

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
MARCH 21, 2019

Case Number 71-2019

A request by Engineering Surveys and Services (agent), on behalf of Last Enterprises, LLC (owner), seeking approval to rezone 7.66 acres of undeveloped land from PD (Planned District) to M-C (Mixed-use Corridor District). The subject site is located at the southwest corner of the intersection of Vandiver Drive and Mexico Gravel Road, between Vandiver and Highway 63.

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 the requested zoning.

MS. LOE: Thank you. Before we ask any staff questions, I would like to ask any Commissioner who has had any ex parte prior to this meeting related to Case 71-2019 to disclose that now so we all have the same information to consider in front of us. Seeing none. Are there any questions for staff? I see none. Good report. Thank you. In that case, we will open up the floor to public hearing.

PUBLIC HEARING OPENED

MS. LOE: If you would like to share any information, please give us your name and address.

MR. COLBERT: Good evening, Commissioners. Caleb Colbert, attorney, at 601 East Broadway. I'm here tonight on behalf of the applicant. I also have Ben Ross with Engineering Surveys and Services, and Paul Land with Last Enterprises. We agree that the staff report was excellent and we agree with the conclusion. Just to briefly summarize you, this property has been before this Commission before. The request was for industrial zoning, and the public testimony and the public feedback at that time was that folks would like to see more of a commercial, restaurant, retail located at this site. So we looked at the available open zoning districts and M-C fit with what folks expressed they'd like to see here, and so that's why you have this request before you this evening. And with that, I would be happy to answer any questions.

MS. LOE: Any questions? Mr. MacMann?

MR. MACMANN: Mr. Colbert, Mr. Ross is going to do his own presentation, or is he part and parcel to yours?

MR. COLBERT: He might be part and parcel, if you want to hit him with some questions.

MR. MACMANN: Mr. Ross, good evening. Thank you for appearing.

MR. ROSS: Thank you.

MR. MACMANN: Could you give the recorder your name and address, please?

MR. ROSS: Benjamin Ross with offices at 1113 Fay Street, Columbia, Missouri.

MR. MACMANN: Thank you, Mr. Ross. Just a quick question. When this was before us previously, the southern end of this property had some storm-water questions, and it's -- it butts right up against the floodway. Could you briefly tell us how you hope to address that or how we're not going to have a problem there?

MR. ROSS: Right. Could you put the map up with the blue lines? The floodway is a blue line and the floodway is a part of the FEMA flood plan that is the creek itself and the area adjacent to the creek that must be preserved to avoid increasing the 100-year flood elevation by one foot. You can see in the picture the road that the City built is actually between Mr. Land's property and the floodway, so the property that we're talking about is outside the floodway and it's actually in the floodplain fringe, which is the area that would still be flooded by the 100-year flood, but it's not within the regulated floodway. You know, the National Flood Insurance program has regulations that are -- nationwide regulations that the City has adopted that allows development outside the floodway because they think it balances the -- the needs for, you know, environmental protection as well as economic development. So the property that we're talking about can be developed. It's included in the City ordinance that the field can be placed to raise the ground up above the 100-year storm, you know, which would be similar to, like, the road, it has already been filled in in that area. So we're planning to follow all FEMA requirements and all City requirements to develop the property in accordance with the regulations.

MR. MACMANN: Thank you. That was a question of some concern last time. I just wanted to make sure we got that on the record. Thank you, Mr. Ross.

MR. COLBERT: Any other questions?

MS. LOE: Any other questions for these speakers? I see none. Thank you. Any additional speakers on this case? Seeing none, I will close the public hearing.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Ms. Russell?

MS. RUSSELL: If there's no discussion, I'll make a motion. In Case 71-2019, I move to approve the requested M-C rezoning.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on this 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: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Rushing, Ms. Russell, Mr. Toohey.

Motion carries 9-0.

MS. BURNS: Nine to zero, motion carries.

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