

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
JULY 5, 2018

Case No. 18-133

A request by Engineering Surveys and Services (agent), on behalf of OTA Properties (owner), for approval of a one-lot replat to be known as "OTA Subdivision Plat 1" and approval of design adjustments from Sections 29-5.1(c)(4) and 29-5.1(g)(4) of the UDC pertaining to dedication of additional right-of-way and the provision of public utility easements, respectively. The subject site contains .52 acres and was formally platted as Lot 25 and the south sixty (60) feet of Lot 24 of Harbison's Second Addition.

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. So after reviewing information provided by the applicant, the utilities department staff, as well as the traffic engineers, this evening we are recommending approval of both design adjustments, as well as approval of the OTA subdivision Plat 1. I'm happy to help you with any motion that you might make. You can do this in one fell swoop if you are supportive of both design adjustments, you can do one or both design adjustments, no design adjustments, the plat. We're happy to help you with whatever motion you might want to make, and I'm also happy to answer any questions and the applicant is here as well.

MR. STRODTMAN: Thank you, Ms. Bacon. Commissioners, any questions of staff?

MS. RUSHING: I have a question.

MR. STRODTMAN: Ms. Rushing.

MS. RUSHING: Regarding the zero setback that they will be requesting, that's independent, right, of the utility easement?

MS. BACON: So the utility easement -- if they have the utility easement, they're going to have to go beyond that, because they won't be able to build their building. It's not a good idea, right, to build your building on the utility easement. So that would put a de facto setback --

MS. RUSHING: Of 10 feet?

MS. BACON: -- on the building.

MS. RUSHING: Regardless of the Board of Adjustment?

MS. BACON: Correct.

MS. RUSHING: Okay.

MR. STRODTMAN: Additional questions, Commissioners? I see none. We'll go ahead and open this up to the public.

PUBLIC HEARING OPENED

MR. STRODTMAN: Please give us your name and address.

MR. KRIETE: Matthew Kriete. I'm with Engineering Surveys and Services, officed at 1113 Fay Street. I'd again say I think we've got a good summary of the plat taking a couple of old and partial lots and putting them into one and get us in conformance with the subdivision standard. With that there's two design adjustments, one with the right-of-way that will bring or allow Fay Street to be brought up to a 50-foot right-of-way and allow room for the construction of the sidewalk. I'll just remind the Commission that Logboat just recently had a plat approved. With the design adjustment, it only has 40 foot of right-of-way. So I mean we're exceeding already what they had and what's already kind of been set as a precedent. With the infrastructure in place, sewer, water, utility, road, everything is there, there's adequate room with the additional right-of-way to get the pedestrian access needed and desired. There's no need for that additional right-of-way. To the extent of the pedestrian standard versus the platting requirement, it is a bit of a disconnect. The pedestrian standard requires that the building not only can it be built within a zero lot line but it can be zero to a maximum of ten feet. It actually is going to require that the building be up on the right-of-way, and with a ten-foot easement that creates problems. Yeah, the building could be right there at that ten-foot line and be conforming but that doesn't leave room for construction of -- or to footings without putting those in the easement which again is something that would not be desired. So it does create that disconnect. Again, we're able to work with staff to see is there a need for that easement. Yeah, it's a good standard to put it in place in most all cases but do we really need it here. The answer was no. There's plenty of room in the right-of-way. In fact, the additional five-foot of right-of-way gives us five more feet in the future if needed to add or repair or whatever we need to do with utilities. With that, I'd be happy to answer any questions you might have.

MR. STRODTMAN: Thank you, Mr. Kriete. Commissioners, any questions of the speaker? Mr. MacMann?

MR. MacMANN: I just want to follow up the point that Mr. Kriete made for the rest of us. We have not only with Logboat, but with Columbia College twice, encouraged, allowed and approved narrower right-of-ways in the North Central Neighborhood just to get that out there.

MR. STRODTMAN: Thank you, Mr. MacMann. Any additional questions of the speaker? I see none. Thank you, Mr. Kriete.

MR. KRIETE: Before I end, too, to the point of the sewer issue, too, with the UDC and problems that were in the past with the old code not really having an ability to stop a development permit if there was not adequate capacity was more of an issue. The UDC has given staff really that line that makes -- well, it says you cannot get a building permit if you don't have adequate capacity. Staff has been very proactive on that and aware of it and from day one that we brought this forward that it was a concern. You know, rezoning itself, the platting itself, it's not going to generate more capacity. Myself and the applicant is well aware that it's a concern that needs to be addressed. You know, I'm hopeful that we find that the studies are positive and there is a lot more capacity than maybe we think there is there. If there's mitigation needed, certainly that will be the case. So I just want to assure that fact. I know staff is going to be very diligent in making sure that happens as well.

MR. STRODTMAN: Thank you, Mr. Kriete. Anyone else like to come forward?

MR. CAMPBELL: Yeah, I just kind of wanted to second what Matt said.

MR. STRODTMAN: Just your name and address.

MR. CAMPBELL: Bobby Campbell, 5706 South Sundance Drive. And to the concerned parties who came up and talked earlier, we really want to be a good neighbor. We're not there to come in and pursue a building that affects people and their homes negatively or the sewer system negatively. So we want to find a solution for these problems that are problems that existed before we were there that going forward helps those problems being mitigated. We want everything we do down there as far as buildings to be something that not only benefits me as a developer but also the neighborhood and the people who live there and that they can participate and it's positive for their neighborhoods and it's positive for the community there and we think what we're doing is a positive, you know. We think it improves the area. We think it improves Columbia as a city, improves it as a place to work and place to live. And so I'm willing to talk with anybody about their concerns whether it's the North Central Neighborhood Association, which I've talked to before about stuff down there, or just homeowners. I'm totally fine talking to them about it, just kind of explain what we're doing down there and what we look to do in the future.

MR. STRODTMAN: Commissioners, any questions? Mr. MacMann?

MR. MacMANN: Thank you, Mr. Chairman. Thank you, Mr. Campbell, for reaching out in the past and reaching out in the future. I know that that means a lot to North Central, and I would hope that all persons use that as exemplar of what to do going

forward.

MR. CAMPBELL: I want to be a good neighbor. I'm sure they're looking for good neighbors. Aren't we all when we have a house and home.

MR. STRODTMAN: Thank you, Mr. Campbell.

MR. CAMPBELL: Anyone else want to come forward this evening? I see no one. We'll go ahead and close the public hearing.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion? Additional information needed? Yes, ma'am.

MS. BURNS: Who's conducting the capacity studies? Is that on the city side or is that on the applicant?

MS. BACON: Yes. However, any mitigation type of activities will be on the applicant side.

MS. BURNS: Okay. Thank you.

MR. STRODTMAN: Mr. MacMann?

MR. MacMANN: Just a point of information just to follow up. That will be a region wide because we've got a basin there or just property specific analysis?

MS. BACON: It will be basin wide.

MR. MacMANN: Thank you very much. North Central will ask that question. Thank you. Thank you, Mr. Chair.

MR. STRODTMAN: Any additional discussion, Commissioners? Motion? Not all at once. Mr. Stanton?

MR. STANTON: As it relates to Case 18-133, the OTA subdivision plat, final plat and design adjustments, I move to approve as recommended by staff. I say recommended by staff. So whatever they say.

MR. STRODTMAN: So the two design adjustments would be part of that approval?

MR. STANTON: With the two design adjustments recommended by staff.

MR. STRODTMAN: Thank you for that motion. Do we have a second?

MRS. RUSSELL: I'll send that.

MR. STRODTMAN: Mrs. Russell I heard first. Commissioners, we have a motion made by Mr. Stanton on Case 18-133, and we received the proper second by Mrs. Russell. Is there any discussion needed on this motion? I see none. Secretary, when you're ready for a roll call, please?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr.

Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. Stanton. Voting No: Mr. MacMann. 8-1 Motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval with the two design adjustments will be forwarded to City Council for their consideration.