

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBERS
701 EAST BROADWAY, COLUMBIA, MO
APRIL 18, 2024

COMMISSIONERS PRESENT

COMMISSIONERS ABSENT

Ms. Sharon Geuea Jones
Ms. Valerie Carroll
Ms. Sara Loe
Mr. Michael MacMann
Mr. Anthony Stanton
Ms. Peggy Placier
Ms. Shannon Wilson
Mr. Matt Ford
Mr. Zach Dunn

STAFF

Mr. Pat Zenner
Mr. David Kunz
Mr. Jesse Craig

I. CALL TO ORDER

MS. GEUEA JONES: I will now call to order the April 18th, 2024 Planning and Zoning Commission meeting.

II. INTRODUCTIONS

MS. GEUEA JONES: Commissioner Carroll, may we have a roll call?

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

MS. CARROLL: Commissioner Ford?

MR. FORD: Here.

MS. CARROLL: Commissioner Wilson?

MS. WILSON: Here.

MS. CARROLL: Commissioner Loe?

MS. LOE: Here.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Here.

MS. CARROLL: Commissioner Dunn?

MR. DUNN: Here.

MS. CARROLL: Commissioner MacMann?

MR. MACMANN: Present.

MS. CARROLL: I am here. We have nine; we have a quorum.

MS. GEUEA JONES: Thank you.

III. APPROVAL OF AGENDA.

MS. GEUEA JONES: Are there any changes or adjustments to the agenda, Mr. Zenner?

MR. ZENNER: No, there are not, ma'am.

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Motion to approve was made by Commissioner MacMann; seconded by Commissioner Stanton. Thumbs up approval of the minutes -- or of the agenda? Sorry.

(Unanimous vote for approval of minutes.)

MS. GEUEA JONES: Unanimous. Thank you.

IV. APPROVAL OF MINUTES

MS. CARROLL: We all received a copy of the April 4th, 2024 regular meeting minutes. Are there any changes or adjustments to the minutes?

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval was moved by Commissioner MacMann; seconded by Commissioner Stanton. Thumbs up approval on the minutes?

(Eight votes for approval; one abstention.)

MS. GEUEA JONES: We're unanimous with Commissioner Wilson abstaining. Excellent.

V. SUBDIVISIONS

Case Number 127-2024

A request by Engineering Surveys & Services (agent), on behalf of Jeffrey E. Smith Investment Company, LC(owner), seeking approval of a revised four-lot Preliminary Plat of M-N (Mixed Use - Neighborhood) zoned property, to be known as lots "2A, 3A, 3B & 3C of Gentry Estates 2". The proposed preliminary plat represents a revision to the Lots 2 and 3 of the 2012 preliminary plat entitled "Gentry Estates Plat 1." The approximately 13.17-acre subject site is located southwest of the intersection of West Nifong Boulevard and Aurora Drive.

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

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends approval of the "Lots 2A, 3A, 3B and 3C Gentry Estates 2" preliminary plat subject to technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties outside of a public hearing, please let me know now. Seeing none. Questions for staff. Commissioner Loe?

MS. LOE: Yes. Clarification. The report, and I think you stated this, but I just wanted, like I said, clarification. The report identifies that Lots 2A and 3C have the frontage width to have access off of Nifong, but all the lots are going to be accessed off of Simon. Correct?

MR. KUNZ: All of them would have access to Simon, would have the opportunity, but this, I believe, would mean they also have the opportunity to have access to Nifong via a driveway. Access to both would be possible.

MS. LOE: Okay.

MR. KUNZ: For those lots.

MS. LOE: So they could still have driveway access on Nifong?

MR. KUNZ: I believe so.

MR. ZENNER: Yes, that is correct. They have the ability -- they would be unless otherwise restricted and Lot 2A may have a restriction of a right-in/right-out only given where the medians are located in the reconstructed alignment of Nifong. There is a three-quarter turn pocket provided at the common property line between 2A and 3C. That was incorporated as a part of the Nifong construction project. So, again, the minimum 300 foot spacing or 300-foot lot width requirement of the UDC has been met. Therefore, based upon available access standards that we have, they would be able to have individual driveways. Permitting onto Nifong is a City function and therefore, it would be reviewed for an encroachment permit and driveway access prior to or concurrently with the planned submission for the development of these sites. Simon Drive and the existing access easement to the west is -- while it functions, it may function as a secondary access point, depending on how the development of these sites along the Nifong corridor are presented, that driveway or access may not necessarily be as beneficial. The driveway extension to the east of the Aurora roundabout is essential to gain access to 3A and 3B. And furthermore, it is needed in order to ensure proper circulation ultimately over time with the developments of the frontage -- the two parcels that front onto Nifong for through circulation to get back to the signalized intersection, especially is there is a restricted left-hand turning movement. The only way you're going to be able to get back to head westbound on Nifong is either to go to the intersection, the signalized intersection at Aurora and Nifong or go back to Bethel and Nifong. That would be utilizing the cross-access easement.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for staff? Commissioner MacMann?

MR. MACMANN: Just a quick one, follow-up on Commissioner Loe's line of questioning. They wouldn't have to decide whether they want access at the time of the final plat, it would just be a permitting time; is that correct?

MR. ZENNER: That is correct. The Development Code -- the Unified Development Code has minimum access standards on replatted property stipulating that anything that is less than 300 feet, lots with less than 300 feet on particular classes of roadways must share a driveway. Anything that is over 300 feet is automatically eligible through the permitting process to obtain an encroachment permit. Now there's a caveat associated with that given how the reconstruction of Nifong occurred in this particular area. I don't have the details to whatever access restrictions may have been agreed to at that time. The development agreement that was renegotiated in 2019 had criteria within it as it related to the Aurora and Nova Wy construction, and I believe, as a part of that, it may have also granted some access rights along the corridor as reconstructed. I don't have that agreement in front of me, and I can't speak to that specifically.

MR. MACMANN: All right. I was just going down a technical rabbit hole. Thank you, Mr. Zenner.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will open public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward, state your name and address for the record. We allow for six minutes for groups and three minutes for individuals.

MR. KRIETE: Good evening. My name is Matthew Kriete; I'm with Engineering Surveys & Services, office at 1113 Fay Street. And I think staff gave a pretty good summary of the project here. And from an access point, just to stress, there's been that three-quarter access there and it has actually been constructed as part of Nifong. I think anything other than a right-in/right-out would unlikely be supported by any sort of traffic study or staff anywhere else along Nifong, as well, so you wouldn't see anything more than that. But in terms of contemplations right now, you know, anything other than that three-quarter access, I wouldn't expect much. Otherwise, I would be happy to answer any questions you all may have.

MS. GEUEA JONES: Any questions? Commissioner Placier?

MS. PLACIER. Yeah. What are the visions for the development of those three lots?

MR. KRIETE: I mean, currently, the only plan is Gentry Estates Phase 3, so it will be similar to the other two buildings that you see there, which will be located on Lot 3A.

MS. GEUEA JONES: Any other questions? Oh, Commissioner Wilson?

MS. WILSON: Just a curiosity. One of the diagrams that we have shows a private sanitary line. I'm wondering if that interacts with this space, and if there's any impact?

MR. KRIETE: And those are your private -- or one of the exhibits you showed. Okay. Was it on the preliminary plat, or was it one of the colored diagrams?

MS. WILSON: It's one of the colored diagrams.

MR. KRIETE: Okay.

MS. WILSON: The last one, Number 3.

MR. KRIETE: Oh, private. I believe that's contained on the school's property and goes into the public main. I believe that's what you see. It's kind of running along the very southern property here. Yeah. That's not going to bother us at all. We'll --

MS. WILSON: So it terminates?

MR. KRIETE: I believe it actually extends. It's covered by the red line you see underneath it that boxes the site out. That line is on the very, very southern parcel and extends into the public main. You see the dash line crossing diagonally on the site there. It actually extends and ties into that. And if you really zoom in on our preliminary plat, you'll see that sanitary sewer line on there actually. But yeah, we're aware of that, and, you know, we're not going to do anything that disturbs it. I believe it's the sewer lateral that serves Gentry Middle School.

MS. WILSON: Okay. Thank you.

MS. GEUEA JONES: Any further questions? Seeing none. Thank you very much.

MR. KRIETE: All right. Thank you.

MS. GEUEA JONES: Is there anyone else from the public who wishes to speak on this case? Seeing none. We will close public hearing and go to Commissioner comments.

PUBLIC HEARING CLOSED.

MS. GEUEA JONES: Are there any Commissioner comments? Seeing none. Would anyone like to make a motion? Commissioner Dunn?

MR. DUNN: Go back to the screen, please. In the matter of Gentry Estates 2 Preliminary Plat, Case Number 127-2024, I move to approve the Lots 2A, 3A, 3B, and 3C to Gentry Estates 2 Preliminary Plat subject to technical corrections.

MR. MACMANN: Second.

MS. GEUEA JONES: Approval was moved by Commissioner Dunn; seconded by Commissioner MacMann. Is there any discussion on the motion? Seeing none. Commissioner Carroll, when you're ready, could we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe, Mr. Stanton, Mr. Dunn, Mr. MacMann, Ms. Carroll. Motion carries 9-0.

MS. CARROLL: We have nine votes to approve, the motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

VI. PUBLIC HEARINGS

Case Number 126-2024

A request by Crockett Engineering (agent), on behalf of Spirits of Columbia Properties, LLC (owner), for approval of a major PD Plan and Statement of Intent (SOI) revision to the "Macadoodles CP Plan" seeking approval to convert an unused, on-site sign location in the NW

corner of the property to an off-premises sign location for the exclusive use of Lot 2 of Providence South Plaza Plat 2, which is presently occupied by Tacos 4 Life. The revised PD plan will be known as "Macadoodles PD Plan Revision #1". The approximately 1.73-acre subject site is located at the northeast corner of S. Providence Road and E. Green Meadows Road and is addressed as 455 E. Green Meadows Road.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed PD Plan and SOI revisions to allow the conversion of the on-premise sign location in the northwest corner of Macadoodles CP Plan to be converted to an "off-premise" sign location for the exclusive use of Lot 2 of Providence South Plaza Plat 2 presently improved with Tacos 4 Life.

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

MS. PLACIER: I realize that we seem to be limited for the location of that sign to be on that north point, but in terms of directing traffic toward Tacos 4 Life, especially if you're driving north on Providence, it's not great. I mean, it's, I guess, the best of a bad situation, but it's -- and I guess it is technically legal, but it just doesn't make sense to me in terms of --

MR. ZENNER: Placement of the -- placement of the sign as you are traveling northbound north of the intersection of Green Meadows, yes, I understand that. Considering that Carter Lane has access just beyond where the point is, that allows you to come back so you can make a right-hand turn after you've passed the intersection, and Tacos 4 Life does have a back entrance off of Carter to be able to get to it. So if you --

MS. PLACIER: Say whoops.

MR. ZENNER: Yeah. I missed it, I passed by it, I can get back to it by making the turn on Carter.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We'll open the floor to public hearing.

PUBLIC HEARING OPENED

MR. GREENE: Good evening. Andy Greene with Crockett Engineering. Our office is at 1000 West Nifong Boulevard, Building Number 1, here in Columbia. Well said, Pat. Quite the mouthful and great explanation of the background history of this project. And basically, this sign was always the intent of the original developer. With the subdivision in mind, creating the second tier lot, it was always a -- a preference to have a sign up there to promote the business that would eventually go there. As we come to find out when we tried to start building the sign, we've got to do this amendment to add it to this PD Plan. Happy to answer any questions, but essentially, we're keeping the same size sign in the same

location, just with an offsite.

MS. GEUEA JONES: Any questions? Seeing none. Thank you very much. Anyone else from the public to come and speak on this case?

MR. WENDLING: Good evening. My name is Steve Wendling. My office is at 510 East Green Meadows Road, Suite 201. And I happen to be the original landowner that did the original platting. And the intent was at the same time, just as Mr. Zenner described, was to use that for the second-tier lot. So I don't have anything much more to say other than say why, if you had questions for the goofy guy that did this in the first place.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much. Is there anyone else to speak on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Is there any comments from the Commissioners? Commissioner MacMann?

MR. MACMANN: If my fellow Commissioners have no other questions or concerns, I have a motion. In the matter of Macadoodles CP Plan, a revision to the -- a major revision to the CP Plan and a revision to the SOI, Case 126-2024, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES Motion was made by Commissioner MacMann, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Carroll, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Mr. Ford, Ms. Wilson, Ms. Loe, Mr. Stanton, Mr. Dunn, Mr. MacMann, Ms. Carroll. Voting No: Ms. Placier. Motion carries 8-1.

MS. CARROLL: We have eight yes and one no. The motion carries.

MS. GEUEA JONES: That recommendation will be forwarded to City Council. That completes our caseload for the evening.

VII. PUBLIC COMMENTS

MS. GEUEA JONES: Are there any general public comments for the Commission? Seeing none.

VIII. STAFF COMMENTS

MS. GEUEA JONES: Staff comments?

MR. ZENNER: So your next meeting will be May 9th. It'll begin with a standard work session where we'll continue our discussion as it relates to small lot use specific standards, and that will be followed by a regular 7:00 p.m. meeting, and we do have a number of items on the agenda. So after not having many, we, all of a sudden, have a lot. We will be bringing forward a preliminary -- a ten-lot preliminary plat known as Springbrook North. This is just north of the Veterans United campus on

Veterans United Drive just east of the South Providence Medical Center. We also have then several public hearings subdivision related items, one that is a two-fer, so at the bottom of that list. The first is a sidewalk waiver request and a final minor plat on Barberry Avenue. The second is sidewalk waiver associated to a home that is seeking final plat approval through a separate platting action, but before we're going to take the plat forward, we are going to process the sidewalk waiver. And this is to divide a deep lot into a compliant -- two compliant lots, one, the rear lot being available for a ADU. So this is -- this particular sidewalk waiver request is not on the Broadway frontage. The lot already has a sidewalk on Broadway. It is on their side street, which, if I am not incorrect, is Greenwood. So the lot that would be created behind the principal home, which sits a substantial distance back from Broadway, would be accessed off of Greenwood and would otherwise be complaint provided the sidewalk -- well, it would be compliant regardless from a platting perspective, but they are seeking to have the sidewalk requirement waived even though there is no other sidewalk on Greenwood in this particular area. The last two items here under the public hearings and subdivisions are the two-fer. The first request is a permanent zoning. This is immediately south of what is currently known as Richland Estates. It is a piece of property containing roughly 19 or so acres, if I recall correctly, that was in the county at the time and under different ownership when we did Richland Estates, which is a very large residential development at the corner of Richland and Olivet. They're seeking permanent zoning from County AR, which is their agricultural residential district to our city R-1, which is what the current Richland Estates is zoned, so that is the permanent zoning side of this. And then the accompanying preliminary plat is a revision to the existing Richland Estates Preliminary Plat to add in this additional acreage and to re-calibrate the size of the lots within Richland Estates. The lots that were relatively large lots initially proposed, we are looking at a different diversity of lots that would include larger lots gradating down to a smaller size lot that's still consistent with the R-1 zoning district, and a slight revision to the overall road network that is within the proposed subdivision. And the final item is a rezoning request off of St. Charles Road, which was formerly occupied by a mobile home park which has been formally and properly closed in accordance to the State's statutory requirements at 5301. This is a rezoning request from R-1, it was a legally noncompliant mobile home park to R-MF. It is surrounded by a variety of different County zoning districts some of which are commercial in nature. And then on the north side of the property, towards the interstate, this property has some depth off of St. Charles Road, but is separated by another parcel that has frontage off of I-70 Drive Southeast is zoned commercially, as well. So this particular zoning would be almost considered a little bit of a transition zone, but given the configuration of the property, the applicant was seeking the R-MF designation. So you can become familiar with where all of our sites are, there is our Springbrook North project there at the intersection of State Farm Parkway and Veterans United Drive just northwest of the roundabout; our property that's off of Barberry which is just to the east of our Gibbs Road property that we recently rezoned; and then the West Broadway property there on Glenwood -- or Greenwood, I apologize -- Greenwood. And then our property that we are proposing to

do permanent zoning on that's currently in the County; the overall Richland Estates property with the annexed parcel included now, and then, finally, our property that's off of St. Charles Road. Those are your cases and that is the agenda as it stands at this point for your May 9th meeting. I appreciate your attention this evening and your input. We will be back with some additional use specific standards on May 9 at 5:30 p.m.

MS. GEUEA JONES: Thank you.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: Are there any Commissioner comments for the evening? Commissioner MacMann?

MR. MACMANN: Just real quick, and then I'll make a motion and we can go home. Pat, the St. Charles property, that's where all -- we got all of those overlapping oddball City and County zonings and they're real small and they conflict with that. We need to chat -- you and I need to chat about that sometime. Thank you.

X. ADJOURNMENT

MR. MACMANN: Ladies and gentlemen, I move to adjourn.

MR. STANTON: Second.

MS. GEUEA JONES: Motion to adjourn was made by Commissioner MacMann, seconded by Commissioner Stanton. Without objection, we stand adjourned.

(The meeting adjourned at 7:45 p.m.)

(Off the record.)