

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

MARCH 10, 2016

Case Nos. 16-34 and 16-35

A request by Engineering Surveys and Services (agent) on behalf of Christiansen Investments, LLC (owner) to annex 70.6 acres into the City of Columbia, and permanently zone 10.83 acres to PUD, 8.94 acres to O-1, 10.0 acres to C-P, 25.69 acres to C-3, and 15.11 acres to R-3. Additionally, the applicant seeks approval of a seven-lot preliminary plat to be known as "Christiansen Deline Subdivision" subject to the approval of the requested annexation. The subject site is located at the southwest corner of Highway 763 and Brown School Road. (This item was tabled at the February 18 Planning and Zoning Commission meeting.)

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

Staff report by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the requested rezoning pending annexation, and approval of the preliminary plat for "Christiansen Deline Subdivision", subject to City Council approval a development agreement associated with the site's proposed annexation.

MR. REICHLIN: Do we have any questions of staff? Mr. Stanton?

MR. STANTON: How would you like us to proceed in the approval, two separate -- address each case separately or can we, as in your report, put it all in one and --

MR. SMITH: We're going to -- we're going to request two different motions.

MR. REICHLIN: Ms. Loe?

MS. LOE: Does the City have any plans to extend Providence through?

MR. SMITH: Not that I'm aware of. I don't recall anything being on the CIP for the Providence Road extension. Usually, it would be --

MR. TEDDY: Yeah. It would part of the subdivision.

MR. SMITH: Yeah. Usually, it would be per development. That extension would be basically facilitated at that time.

MR. ZENNER: And if I am correct, Ms. Loe, on the western property boundary of the site, and the project engineer is here to confirm this, I believe there is a high-voltage power line that runs the entire western boundary to the creek. So if, in fact, and you can see on this graphic in the very lower right-hand -- left-hand corner -- I apologize -- just below the S, that is Providence Road as it ends at Smiley. It is not aligning directly on that western -- it's not on the subject site. So if it were to come out, it would potentially come out of the adjacent tract that is zoned O-1, and that is to the west of the existing power-line easement that, if I am correct, is not the City's. It is not a City power-line easement, it is actually, I believe, Central Electric. So dedication of any additional right-of-way, if we are extending Providence north, would -- would be acquired for the redevelopment or subdivision of that property to the west of the

subject site and most likely on an alignment that is basically straight north.

MR. SMITH: I actually have a graphic that shows it. I didn't include it. It's not the best graphic, but I put it in there just in case there was a question. So this is basically the property here. Here's the -- the MRP location for Providence, and I would stress that there -- there may not be really any engineering put in at this point for that location. It's a general location, but I think they recognize that it's -- it's going to swing west of this property, so there is the possibility it could connect, but the location of actual Providence will not be on this property.

MS. LOE: My -- my interest was more how it might influence the zoning of that end of the site, so thank you.

MR. SMITH: Yeah.

MR. REICHLIN: Any other questions of staff? I have one. How would you gauge the C-3 activity and its approval as a function of normal City business these days?

MR. SMITH: I assume you're referring to the -- the zoning of additional commercial?

MR. REICHLIN: Well, C-3.

MR. SMITH: C-3.

MR. REICHLIN: It just seems like there's been a -- I don't know what you would call it -- a moratorium.

MR. SMITH: Uh-huh. Well, really out here, there's -- there's only a couple of options. It's either C-1 or C-3, since C-2 is really limited to downtown.

MR. REICHLIN: Uh-huh.

MR. SMITH: So -- and this location, being at the intersection of two major arterials, we felt fairly strongly that this is a -- a very appropriate location for a high-density or high-intensity commercial zoning. We do recognize there is a fair amount of commercial zoning in this area that's not developed at this point, but in the Columbia Imagine, which I think I pointed out in the staff report, it does identify these types of nodes as good locations for commercial, so -- and we have worked with the applicant on this, too, to identify, hopefully, the -- the residential portion of this because it is important, I think, to have higher-density residential in the area to help support those commercial uses through, hopefully, walkable type basically built environments and basically help support the growth of that. So whether or not that C-3 develops first, it's hard to say. Like I said, there is a lot of vacant commercial property out on this intersection, but it does kind of put it in what we feel is an appropriate location while -- while also, hopefully, leading to some -- some additional residential to kind of help spur that -- you know, you have to have bodies on the ground before sometimes you can have that commercial there to -- to support it, so --

MR. REICHLIN: Well, from an historical perspective, when was the last time a parcel this large has been granted a C-3 zoning.

MR. SMITH: Well, you've got me on that one. Historical. Well, my historical knowledge goes back about two years.

MR. REICHLIN: I'm posing the question just for the sake of relativity.

MR. SMITH: Sure.

MR. ZENNER: Well, that probably would have been in 2005 with Philips Farm, which is located at the intersection of Discovery Parkway and Ponderosa Street with Highway 63 frontage and interchange frontage. I would tend to agree with, I think, the position that you're interested in that most development of this acreage and this scale would normally be in a planned district. However, I would also add that the location that this property is at, the value that we get out of the planned district from the administrative processes of the type of development that may be built here may be limited. And you can possibly recall hearing that from staff in the past as we have evaluated other projects to where we balance what planned zoning is intended for and what it often has been applied for in this past. In this particular instance, this is currently County zoned CG. It has no plan restrictions with it. This is a commercialized or an improved corridor for commercial development. Kitty-corner from this particular project site where the Moser's is located on the northeast corner of Brown Station and Rangeline, that is a planned district. It is a C-P; however, it is also part of a much larger rezoning application that backs up into a residential neighborhood. This, in essence, comes down southwest to an industrial area that is currently developed with other commercial uses. I would suggest to you that Brown Station really defines a boundary line between where we may want planned zoning and where we may not need it given what is surround it. Furthermore, the development agreement that has been designed or has been developed as part of this request for the annexation addresses many of the issues that we would have otherwise taken care of through a planned zoning classification such as the set-asides for right-of-way dedication, utility improvements that would be subject to the development of the parcel in question, the larger C-3 acreage as well. Often we did not have the opportunity in the past to do that and planned zoning was the only way to achieve those ends. So in this particular instance, contextually, yes, it may seem large and, yes, it may seem out of characteristic with what we, as a city, have done on similarly sized parcels, but the circumstances surrounding this and the negotiations that went into the application being brought before you are different than what we have processed in the past before the Commission.

MR. REICHLIN: Mr. Stanton?

MR. STANTON: Then are you -- is this giving both the landowner and the City more flexibility than a PUD which kind of in a particular boundary, I guess? I guess, this -- it seems like it could be easier -- easily changed in the future if commercial grows faster than the residential and commercial?

MR. ZENNER: I would suggest to you that the C-3 allows for a broader spectrum of potential uses that encompass both commercial, office, and residential use. So the parcel, yes, can be more adapted to the conditions that may exist at the time that development is pursued. A planned zoning classification has the added steps of both Planning Commission and Council review with generally no certainty up front that you have a specific set of potential marketable uses for that property because it's subject to that additional review. So, yes, it is definitely a much more accommodating zoning to the applicant to provide them greater flexibility. To the interest of the City, the development agreement really succeeded in our -- our interests being met through the timing mechanisms for infrastructure improvement

requirements, dedication of the additional road infrastructure, and the majority of the infrastructure improvements on Rangeline had already been -- have been completed and they were previously negotiated as the property exists in its current C-G designation. So really if we were to apply a C-P to this, the only reason we would be applying a C-P is because we may have had some other use immediately adjacent to this that needed better protection. At this point, we have industrial to the southwest, vacant -- semi-vacant commercial to the south of it, directly to the south of it, and an industrial park to the east. We didn't really believe that a -- this particular corner was necessary to be restricted in that same level. As Mr. Smith pointed out, this particular type of classification at this node, as it's referred to in the plan, is appropriate. And, typically, when we look at these types of improved intersections, we would look at trying to make sure that there was opportunity to allow an eclectic type of collection of commercial or other uses to make that high visibility function as effectively without any type of delays that would generally be associated with a planned project process.

MR. REICHLIN: Any other questions of staff? Seeing none. Thank you, Mr. Zenner. I want to, at this time, have everybody understand that this is not a public hearing, this is a subdivision and zoning action at this time. So therefore we -- we will entertain comments from some -- a party that has -- yes, Mr. Smith?

MR. SMITH: The rezoning action should be a public hearing, though.

MR. REICHLIN: I'm sorry?

MR. SMITH: The rezoning action will be a public hearing.

MR. REICHLIN: The rezoning --

MR. SMITH: The permanent zoning.

MR. REICHLIN: Okay. What about -- well, how come we have it in subdivisions then? It's just public hearing.

MR. SMITH: Both. I think we included it because it's a subdivision and a public hearing.

MR. REICHLIN: Okay. I'll open the public hearing. Sorry.

PUBLIC HEARING OPENED

MR. KRIEDE: Good evening. My name is Matthew Kriede; I'm with Engineering Surveys and Services, offices at 1113 Fay Street. I'll just ask to begin with, I assume I can discuss both the rezoning and the preliminary plat? There's no reason for me to come up here twice.

MR. REICHLIN: Okay.

MR. KRIEDE: So I think I'll -- I'll approach it that way. Again, I think Mr. Smith has done a good job explaining the project. We spent quite a bit of time with staff working out the details on this and working out what we hope was a good transitional zoning from a -- from a highway type commercial district down into a less intense residential, again fitting this node-type concept around that --- that major intersection at Brown School and Rangeline. As mentioned, it is a mixed use PUD, O-1, C-P, C-3 and R-3. With that, again we're looking at the dedication of a significant amount of right-of-way that's identified on the major roadway plan, you know. Brown School Road alone is 3.8 acres, of right away that is being

dedicated. And, additionally, 2.8 acres for Brown -- or for Boone Industrial and for White Tiger. And we've worked with Parks, you know, looking again at a trail easement as they've gotten identified in their plan, so I think we're consistent with the -- with the plans that the City has identified here. Consistent also with the zoning around us. There's commercial around most of that node other than the northwest corner at Brown School and Rangeline. The surrounding zoning is consistent of planned commercial, C-3, C-1, M-L, and M-C. So we've actually got industrial even more intense than the commercial surrounding the property. And even to the west of the property is a -- is a mix of C-1, O-1, and R-1. So again, and just one last thing to highlight, you know -- you know, as this goes forward, the current use will remain in place, you know, until there is tenants identified for the property. Beyond that, I would be happy to answer any -- well, I think -- I think we identified our Providence Road pretty well. In terms of timing in the last C-3, I -- my recollection went back to an 18-acre C-3 rezoning in 2012, not quite as large as this, but there was one more recent than the one referred to in 2005. So if you have any questions, I'd be happy to answer them.

MR. REICHLIN: Any questions of this speaker? Okay. I've got one. I don't know. I'm not trying -- I'm not trying to be a thorn in your side on purpose. I'm just questioning the rationale of putting R-3 next to industrial and -- as opposed to O-1 and C-P. Maybe you want to touch on that?

MR. KRIEDE: I'm missing a couple of items. I'm looking at the development around the area. I - - I find that that industrial zoning is kind of odd in that area --

MR. REICHLIN: Uh-huh.

MR. KRIEDE: -- and may be surprised to see it develop in that way. I'm no real estate expert by any means, I'm simply an engineer, but I'm looking at a lot of single-family working its way, multifamily in that area. I mean, look at the Providence corridor. It's -- through that area, it's a lot of duplexes and single-family off -- off from that edge as well. You -- you know, look at the other side of Rangeline, you know. Along those major corridors, you're getting a lot of R-2 type zoning, you know. I think there's -- there's going to be a demand for some R-3 in that area. In terms of the industrial use and that, I just don't continue to see it grow that way. I may be wrong, but --

MR. REICHLIN: And I guess that is a county zoning at this time; is that correct?

MR. KRIEDE: The M-C --

MR. REICHLIN: Yeah.

MR. KRIEDE: Oh. The current zoning that's there today?

MR. REICHLIN: The industrial M-C is --

MR. KRIEDE: That's actually City zoning. That's controlled industrial.

MR. REICHLIN: That's City zoning. Okay. I just wanted to double-check.

MR. KRIEDE: Uh-huh.

MR. REICHLIN: Okay.

MR. KRIEDE: Don't see that very often.

MR. REICHLIN: Okay. All right. Got you. Well, thank you.

MR. KRIEDE: Thank you.

MR. REICHLIN: Anybody else caring to approach us with comments on this matter? Seeing no one.

PUBLIC HEARING CLOSED

MR. REICHLIN: And I'll entertain comments from Commissioners.

MR. HARDER: I would like to make a comment. I'm viewing the -- a letter that we got up here that has a couple questions about, oh, just a couple of concerns. The one that I was kind of noticing, on the map, you see -- I mean, it does show that there is kind of a floodplain to the west, and I don't know if this is the time to kind of approach this, but the, you know, extra water runoff. Is that, at this stage, even discussed or is that further on down the line as far as planning goes?

MR. SMITH: Yeah. And I'll point out, just for the record, the letter he's referring to is a letter from a resident that we received yesterday, so we put that on everyone's -- in front of their computer before the meeting. It was a -- the concern on there, I believe it was storm water. I actually talked to that individual this morning. The development of the site will be subject to our Section 12A, which is our storm-water regulations, so we do have basically requirements to store and -- a certain amount of rainfall and other runoff onsite before it is deposited into the local waterways. So that's something that will be reviewed at the time construction plans are submitted with the development of the property. So we -- but we do have -- I believe they were adopted not that many years ago, so they're fairly recent and they were very up-to-date, so they should be adequate in addressing any type of storm-water issues. Usually, you're required to retain up to a certain amount of rain event on your property, so that includes pavement, any type of runoff, or basically any hard surface that's going to not allow the absorption of -- of the rainwater.

MR. HARDER: Thanks for answering that question.

MR. SMITH: You're welcome.

MR. REICHLIN: Is there anybody else? I just want to briefly state that although I see some what I refer to as issues that I've expressed, I will qualify that by acknowledging that I'm not an urban planner by trade and a lot of thought and work has gone into this process and with staff's recommendation for approval, I personally intend to support it. With that, if anybody cares to frame a motion in this matter? Mr. Stanton?

MR. STANTON: I'm going to frame a motion for Case 16-34 first. Is that the way we want to do it, staff?

MR. SMITH: Yes.

MR. STANTON: Okay. As it relates to Case 16-34, I would recommend approval of rezoning pending annexation.

MR. REICHLIN: I'll second that one.

MS. LOE: Okay. So we're voting on 16-34. This is the request for permanent zoning.

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

carries 8-0.

MS. LOE: The vote carries with eight votes, so the motion to approve -- recommendation for approval will be forwarded to City Council. And now we need to move on to 16-35, which is the approval of the plat, I believe. Yes.

MR. REICHLIN: Go ahead, Mr. Stanton.

MR. STANTON: As it relates to Case 16-35, I move the seven-lot preliminary plat for Christiansen Deline Subdivision be approved. I think I kind of messed that up. Let me see.

MS. RUSSELL: I'll second that.

MR. STANTON: Second. Okay.

MR. REICHLIN: Ms. Russell.

MR. STANTON: Thank you.

MR. REICHLIN: Yeah. We'll -- we'll let it go at that. May we have a roll call, please?

MS. LOE: Yes, Mr. Chairman. In 16-35.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Russell, Ms. Burns, Ms. Loe, Mr. Harder, Mr. Reichlin, Mr. Stanton, Mr Strodtman, Ms. Rushing. Motion carries 8-0.

MS. LOE: The motion carries. Recommendation for approval of the plat will be forwarded to City Counsel.

