

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**JUNE 4, 2020**

**Case Number 114-2020**

**A request by Anderson Engineering (agent) on behalf of Discovery Park Apartments, LLC (owner) for approval of the second major amendment to the Discovery Park Subdivision Plat 4 PD Plan. The proposed amendment seeks to subdivide the site into two separate lots and obtain approval of a design adjustment from Sections 29-5.1(f)(3) of the Unified Development Code to allow a new lot line through a structure (parking lot). The 12.92-acre property is located on the west side of Nocona Parkway, approximately 1,500 feet south of Ponderosa Street.**

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 the requested major amendment #2 to the Discovery Park Subdivision Plat 4 PD Plan and approval of the design adjustment for 29-5.1(f)(3) (Lot lines over structures).

MS. LOE: Thank you, Mr. Smith. Before we move to staff questions, I would like to ask any Commissioner who has had any ex parte prior to this meeting related to this case to please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. Seeing none. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Smith, thank you. What happens when this separate parcel gets sold and the neighboring landlords don't get along?

MR. SMITH: Well, that exactly is the concern that is meant to be addressed by the easement. So the easement does provide access to either owner to basically cross the other owner's property to access.

MR. MACMANN: And this travels with the plat then?

MR. SMITH: Correct. Yeah. The easement will be –

MR. MACMANN: I just -- just -- didn't -- sit here in 20 years, someone else sitting here going I can't park.

MR. SMITH: And the easement is a private easement. It's between those two owners, so it would become somewhat of a civil matter at that point, but that is the requirement of the UDC is that we require that an access easement in some form be applied to the site.

MR. MACMANN: I just wanted to bring it up, having seen these things -- language in court. Thank you very much.

MS. LOE: Any additional questions for staff? Seeing none, we will open the floor to public comment.

**PUBLIC HEARING OPENED**

MS. LOE: Please give your name and address for the record.

MR. WOOTEN: Good evening. I'm Tom Wooten with Anderson Engineering, 4240 Philips Farm Road is our office. I am here on behalf of the owner-applicant, and happy to answer any questions.

MS. LOE: You have learned the format well.

MR. WOOTEN: Uh-huh.

MS. LOE: Are there any questions for this speaker? I see none. Thank you.

MR. WOOTEN: Thank you.

MS. LOE: Any other speakers? I don't see any other public, so we will close the public comment period.

**PUBLIC HEARING CLOSED**

MS. LOE: Commission discussion? Ms. Russell?

MS. RUSSELL: I'd like to make a motion. In the case of 114-2020, I move to approve the requested major amendment number 2 to the Discovery Park Subdivision Plat 4 PD Plan, and approval of the design adjustment for 29.5.1(f)(3).

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on that motion? I see none. Ms. Burns, a roll call.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann. Motion carries 8-0.**

MS. BURNS: Eight to zero, motion carries.

MS. LOE: A final unanimous vote to forward recommendation to City Council.