

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

COLUMBIA CITY HALL COUNCIL CHAMBER

701 EAST BROADWAY, COLUMBIA, MO

JUNE 20, 2019

Case No. 147-2019

A request by A Civil Group (agent) on behalf of 763 Real Estate, LLC, (owner) for a two-lot final plat of IG (Industrial General) zoned property, constituting the replat of Lot 2 Gas Light Industrial Park Plat 3 and the final plat of previously unplatted property, to be known as Gas Light Industrial Park Plat 4. The approximately 3.25-acre site is located on the east side of Highway 763, approximately 550 feet north of International Drive, and is commonly addressed as 5210 and 5250 N. Highway 763.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of Gas Light Industrial Park Plat 4.

MS. LOE: Are there any questions for staff? Seeing none, we'll open up the floor for any comments -- public comments. Seeing none, we'll close public hearing -- public comment period. Commission, discussion?

MS. RUSHING: I move for approval of the final plat of Gas Light Industrial Park Plat 3.

MR. TOOHEY: Second.

MS. LOE: There is a motion to approve, and a second by Mr. Toohey. Discussion on the motion? I had one question, if no one else has any comments, about the proposed M-C across from the R-2 housing, because it did strike me that the previous use there was smaller retail, all under 10,000 square feet.

MR. SMITH: Is that in the context of a different case? This is all zoned IG currently. I don't think -- is that a -- was that one of the rezoned cases?

MR. ZENNER: I believe that's -- that's a case that's going to come up.

MS. LOE: Oh.

MR. SMITH: The next case.

MS. LOE: Okay. Sorry. Sorry. You're right.

MR. SMITH: Yeah. Well, we rearranged the agenda, so I understand.

MS. LOE: I withdraw my comment.

MR. ZENNER: And if I may clarify for the records, this is actually Gas Light Industrial Park Plat 4 that you are approving, not Plat 3. We apologize for that.

MR. SMITH: Plat 3 was the existing lot plat, but the Plat 4 would be the new plat.

MR. ZENNER: And Ms. Rushing, will you accept that amendment?

MS. RUSHING: I -- yeah. I move for approval of final plat of Gas Light Industrial Park Plat 4.

MR. ZENNER: Thank you.

MS. LOE: Seeing no additional -- Mr. Stanton, do you have a comment?

MR. STANTON: I just wanted to say on the record very -- it's very odd we don't have anybody to --

MS. RUSHING: Present.

MR. STANTON: -- to present this case. I'm just saying that. If we had any questions, we wouldn't have anybody to answer them, so I'm --

MR. SMITH: I think they are in the audience. I think given that this is a very straightforward issue, I don't think they are choosing to come forward.

MR. STANTON: Oh, okay.

MR. SMITH: I don't want to speak for them, but that's my assumption.

MR. STANTON: Okay. Okay.

MS. LOE: Any additional comments? Seeing none. Ms. Burns, may we have roll call, please.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton. Motion carries 7-0.

MS. BURNS: Seven to zero, motion carries.

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

VII. PUBLIC HEARINGS

Case No. 142-2019

A request by Crockett Engineering (agent), on behalf of SBSR Properties, LLC (owners), to rezone 0.85 acres from R-2 (Two Family Dwelling) to R-MF (Multiple Family Dwelling). The subject site is located at the northwest corner of Clark Lane and McKee Street.

MS. LOE: 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 rezoning from R-2 to R-MF.

MS. LOE: Thank you, Mr. Palmer. Are there any questions for staff? I see -- Mr. MacMann?

MS. RUSHING: The --

MS. LOE: Ms. Rushing?

MS. RUSHING: The entrance to -- oh, I'm sorry.

MR. MACMANN: Go ahead. Please. Please go ahead. I apologize.

MS. RUSHING: The eyes in the back of my head weren't working.

MR. MACMANN: I apologize. I have in the hospital and they just --

MS. LOE: They're going to arm wrestle.

MR. MACMANN: -- just texted me. Please, go ahead.

MS. RUSHING: Well, I was just -- is this going to have a traffic exit onto Clark Lane?

MR. PALMER: No. It would actually be onto McKee Street.

MS. RUSHING: Okay.

MS. LOE: Any additional questions, Ms. Rushing?

MS. RUSHING: No, I do not.

MS. LOE: Mr. MacMann?

MR. MACMANN: For Mr. Zenner and Mr. Palmer, refresh me on the UDC. These eight single-bedroom units will require eight parking places behind them; is that correct?

MR. ZENNER: One and a half per unit.

MR. MACMANN: So it would be 12 behind them?

MR. PALMER: Right.

MR. MACMANN: Okay. And they do have parking on the street currently. The parking is allowed on McKee; is that -- that's the question I'm asking.

MR. PALMER: I believe on the east side only.

MR. MACMANN: Okay.

MR. ZENNER: It's actually -- there would be some additional parking because it's one for every five, as well, so it would be 14 total parking spaces. One and a half for each unit, plus five, plus two extra since there's --

MR. MACMANN: One for each portion there of five.

MR. PALMER: Right.

MR. MACMANN: No more questions for staff at this time.

MS. LOE: Mr. Palmer, screening and buffering. This would be a -- it's R-2 existing adjacent and across the street?

MR. PALMER: Across the street, I believe, is R-MF or help me on that.

MR. ZENNER: It's R-2.

MS. LOE: R-2.

MR. PALMER: Yeah. There is a strip of R-2 directly across the street, and then the rest is PD. I see that now.

MS. LOE: But it's -- but adjacent, it's R-2?

MR. PALMER: Yes. Everything adjacent to the property at this time is R-2.

MS. LOE: This would be a level one landscape buffer?

MR. PALMER: I believe so, yes. From R-MF to R-2.

MS. LOE: And that's six feet wide. Is there any screening included in that or no?

MR. PALMER: Just the landscape buffer at that point.

MS. LOE: Just the landscape buffer.

MR. PALMER: Yeah.

MR. MACMANN: I thought there was a parking barrier --

MR. PALMER: That would be independent of the -- of the property of --

MR. MACMANN: The property probably. That would be a parking lot issue.

MR. ZENNER: The property of the neighborhood -- (inaudible). Yeah.

MR. MACMANN: Okay.

MR. PALMER: And also dependent on the location of the parking lot, I believe, would have to be determined.

MS. LOE: Thank you. Any additional questions for staff? Mr. MacMann?

MR. MACMANN: If this stayed R-2, eight times four, you said, we could have thirty-two bedrooms-ish?

MR. PALMER: Correct.

MR. MACMANN: And we're -- they want to do single units here. Right?

MR. PALMER: Uh-huh.

MR. MACMANN: Okay. So eight bedrooms versus thirty-two bedrooms?

MR. PALMER: That is right.

MR. MACMANN: Okay.

MS. LOE: Any additional questions for staff? Seeing none. We'll close staff questions and move on to public comment. If there's anyone that would like to make any public comment on this project, please come forward and give us your name and address for the record.

PUBLIC HEARING OPENED

MR. GREENE: Andy Greene with Crockett Engineering Consultants, 1000 West Nifong Boulevard, Building Number 1. Rusty, thank you for switching me over, and good job on the staff report. I'll kind of go over some bullet points and kind of retouch on some of the items that Rusty talked about. So what we've got here is a McKee Street rezoning. I'm Andy Greene with Crockett Engineering Consultants once again. Just a quick overview. The lot is a little bit less than one acre, about 0.85, currently zoned R-2, which would allow for duplexes. We'll get into the densities, basically what the lot size could handle duplexwise, as Rusty has already mentioned. We're requesting a rezoning to R-MF which would allow for the one building, eight single-bed units for a total of eight beds. This R-MF zoning does provide a transition between Clark Lane and the R-2 developments. Basically, as you go north, this is a nice multi-family zoning before you get right into the R-2. There are two PD zoned properties to the south and then The Links is obviously to the east a little bit on down the road, like I said, adjacent to Clark Lane, which is a minor arterial. And then within 300 feet, Rusty mentioned the nodal locations, the heavier -- your bulk density zoning. We are very close to Clark Lane and Ballenger Place. Just a little overview map, location map here. What you've got is the property north of Clark and east of Ballenger Lane -- excuse me -- west. Current zoning is R-2, which would allow for duplexes. Based on the current lot size and granting additional right-of-way, realistically, you could get four duplex lots on that, and so four bedrooms a pop, would be thirty-two total beds. So what we're wanting to do is go to R-MF and, once again, one building with eight one-bedroom units for a total of eight beds, so it's less dense than

what the R-2 would allow for now. Other multi-family zoning are -- are in the area to the north, as Rusty mentioned. McKee Street PUD and the other one -- I forget the name, but it's up there. So the reasons for this rezoning, the client came to us and they see a need for single-bedroom units in Columbia. They build homes, that's what they do. It's -- people ask for the one-bedrooms all the time and he sees the -- the hole in the market here and wants to fill that. One-bedroom duplexes are not cost efficient to build, and so the rezoning to R-MF would help him do that more efficiently. Multi-family does -- the multi-family zoning does act as a good transition between the major streets, Clark and Ballenger, as you transition into those less dense R-2 zonings to the north. And once again, nodal locations placed in a higher densities developments is -- is consistent with Columbia's comprehensive plan. So in conclusion, the rezoning would not increase traffic more than what it would be allowed under current R-2 zoning, just based on the density. Looking at eight beds versus thirty-two. There are a couple of concerns with increased crime as there are with -- that normally come with increased density. It's usually not -- not the case and going to happen with the straight rezoning. The rezoning to R-MF would be in conformance with the comprehensive plan, once again, the nodal locations at those big intersections. We bring this request to you with staff's support and requested R-MF zoning is appropriate for this location according to staff, and that's basically it. So I would be happy to answer any questions anybody has got.

MS. LOE: Thank you. Are there any questions for this speaker? Ms. Burns?

MS. BURNS: I had one question. I don't think you're required to -- with this -- the development that you're talking about -- submit a plan for trash, but is that something that's been discussed with your applicant, with your builder and maybe with the neighbors?

MR. GREENE: It would likely be an on-site trash service to come pick up dumpster with screening requirements or whatever is required per UDC, but it would be all on-site. No street-side trash pickup, but there have not been discussions with neighbors as far as trash.

MS. BURNS: Thank you.

MS. LOE: Any additional questions. I see none at this time. Thank you.

MR. GREENE: Thank you.

MS. JOHNSON: Rusty, could you put the slide up there that shows those three properties that you were talking about? Thank you. My name is Judy Johnson; I live at 1516 McKee Street in Columbia. Also I represent the Zaring Neighborhood Association, so I have spoken with several of the neighbors in the area about their concerns about this area. A little history. The 12 lots, 12-apartment house there that -- it's right across from where I live. And that is a low-income group of people that live in there, and there is a live-in person there for security, and it's all one -- one floor. It's all flat. And the other property, from what I understand, ran out of money or something and they weren't able to come with a plan. And one reason it was approved was because the City wanted more green space. But that area north of it about where the trees are there -- you'll see the trees and then that little green spot, there's kind of like a little creek running through there, so it's kind of water going through there. Also if you can bring up the other slide there, Rusty, where it shows closer to that lot where -- thank you. The green one, yeah.

MR. PALMER: You want -- back this way?

MS. JOHNSON: Yeah, that one.

MR. PALMER: Okay.

MS. JOHNSON: North of this area is a real nice single-family home. Then there's a green space and there's -- you can see that little white spot there. That's their second single-family home. There's kind of a light area going down the middle there. That is a creek -- not a creek, but the storm water flows through that area, so, you know, it gets real heavy storm water. One of our concerns is about having such a large parking space there. We'll have a lot of runoff there flooding that -- into that area. The neighbor to the north has kind of a sloping yard that goes down into that, so we'll have quite a bit of runoff from all that parking space, the concrete they'll be putting in there. You had asked about the trash. I know the people that have the 12-plex across from us, they have their trash bin in what's called the covered area, but it's close to the street, so it's not covered because they don't always get it back in there, so it's been -- and I've had to call them and say please get it back in there, but still, from the street, you see the trash bin. So they'd almost have to put it back in the parking lot if they wanted to have it, you know, complete away from there. The neighbor to the north, she was very concerned about the cars going in and out of there because they're talking about having the driveway next to her property, the north side of that lot, and the cars, when going in and out, the lights would be shining into her bedroom window there, unless there was a fence or something put up there to kind of block that. Also from -- I -- in my imagination, once you get this zoned R-multi-family, we're not guaranteed they're going to put one bedrooms, are we, until they present a plan? So if they don't follow through with their plan they got now, you okay this, we could end up with multi-bedrooms in a large building there and we don't have anything of that nature there, and that's what's coming into our neighborhood is this large building of an apartment complex. Now down the road on the other side, you know, we have a whole -- we have a whole area that's just multi-family homes or -- no. It's an apartment complex area and it's real nice and everything, but here we're going to just stick one right in the middle of the neighborhood and that's going to be greeting people coming into our neighborhood. So there are some concerns about that. I understand they're saying, oh, you're going to have multi-four-plexes, four-bedroom. Most of the duplexes we have around there now are, like, three bedrooms each, you know, that we have there -- in there. It would be interesting to see how a person could get all that into that little area there, especially with the groundwork and the flooding and all that stuff in there. So we just have some real questions about it and concerns, especially the runoff and stuff. I don't know what the lighting situation would be for the -- for the parking lot, you know, if they would have light pollution in, too, because right east of that is two duplexes next door to that. And I know the gentleman there, I spoke to him and he was real concerned about the traffic on Clark Lane because the traffic is real hard. And you talked about street parking, really, there's no street parking because that's right there on that corner and, you know, with the stop sign there and stuff. So by the time you get the driveway, there's not going to be any room for street parking there. So are there any questions?

MS. LOE: Are there any questions for this speaker? Mr. MacMann?

MR. MACMANN: I just wanted to clarify a couple of points just -- and staff can help here a little bit. Am I correct in assuming that this development will have to control its runoff?

MR. ZENNER: That would be correct.

MR. MACMANN: As in -- and the reason I ask that question, you had expressed a concern additional storm water flowing into the neighboring properties. That is a grave concern of mine at all times. One of -- people are chuckling. One of the things that we did when we put in the new Code was to hopefully ensure that when these sites are developed, no more water will come off that property than what comes off of it right now. You do have a concern -- I thought about this. I just figured they did -- they're not required to -- that plan is not written in stone. They could go bigger if they wished. And I would suggest that anyone who is concerned -- and now we have a plug for Crockett Engineering, they've been very good to us. They haven't done the bait and switch thing. They've been very responsible. That is a concern that you should express. It's valid. To your other point about cramping duplexes. If you go up and down William or on Ash, they can get four duplexes in there, but they're almost butt to butt in those situations. But I think your -- all your issues are -- are quite valid, they need to express. And having worked with Crockett in the past and we see them, your issues of parking and lighting and stuff, they generally tend to be good people to work with and I'm sure they won't make me feel bad now. Those are all super valid concerns.

MS. JOHNSON: I think, you know -- yeah. Well, you know, the way it is now, the -- the ground is permeable and, you know, and it absorbs the water. But, you know, when you add all that concrete, you're going to have more runoff than you would normally --

MR. MACMANN: And that's -- that's -- that's what Crockett does.

MS. JOHNSON: And -- and, you know, there is kind of a ditch that runs down along Clark Lane there, but there's trees -- a tree growing right there in the ditch where it's supposed to go through, you know, and it's not maintained.

MR. MACMANN: And that's where you as neighbors need to hold whoever owns and develops that property to a responsible standard. If you're getting more water off, there's a problem, so you need to present it because whatever comes off of it right now, that's supposed to be the cap, even if -- if the engineers can fix these issues, then they need to put them in.

MS. JOHNSON: After it's done, though, what do you do? I mean, if the concrete is put down there, are you going to come and tear and out?

MR. MACMANN: Exactly. In the future, you could talk to Mr. Zenner over there on exactly how to report that problem, but it's certainly something you need to pay attention to.

MS. LOE: And as staff had pointed out, the proposed development is smaller than what the current zoning would allow, so that footprint -- I mean, the footprint you're discussing would need to address that regardless of what zoning goes -- or what zoning is.

MS. JOHNSON: Uh-huh. Thank you for --

MS. LOE: Are there any additional questions for this speaker? I see none at this time. Thank you. Are there any additional speakers on this case? Seeing none, I'm going to close the public hearing portion of this.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner discussion?

MS. CARROLL: I have a quick question.

MS. LOE: Ms. Carroll?

MS. CARROLL: Question of staff. So given that Crockett Engineering usually -- given that Crockett Engineering usually does build what they say they're building, is there any risk once they get the rezoning that the owners take time on their project and eventually sell before it's built and now they have an R-MF zoned that another owner with another company could build something much larger on?

MR. PALMER: Actually, yeah. With the open zoning, that's always going to be a concern. As I said, though, in the staff report, what they're proposing and what could potentially be built on this property in an R-MF zone is not all that far apart. I don't know exactly what they could build there, but given the site constraints, being a small site, and all the other aspects that have to be addressed, specifically, parking, for one, if they have, you know, ten units on the property, they're probably already butting up against the property lines with their parking lot. So I think there are limitations size-wise as far as what they can do there that are not all that out of line with what they're asking to do now.

MS. RUSHING: So are you saying that -- okay. They're proposing eight duplexes; is that correct -- with two bedrooms in each?

MS. PALMER: Four -- four -- I'm sorry. There would be four -- now I'm all mixed up. It's eight one-bedroom units in a single multi-family building.

MS. RUSHING: No. I thought he said they were going to be two-bedroom units?

MR. PALMER: No. One-bedroom.

MS. RUSHING: One bedroom. Okay.

MR. MACMANN: You're right. That can happen.

MR. ZENNER: For purposes of clarification, and just so we understand what we're discussing here. We're not discussing a future development plan. The development numbers are provided here for contextual purposes. We are talking about the appropriateness of a land use classification at this intersection. All of the details associated with the development of this property; i.e., the storm water, the required parking, all of that will be determined at the time that an actual development site plan is submitted. And we have a very, very stringent set of standards that has to be met. And as Mr. MacMann pointed out, postdevelopment flow can be no greater than predevelopment flow, and that means that an engineer will have to design a detention system by which to retain that water on site. Parking is a pretty standard calculation. And the building footprint, which we don't know anything about at this point, is going to constrain the site when all other things are considered -- all of your other improvements. The question here is, is an R-MF zoning classification appropriate given its context in this location of the intersection of

McKee and Clark, 500 feet to the west of Ballenger along a major roadway. Is this a transitional use? That's the question that needs to be posed here. Yes, the applicant has provided us what their intention is, but there is always the possibility, as we pointed out here, the development density could increase in an R-MF perspective from the eight one-bedroom units to a combination of different unit types. However, all things being considered equal, parking will probably dictate how many units could ever be built in a non-one-bedroom format because parking is what is going to absorb the most amount of site area. The R-2 with the eight duplex units is still going to have a parking requirement with it, so is it -- that may be the -- that may be a realistic maximum that could be achieved. It could only be three units when you tie in all of the other improvements that need to be made. As is R-2 appropriate? Is R-MF appropriate? I believe our staff report is pointing out that given the context of the intersection and the other areas around it, we believe R-MF is an appropriate zoning classification, and we're not really considering what the applicant is proposing to build as much as we are evaluating what the land use spectrum may be.

MS. RUSHING: But my understanding is R-MF, they could have up to 56 units; is that correct?

MR. ZENNER: That is a -- that's theoretically. Practically speaking, you would never be able to do 56 units and meet your parking requirements.

MS. RUSHING: So how many approximately?

MR. ZENNER: I don't know. I'm not a designer, and our staff doesn't design sites for our applicants. We're looking at a land-use context question.

MS. CARROLL: But with that land use --

MS. LOE: Ms. Carroll.

MS. CARROLL: Sorry. With that land-use context, though, granted that they wouldn't be able to achieve the whole 56 units likely with parking, including that parking as part of the consideration of the impacts of that land use because you would then have a much larger parking lot that you wouldn't have within R-2, even if in R-2 were to have more duplexes on it.

MR. PALMER: And I believe the -- I believe the number 56 would potentially refer to -- to bedrooms and not units, just so --

MS. RUSHING: Okay. Seventeen point four.

MR. PALMER: Yeah. It's -- it's .85 acres, so with that number, you would be looking at --

MS. LOE: Fourteen units, I believe you told us.

MR. PALMER: Yeah. Sounds right. It would be right around that, yeah.

MS. RUSHING: Right. Yeah. You're correct. I apologize. So 14 units on that piece of property.

MR. PALMER: Uh-huh.

MS. LOE: Any additional discussion? Anyone have a motion? We still have a quorum.

MR. MACMANN: Okay. I just didn't see him leave.

MS. LOE: Mr. Stanton?

MR. STANTON: As it relates to Case 142-2019, McKee Street Apartments rezoning, I move to rezone from R-2 to R-MF.

MS. LOE: Is there a second?

MS. BURNS: I'll second for voting purposes.

MS. LOE: Thank you. Second by Ms. Burns. We have a motion on the floor. Any discussion on this motion? Mr. Toohey, just to recap, Mr. Stanton has made a motion to approve rezoning from R-2 to R-MF. It was seconded by Ms. Burns. Any discussion on the 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. Toohey, Ms. Loe, Mr. MacMann, Mr. Stanton. Voting No: Ms. Rushing, Ms. Burns, Ms. Carroll. Motion carries 4-3.

MS. BURNS: Four to three, motion carries.

MR. ZENNER: And given that that wasn't 75 percent, this item will show up under old business on the Council agenda when it is presented.

MS. LOE: Showing up as old business means that it's still open for public comment when it comes forward to City Council.

MR. ZENNER: At second read -- it would be second reading.

MS. JOHNSON: When would that be?

MS. LOE: When would it be scheduled?

MR. ZENNER: One moment here and I can tell you that.

MS. LOE: One moment while we check the City Council schedule.

MR. ZENNER: It would be August 5th is when the public hearing -- when the required second reading would occur, so --

MS. JOHNSON: Thank you very much. Thank you for your consideration.