

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
DECEMBER 10, 2020

Case Number 20-2021, Map Area # 2 - 501 Fay Street

A request by the City of Columbia to correctively rezone 501 Fay Street from district C-2 (Central Business) and HP-O (Historic Preservation Overlay) to district M-N (Mixed-use Neighborhood) and HP-O (Historic Preservation Overlay) and approve of all conditional and “conditional accessory” uses permitted in the M-N district as shown in Table 29-3.1 of the Unified Development Code. The subject property is located at the northwest corner of Hinkson Avenue and Fay Street and is commonly known as the Mule Barn. The existing historic structure is a mixed-used building housing residential lofts and office uses.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject parcel to M-N with all permitted conditional and “conditional accessory” uses allowed in the M-N districts as shown in Table 29-3.1 of the UDC.

MS. LOE: Thank you, Mr. Zenner. Before we move on to Commissioner questions, I'd like to ask if any Commissioner who has had any ex parte related to this case, and if so, to please share that with the Commission so we have the benefit of the same information. Seeing none. Mister -- questions? Mr. MacMann?

MR. MACMANN: For Mr. Zenner, Mr. Ott nor the guys at the brewery had any problem with this?

MR. ZENNER: Mr. Ott?

MR. MACMANN: Yeah.

MR. ZENNER: Mr. Ott contacted me. He was the property owner to the south. He owns the Acropolis building now, and, no, he did not.

MR. MACMANN: I have a question, a procedural question, and this might be a Ms. Thompson question. Typically approving CUPs require a public hearing. Does this meeting qualify for that? We're giving a CUP. Right?

MR. ZENNER: We would be granting the authorization for a CUP without an actual application, and they've -- criteria typically associated with that is, yes, you hold a public hearing.

MR. MACMANN: That's what I'm saying. I'm just --

MR. ZENNER: Yeah. So this --

MR. MACMANN: Have we covered our base? That's all I want to make sure.

MR. ZENNER: This would cover that base of holding a public hearing. You also would need to make a finding of conformity with the comprehensive plan, and that is generally driven by having an

actual application.

MR. MACMANN: So this is two motions?

MR. ZENNER: Pardon me? No. I would say you could have it as one motion as that was how it was advertised.

MR. MACMANN: All right. I just don't want it chopped down because someone says you didn't, you know --

MR. ZENNER: If we would like to -- and I see your point. And if it is -- I would have no objection to doing two motions; one for the principal zoning, and one for approval of the (a) through (j) conditional uses that were identified on the prior slide. And we can then --

MR. MACMANN: That might allow us a little more --

MR. ZENNER: Latitude.

MR. MACMANN: Yeah.

MR. ZENNER: Thank you.

MR. MACMANN: Thank you. Just make sure everybody is getting their due here.

MS. LOE: Thank you, Mr. MacMann. Any additional questions of staff? If not, we'll open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: We are limiting discussion to three minutes today, Mr. Hollis.

MR. HOLLIS: Robert Hollis, VanMatre Law Firm, 1103 East Broadway, here on behalf of the property owner. I'd like an additional 15 minutes. I'm just kidding. I have no presentation. I'm happy to try to answer any questions you might have.

MS. LOE: Mr. Zenner covered the bases.

MR. HOLLIS: I agree. Thank you.

MS. LOE: Thank you. Any questions for Mr. Hollis? I see none. Thank you.

MR. MACMANN: Thank you, Mr. Hollis, for doing that.

MR. ZENNER: I prepped him for it earlier.

MR. HOLLIS: I got burned on this one.

MR. MACMANN: He's been waiting for four hours to clean -- to clean the podium.

MS. LOE: Mr. Toohey?

MR. TOOHEY: I've got a question for staff. So -- I can't remember how --

MS. LOE: Oh, wait. Let me close public -- any more public comment? No. Close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion?

MR. TOOHEY: I can't remember how this works, but if the property was to be conveyed to a new owner, would the CUP transfer with it?

MR. ZENNER: That is correct.

MR. TOOHEY: All right. Just want to clarify and make sure that's the case.

MR. MACMANN: That's why I asked the question that I did. I probably wasn't clear that it's portable. All right.

MS. LOE: Any additional questions or comments? Mr. Stanton?

MR. STANTON: I'd like to entertain a motion as it relates to 20-2021 --

MS. LOE: Microphone.

MR. STANTON: Map Area #2, I move to approve M-N --

MS. LOE: 501 Fay Street.

MR. STANTON: Oh, okay. -- 501 Fay Street rezoning, I move to approve M-N zoning and staff -

MS. LOE: No. Just the zoning.

MR. STANTON: Oh, just the zoning? Okay.

MS. LOE: We're going to do two on this one.

MR. STANTON: Okay. I move to approve M-N zoning.

MR. ZENNER: That's it.

MR. STANTON: Is that it? Yeah. I'm burnt up. Yeah. That's it.

MS. LOE: Do I have a second.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on that motion? Ms. Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones. Abstention: Ms. Rushing. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve and one abstention. Motion carries.

MS. LOE: Eight -- six. Six to approve. There's only --

MR. ZENNER: No. Seven.

MS. LOE: Oh, wait. Seven to approve.

MR. ZENNER: Seven and one abstention.

MS. LOE: I'm sorry. I'm deducting from --

MR. MACMANN: Mr. Zenner, how would we word -- I'm sorry I interrupted you, Madam Chair. My apologies.

MS. LOE: No. I'm just babbling at this point.

MR. MACMANN: Okay. I'm going to ask Mr. Zenner a question if that's all right with you.

MS. LOE: Please. Mr. MacMann?

MR. MACMANN: Mr. Zenner, how would we word that second motion?

MR. ZENNER: I would probably suggest that the motion be made to recommend approval of all -- recommend approval of all conditional and conditional accessory uses permitted in the M-N zoning

district and as presented within the staff's report.

MR. MACMANN: And that meet with Columbia Imagined. I think that's my motion right there.

Does anyone want to give me a second?

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones. Abstention: Ms. Rushing. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve, one to abstain. Motion carries.

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