

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**April 10, 2025**

**Case Number 90-2025**

**A request by A Civil Group (agent), on behalf of Bucky C, LLC (owner) for approval of a design adjustment seeking relief from the provisions of Section 29-5.1(f)(1)(iv)(D) of the UDC relating to required minimum lot frontage along collector and arterial streets such that individual driveway access may be permitted and approval of a one-lot final plat of M-C (Mixed Use - Corridor) zoned property to be known as "Oscar Plat 1". The approximately .55-acre subject site is located at the northwest corner of Vandiver Drive and Range Line Street, and includes the address 1901 Range Line Street. (This case was tabled at the March 6, 2025 meeting to allow the applicant to address, review comments and discuss access-related issues with the representatives from the City and MoDOT.)**

MR. STANTON: Staff, may we have a report, please?

Staff report was given by Mr. Kirtis Orendorff of the Planning and Development Department. Staff recommends the following actions are recommended with respect to this request:

- Approve the requested design adjustment to allow direct driveway access to a lot with less than 300 feet of street frontage in a non-residential lot.
- Approve the requested one-lot final plat to be known as "Oscar Plat 1" subject to technical corrections.

MR. ZENNER: Just for a point of clarification for the Commission, the design adjustment must be approved prior to the recommendation being submitted on the platting action.

MR. STANTON: Two motions, separate?

MR. ZENNER: Two motions. Two motions. Design adjustment first followed by the plat.

MR. STANTON: Any questions for staff?

MR. WILLIAMS: (Inaudible.)

MR. STANTON: Thank you, Mr. Secretary. If any of my Commissioners have any ex parte information relating to this case and would like to share that information with your fellow Commissioners so that we can benefit from the information that you may share with us, do so at this time. There are none. Okay. Open up for public hearing.

**PUBLIC HEARING OPENED**

MR. GEBHARDT: Good evening. My name is Jay Gebhardt. I'm a land surveyor and a civil engineer with The Civil Group. I'm here tonight representing Nakhle Asmar and, you know, Nakhle owns

this parcel of land, and because the Code changed on the definition of a legal lot, he cannot get a building permit. He can't sell this lot to anyone who could get a building permit, so we have to plat it to correct that. And so we are platting it. We're dedicating quite a significant right-of-way for Vandiver and for Range Line. We're not asking for variances of sidewalks or anything like that, and we're dealing with an existing condition that we did not create. And so, you know, I'm in support what staff has recommended, and because Anthony says we're going to be efficient tonight, I'm going to just ask questions.

MR. STANTON: Any questions for this speaker? Thank you for your efficiency, sir.

MR. GEBHARDT: Thank you.

MR. STANTON: Any other members of the public like to speak on this case? If there are none, I'm closing public hearing.

**PUBLIC HEARING CLOSED.**

MR. STANTON: Discussion of my fellow Commissioners? Ms. Peggy?

MS. PLACIER: I'll try to keep this short. There was a delay in developing this lot. Obviously, a lot has happened since 2015, including Dobbs and Starbuck's. We already had Waffle House. And I'm not convinced by the argument that, well, we approved Waffle House, and so we need to do this, because that one also has two accesses. I go through this intersection frequently. It's crowded, it's bad, and adding two driveways to that situation, I realize this presents terrible consequences for the owner, and yet approving it as sort of a -- for whatever use could come under M-C also seems perilous, and we don't have the benefit of having any traffic information at this point.

MR. GEBHARDT: (Inaudible.)

MS. PLACIER: Yes.

MR. STANTON: Yeah. I've got to open hearing again.

MS. PLACIER: Yeah.

MR. STANTON: I'm going to reopen public hearing so that the speaker can adjust that.

**PUBLIC HEARING REOPENED**

MR. GEBHARDT: I'm trying to be efficient, and I -- I missed over something. So we've been in long discussions with Jake Ray, with the City's City Traffic Engineer, and he's made it abundantly clear to us that we are just going to consider the -- all these accesses to be right-in and right-out only. Now, he will allow us to do a traffic impact study, and depending on the use and the intensity of the use, he may allow a left-in, but he will never allow a left out is what he said. So I just thought that should clarify. And so right now, you should -- I mean, the ones on Range Line are right in/right out now because there's a median in Range Line. The one on Vandiver, again, when we come in with whatever development ends up on this, you'll have to do a traffic impact study, and we'll have to prove out that the right in/right out works, and that if we want a left in, that we've got to show that the intensity of the use isn't such. So one of the things we're looking at or what Nakhle is looking at is doing more like a HVAC shop or something like that where it's got a couple of workers that come and go, but there's not constant traffic like a Waffle House or a Starbuck's, or something like that. So we understand the limitations with this, but without this,

we can't -- we can't build on that lot at all, so --

MR. STANTON: Any questions for this speaker? Ms. Loe?

MS. LOE: Thank you, Mr. Gephardt. So just to clarify, having two driveways is actually less of an impact because of the limitations that are being put on those driveways, being right in/right out?

MR. GEBHARDT: Correct.

MS. LOE: Thank you.

MR. GEBHARDT: We're also eliminating the third entrance.

MS. LOE: Right.

MR. GEBHARDT: Yeah.

MS. LOE: Thank you.

MR. STANTON: Questions for this speaker?

MR. GEBHARDT: Thank you.

MR. STANTON: Close public hearing.

#### **PUBLIC HEARING CLOSED**

MR. STANTON: Comments from Commissioners? Discussion? Feelings? Ms. Loe?

MS. LOE: I understand Commissioner Placier's concerns, but I do feel as if this is probably the least impactful access that they are -- they've gone for the least impactful that they can achieve on this site, and they are mitigating existing conditions looking at current requirements. So unless there are any objections, I would make a motion to approve. Okay. In the case of 90-2025, and first we're going to do the design adjustment. So the first motion is to approve the .55-acre final plot zoned M-C subject to technical corrections. Oops. Sorry. They're in reverse order on here. Got it. Backing up. The first motion is to approve the design adjustment, seeking relief from Section 29-5.1(f), minimum lot frontage for individual driveway access along arterial and collector roadways.

MS. ORTIZ: I'll second.

MR. STANTON: It's been moved and properly seconded. Mr. Secretary?

MR. WILLIAMS: Discussion?

MR. STANTON. Oh, discussion on the -- on the motion?

MS. ORTIZ: I intend to support this, as well.

MR. STANTON: Ms. Ortiz. Any other discussion? Mr. Secretary?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Williams, Ms. Loe, Ms. Wilson, Mr. Walters. Voting No: Ms. Placier. Motion carries 6-1.**

Mr. Williams: That's seven -- or sorry, six yeses, and one no. The motion carries.

MR. STANTON: The recommendation will be forwarded to City Council. Do we have a second, Ms. Loe?

MS. LOE: I'll go ahead with the second motion. In the case of 90-2025, approve -- move to approve the .55-acre final plat zoned M-C, subject to technical corrections regarding specific width and

location of new driveway access.

MS. ORTIZ: Second.

MR. STANTON: It's been moved and properly seconded. Any discussion about the motion?

Seeing none. Mr. Secretary?

**Roll Call Vote (Voting "yes" is to recommend approval. Voting Yes: Ms. Ortiz, Mr. Stanton, Mr. Williams, Ms. Loe, Ms. Wilson, Mr. Walters. Voting No: Ms. Placier.**

**Motion carries 6-1.**

MR. WILLIAMS: That would be six yeses and one no. The motion carries.

MR. STANTON: The motion carries and will be forwarded to City Council. Okay. Mr. Zenner, how do we address this? Are we still going to open it for public hearing or what are we going to do with the one that is withdrawn.

MR. ZENNER: I would ask if there is anybody present as it relates to Case 125-2025. If so, if you would like to make comments on this withdrawn item, you are more than welcome to approach the podium.

MR. STANTON: I'll open the public hearing.

#### **PUBLIC HEARING OPENED**

MR. STANTON: As recommended by staff, anybody that has come to this meeting to discuss Case 125-2025, you're welcome to come up and voice your opinions. I see none. I'm going to close public hearing.

#### **PUBLIC HEARING CLOSED**

MR. STANTON: Ready to move to the next case; is this correct, Mr. Zenner.

MR. ZENNER: That is correct, sir.