

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
July 6, 2023

Case Number 183-2023

A request by SSE -Simon & Struempf Engineering (agent), on behalf of Jeremy Spillman and Brooks Chandler (owners), seeking approval of a 19-lot Preliminary Plat to be known as OPR Subdivision Plat 2. The property is presented zoned R-MF (Multiple family Dwelling) and proposed to be rezoned R-2 (Two-family Dwelling) such that it may be developed utilizing "cottage" dimensional standards. The approximately 2.22-acre subject site is located southwest of the intersection of Old Plank Road and Bethel Church Road, and includes the address 200 West Old Plank Road.

MS. GEUEA JONES: May we have a staff report?

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the preliminary plat to be known as OPR Subdivision Plat 2, subject to technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case, please disclose so now. Any recusals? Seeing none. Questions for staff? Commissioner Carroll?

MS. CARROLL: So you contacted the group -- the neighboring property owners by postcards for these two applications. Did you get any responses?

MR. ZENNER: I believe I've received a phone call, I believe it was from Mr. Poehlman, as well as Mr. Veach, in regards to the property to the west, and then general questions from Mr. Poehlman, if I recall. And we sent out early notification postcards for the purposes of the platting solely for questions to be asked as to what's happening and being able to give them an understanding. Again, we are not obligated by any requirements of our Code or statutorily to notice subdivision development. We do that all as a courtesy. But we did follow all of our requirements and statutory standards for advertising on the zoning action.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: Yeah. Just to get some of your knowledge on this, and to make sure I'm clear, you said that the staff thought maybe some of these lot were small, but that was not your prerogative to tell them as long as they get approved under the cottage standards by the Board of Adjustment and not by us, that this can go forward. You weren't able to tell them to change it?

MR. ZENNER: No. I mean, you -- our regulations stipulate a minimum lot size that must be created. These lots are just over -- the smallest lots within the development are just over 3,000 square feet. That is the minimum lot area required. Now what that creates from a buildable area is different, because as long as you have a 3,000 square foot lot, your setbacks will define what you're building envelope is, and the lots in question that are significantly smaller than what we would normally think accommodating for a home is the lot that is here, and some of that has to deal with the fact that there is a required 20-foot utility easement that is impacting the front of the property. And then, of course, as this lot does come back to a pie back here, the buildable area really is more in the middle of the property here, and it -- it requires somebody that is going to have to be creative in architecture. It's either the house is going to have to either be stepped back as it moves further back on the lot, meaning that living space in the rear may be narrower than the front. But otherwise, all of the lots are conventional in their lot width that they have along the streets rights-of-way that they're being created. They meet the minimum lot width of 30 feet, if not greater. And, yes, there is a concern -- there was an expressed concern as it related to the parking, as Mr. Veach brought up, during the rezoning request. That has been provided to us. While the depiction that was provided shows two full-size pickups parking in the driveway, they meet the requirements. They are -- in the R-2 zoning district, you are capable of parking within the front yard setback. You are not limited to just tandem parking. And so the driveway does occupy a majority of the front of these parcels. The parking on street, we do not have and we do not mandate on-street parking. We do not mandate the functionality of on-street parking, and that is -- was an observation that our staff has also made. So there are a number of observations that we have made as professionals that deal with design, deal with development every day, but they are observations. They are friendly notations to the applicant that you may have a development that is going to have some challenges. That's all we can offer is our learned opinion from our experience of looking at multiple, if not hundreds or thousands of developments that we have seen and the problems that we have seen created. I don't -- I can't -- I can lead a horse to water, I can't force it to drink.

MS. PLACIER: It sounds like the road problems possible need for improvements. That's going to have to be a -- a different department than ours to deal with if it does turn out to create more traffic issues. But what about the buffering? Somebody said what if they put fences along their backyards and I have to look at those fences. With something like this, it's not like a commercial development where we often see buffering. What -- is there anything that can be done to mitigate that, or is that just going to be up to the developer to figure out how to -- or to maybe work with the neighbor -- neighboring property owner?

MR. ZENNER: There is no required buffering between like land uses. And so single family, which this is a smaller version, smaller lot version than single family, against the existing single family to the west, which is zoned actually multi-family, so there really -- if there would be any buffer, that buffer would be minimal level one, six feet landscaped strip. If somebody wants to put up an eight-foot stockade fence on their property, that is entirely left up to that property owner or the developer. It may frustrate the

adjoining neighbor, and the neighbor may have concerns as it relates to the destruction of the root system that their trees are enjoying. You know, that's a private -- that's a private property owner issue. That is not something that we are going to intervene on. I'm sure if the applicant wants to avail themselves of our City arborist's advice, our arborist can offer suggestions, but this -- many of the concerns that were raised during the prior hearing have a lot to do deal with communicating outside the purview of this Commission and outside the purview of the City.

MS. GEUEA JONES: Are you done?

MS. PLACIER: Yeah.

MS. GEUEA JONES: Thank you. Commissioner Carroll?

MS. CARROLL: I don't remember raising my hand.

MS. GEUEA JONES: Sorry. It was Commissioner Loe.

MS. LOE: Just following up on the comment -- comments about lot size. I wanted to thank Mr. Zenner for bringing that up, because one of my questions was going to be if they could revise the lot layout since I independently observed that once you add in the easements, the buildable footprint area did seem to be quite tight on several of these lots. I just wanted to add my voice to that concern.

MS. GEUEA JONES: Thank you. Any other questions for staff? Mr. Dunn?

MR. DUNN: Does the applicant have anybody here today?

MS. GEUEA JONES: I don't know, but we will call for public comment here in a moment.

Anyone else? Commissioner MacMann?

MR. MACMANN: Just a point of reference. We're talking about buildable lot areas. I'm just going to throw this out there. While we've been speaking, I've been doing this on these smaller lots. This is not super scientific. Eighty to thirteen hundred, depending on exactly how big. The smaller lots, 60, it's, you know, do that.

MS. GEUEA JONES: Footprint.

MR. MACMANN: It is hard to get three bedrooms in there, but you can do that. Just thought I'd put that out there.

MS. GEUEA JONES: Thank you. Any other questions for staff? We're on the order of questions for staff. Seeing none. I will open public comment again on this case.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If you want to come forward and add anything to your additional comments, that's fine, but please don't repeat what you said from the previous case. Go ahead, Mr. Poehlman.

MR. POEHLMAN: Thanks for inviting comments. I know you don't have to on this.

MS. GEUEA JONES: Please state your name and address for the record.

MR. POEHLMAN: Michael Poehlman.

MS. GEUEA JONES: Thank you.

MR. POEHLMAN: 1101 Park Ridge Drive. Mr. Zenner did a great job with the staff report and

covered most everything. The one thing I would like to hear more about is the turnaround at the end there. I was expecting a cul-de-sac there, and I'm just wondering how this sits with the fire department, with Public Works and the garbage truck, and how they're going to turn around. Will there be a school bus that has to turn around down there? What about a snow plow? And I could envision people parking down there, too, and filling that space up. So I don't know how effective it is, and I'm really surprised not to see a cul-de-sac there. Okay?

MS. GEUEA JONES: Thank you very much for your comments. Oh, I'm sorry. Mr. Poehlman, we had a question for you.

MR. MACMANN: Just, if I can piggyback on what you said just a little -- for just a moment. Just to let you know that fire and everyone else gets chances to review this, and if the fire -- knowing the fire department as we do, if they didn't like this, they would let -- they would put a kibosh before ever came here because they have that kind of authority. In regards to cul-de-sacs, we're trying to eliminate cul-de-sacs because of the problem that you spoke of. It's difficult to turn around in. I just wanted to let you know that that was case, and for you and all your neighbors, and I appreciate your pain. I used to live down here on Old Plank. Old Plank is not currently on the Capital Improvement Plan list. There's no approved money. That's a concept right now. For those of you who live in the City, I suggest you speak with your Councilperson, Mr. Waterman, to get some money to expand that road because, right now, it's just barely a dream to put money into that road.

MR. POEHLMAN: This whole attitude of us, you know, this, them, that, and it never gets done. Nothing gets done, and that's just -- it's a poor excuse.

MR. MACMANN: Well, that's why I suggested you speak with your Councilperson, Mr. Waterman.

MR. POEHLMAN: I've talked to him endlessly, and it hasn't done anything.

MR. MACMANN: I'm sorry to hear that.

MS. GEUEA JONES: Thank you, Commissioner. Any other questions? Seeing none. Okay. Are there any other public comments? Please be sure to add something new to your previous comments.

MR. VEACH: Kelly Veach, 2620 East Highway 163, Columbia, Missouri. I just wanted to know if I could enter this document on --

MS. GEUEA JONES: Sure.

MR. VEACH: I don't understand how this works, whether if you guys approve that, if that's what moves forward. I did speak to the builders, and they're not here to substantiate this, but they did like the idea of this change here, so --

MS. GEUEA JONES: If you will hand them to Mr. Zenner. Thank you. All right. Mr. Veach, did you have another comment, or were you just trying to get those into the record?

MR. VEACH: Get those into the record.

MS. GEUEA JONES: Okay.

MR. VEACH: I have copies there if you wanted to look at those, so --

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you. Any other members of the public to speak? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Commissioner Placier, did you have any additional comments? Okay. Commissioner Carroll?

MS. CARROLL: I am somewhat troubled that the applicant isn't here to speak. I feel like his presence could address some of the concerns in some of the topics that have come up tonight. We do typically have applicants present. I guess I would encourage him to attend the Board of Adjustments. At this point, they would have to get cottage standards approved by BOA. And that's really my only comment.

MS. GEUEA JONES: Thank you. Any other comments from Commissioners? Commissioner MacMann?

MR. MACMANN: I have a comment and then if my fellow Commissioners have nothing else, I will make a motion. My comment is to follow -- is as follows. I, too, am disappointed that there was no agent from the owner here until this mission -- till this closed. That doesn't always bode well. Just enough of that. I have a motion.

MS. GEUEA JONES: Are there any other comments from the Commissioners? Commissioner Loe?

MS. LOE: I just wanted to follow up on the discussion about parking, and how that's accommodated, and point out that currently our UDC identifies that in a residential district, no paved driveway or outdoor parking should be permitted to cover more than 30 percent or 500 square feet, whichever is greater than any required front yard. Given the small footprint that we're now dealing with in small lots, I'm guessing that 500 square feet is the greater, but I'm guessing, based on this was written when we -- prior to there being small lots, and I would just like to add this item to what we consider with a small lot, so 29-4.3.

MS. GEUEA JONES: Thank you. Any other Commissioner comments? I have a short one. I think cottage lots and cottage standards are a good way forward. I also think that it is highly likely this preliminary plat undergoes some adjustments. It sounds like the developer and the neighbor to the west have already been in some discussion about changing the angle of the stub street. But I -- I do think that this is a good concept for this location, and just wonder if a lot of the little leftover bits of technicalities are likely to work themselves out in the approval of the cottage standard process, as well as the street improvements are going to have to happen at some point. That is it. With that, seeing no one else -- Commissioner Dunn?

MR. DUNN: Thank you. I just want to reiterate that I, too, like the diversity of housing that this project could potentially provide the area. But I also do want to echo some of the other sentiments that were shared about the disappointment of the lack of the applicant here today. I'm new to this Commission. This is my third meeting, but I just, for the record, hope that this does not become a

precedent for other applicants.

MS. GEUEA JONES: Thank you. Last call for Commissioner comment? Commissioner MacMann, we are ready for you.

MR. MACMANN: Thank you, Madam Chair. In the matter of Case 182-2023, 200 West Old Plank preliminary plat, with technical corrections --

MR. ZENNER: With technical corrections.

MR. MACMANN: -- with technical corrections, I move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Carroll. Is there any discussion --

MS. LOE: Seconded by Loe.

MS. GEUEA JONES: I'm sorry. Seconded by Commissioner Loe. I skipped ahead of my brain. Is there any discussion on the motion? Commissioner Carroll?

MS. CARROLL: I was disappointed that the applicant wasn't present during comments. I can say that I did, in general, view the application quite positively. The housing diversity and the small lot development is something that we have asked for. I think that is something that's needed. I also think that down-zoning and cottage style development for this R-MF plat, it's a good compromise. It helps address some of the issues. And -- and so I do plan to support this.

MS. GEUEA JONES: Thank you. Is there any other discussion on the motion? Seeing none. Commissioner Carroll, may we have a roll call when you're ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Loe. Motion carries 7-0.

MS. CARROLL: We have seven votes to approve. The motion carries.

MS. GEUEA JONES: Are there any other motions on this case number? Seeing none. That recommendation will be forwarded to City Council.