providence to Vandiver, just a block north of I-70. Turn right onto Commerce Court. Look at that street and the buildings! *The place works*. Purpose built. Neat. No residences. No junk. No monster trucks. Complementary in function. Convenient for the tradesmen who frequent it. There, Crescent Parts in my building supplies HVAC parts for Star Heating and Air Conditioning across the street. Butler sells electric fittings. Culligan sells water supplies. Etc. How can city personnel justify "changing the deal" for all of us who bought and built there? Ask, if you owned one of those tidy business buildings, how you would feel if you were suddenly told that you needed to plead before three layers of bureaucracy before you could re-rent it for the

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same type of business. **What about the present use is of concern or offensive?**
Nothing!

Look at the *partial* list of impacted businesses below. You know these businesses. They are the soul of a town like Columbia – useful, valued, clean, quiet, good neighbors. And suddenly they are told that their functions in their present quarters are not compliant? For a functioning city, they are *ideally* situated.

GME Supply

Grainger

Crescent Parts

Culligan Water

Butler Supply

US Rents It

U-Haul

Ferguson Supply

Riback Supply

Lindsey Rental

Clean Uniform Company

Water & Sewer Supply

J. Louis Crum

Reed Heating & Air Conditioning

Star Heating & Air Conditioning

Ford Restaurant Supply

Air & Water Solutions

A-1 Rental

Columbia Welding and Machine

Socket

Timmerman's Heating & Cooling

Precision Construction Services

Officer Mechanical

Tyree Parts

Tech Electronics

Accurate Heating & Cooling

On this one, the consultant got it right in the original document. **Please affirm the consultant's original recommendation -- a simple change back to Clarion's wording in the table on p.133 that "mechanical and construction contractors should be a permitted use, *not a conditional use*, in the M-C district."**

Respectfully submitted,



Beatrice B. Smith

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