

Excerpts
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL, COUNCIL CHAMBERS
701 EAST BROADWAY, COLUMBIA, MISSOURI
DECEMBER 21, 2017

Case No. 18-35

A request by Engineering Surveys and Services (agent) on behalf of Last Enterprises, LLC (owner), for a revised preliminary plat to known as "Centerstate Plat 14". The subject 7.66 acre parcel is located at the southwest corner of the intersection of Vandiver Drive and Mexico Gravel Road, between Vandiver and Highway 63. Concurrent requests for rezoning (Case #18-18) and final plat (Case #18-17) approval are being considered with this request.)

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

(Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. The proposed preliminary plat has been reviewed by Staff and is found to be compliant with all subdivision regulation. Recommendation is for approval.)

MR. STRODTMAN: Thank you, Mr. Palmer.

Questions of Staff, Commissioners?

Miss Loe.

MS. LOE: Mr. Palmer, I understand that because of the apparent inconsistency in the UDC that we're not getting the sensitive land map identifying the buildable area?

MR. PALMER: We did -- we did receive a sensitive areas map, but it did not play into the creation of the plat because the floodplain overlay is the only sensitive area that -- that crosses the [site](#). So...

MS. LOE: Okay. So the sensitive land map, area map included the floodplain -- plain over --

MR. PALMER: Yes.

MS. LOE: Okay. So did they designate a building area outside of that?

MR. PALMER: They haven't yet. It will be on the final plat, I believe.

MS. LOE: All right. Which was going to [be](#) my second question: That under the floodplain overlay, just confirming, that a floodplain development permit would be required --

MR. PALMER: Correct.

MS. LOE: -- for the plots that are -- you have areas located in the floodplain.

MR. PALMER: Right.

MS. LOE: All right. Thank you.

MR. STRODTMAN: And that's just during -- that's for the final plat?

MR. PALMER: Yes.

MR. STRODTMAN: That would [be](#) part of the final plat process?

MR. PALMER: Uh-huh.

MR. STRODTMAN: Thank you.

Commissioners, additional questions of Staff?

Miss Rushing?

MS. RUSHING: Will there be three points of access, one for each lot, do you know?

MR. PALMER: That hasn't been determined yet. They haven't offered any site design plans.

Like I said, Staff has recommended two points of -- of entryway --

MS. RUSHING: Okay.

MR. PALMER: -- off of Vandiver. One -- lot 1 is probably fine, and then lot 2 and 3 we've suggested that they share an access point.

MS. RUSHING: Okay.

MR. STRODTMAN: So Miss Rushing, if -- on this particular map, Mr. Palmer, could you wave your mouse over?

MR. PALMER: Yeah.

MR. STRODTMAN: Right there is where the road would be recommended by the City Staff to combine those two lots. So access point would be right there for those two lots.

Any additional questions of Staff, Commissioners?

We will open it up. As it is a subdivision matter, but we will open it up as in past practices.

Sorry.

MR. MACMANN: Just --

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I'll be very quick.

Mr. -- Planner Palmer, can you go back to the oblique aerial? I want to see the road ditch for just a minute.

MR. PALMER: Yes.

MR. MACMANN: On that southern tip, what's -- do we know what the storm water situation is down there?

MR. PALMER: I believe everything drains towards that southern tip and then that is --

MR. MACMANN: That's my question. Do we go under the road there or what do we do?

Because I know Vandiver is -- I remember before --

MR. PALMER: Yeah. Vandiver is raised, and so I do believe it goes under the road there.

I believe that was, if I remember right, that was why it was notched off as right-of-way. They were kind of doing storm water management for the -- for the roadway improvements.

MR. MACMANN: My concern is, to follow-up on Commissioner Loe's comments, is where the water will go in the future. That's --

MR. PALMER: Uh-huh.

MR. MACMANN: I wanted to see where we're going.

Thank you very much. Mr. Chairman.

MR. STRODTMAN: Thank you, Mr. MacMann.

Any additional questions, Commissioners?

PUBLIC HEARING OPENED

MR. STRODTMAN: Anyone in the audience would want to come forward we would welcome you at this time.

MR. FARNEN: Good evening. My name is Mark Farnen. 103 East Branham, Columbia, Missouri. I am appearing on behalf of Last Enterprises, who is the applicant tonight.

We have two pieces of business that are going to run consecutively. This is the -- one is to rezone about seven and a half acres through IG from a current PD designation.

This one is to establish the revised preliminary plat. We agree that that needs to be done. And in essence what we are wanting to do is from that one piece create three usable lots, each of which could most likely sustain a building that would be twenty to twenty-five thousand square feet in size, which is what we think would be marketable and what the applicant through his experience in this business believes is marketable as well.

We believe that the report of the Staff is comprehensive and we appreciate their recommendation in this behalf. We would prefer not to rehash that information with a lengthy presentation, but would be happy to answer questions of any sort of technical nature.

We have myself to discuss zoning aspects of this, or two engineers from ES&S, Matt Kriete and Tim Reed, who would be happy to talk about other issues that may relate to traffic and storm water.

With that being said, we would invite your questions and we would ask you to vote in favor of this tonight.

MR. STRODTMAN: Commissioners, any questions for the speaker?

I see none. Thank you, Mr. Farnen.

MR. FARNEN: Thank you.

MR. KRIETE: My name is Matthew Kriete. I'm with Engineering Surveys and Services. Offices at 1113 Fay Street.

To address your question, Mr. MacMann, in regards to the storm water. The [site](#) itself is going to drain southerly and easterly. So it is going to drain towards Vandiver Drive. At this point, you know, the City's established what that drainage pattern will be with the existing storm sewer system.

There is a point of discharge near the southern tip kind of where you're talking down there that discharges toward the creek.

And then if you see the line that's kind of off to the right side of Vandiver there, that's the storm sewer system. So that's going to take that off in a discharge. So you're going to see a split discharge from this property.

In regards to the driveway locations. At this -- at this stage, I mean, I don't think our client wants to commit to a shared point of access. I think there's some concern about maybe some incompatibility of uses or things of that nature.

And in relations to impact of the floodplain, I think you're looking at something that's very -- very minimal, if at all. Vandiver Drive itself is in the floodplain. If you look at the portion of section -- the portion of -- from about mid-point of lot 2 southward, that's all within the floodplain itself. So a driveway approach in that location is going to be in the floodplain. It's not going to change elevation of that area. It's not going to change the flood flow. It's not going to change any sort of elevation to the

floodplain. So I think there's -- can be very little benefit from a flood elevation standpoint.

And then from a driveway separation standpoint, I mean, we're looking at four hundred, four hundred and fifty feet separations that are going to be occurring, maybe as low as three hundred, but well within typical access management guidelines for this and the kind of traffic generation of the intended use.

So I -- I would recommend that, you know, each -- each lot be provided its formal point of access and not be limited to a shared driveway.

With that, I would be happy to answer any questions you guys have.

MR. STRODTMAN: Commissioners, any questions for this speaker?

Miss Loe.

MS. LOE: You said that adding a driveway in the floodplain wouldn't impact the flood flow?

MR. KRIETE: No.

MS. LOE: Is it paved currently?

MR. KRIETE: You're talking about an approach that's, you know, twenty-four to thirty foot wide in a -- in a -- in a floodplain elevation where you're receiving backwater. So effectively as -- and when you're in the floodplain you're not seeing a flow of water so much as water backing up, filling up, and storing in that location. You know. It's a very slow movement of water at that point.

The -- the actual surface of that area, whether paved, or grass, or trees is going to have little impact on this -- this fringe area of the floodplain, and a shallow elevation of water is going to be at that location.

If we were paving in an area of floodplain that was flowing water five, six foot deep in a floodway or similar of that nature it would be a totally different scenario.

But in this case it's going to have very, very minimal impact, if any at all.

MS. LOE: Thank you for the comment.

MR. STRODTMAN: Additional questions, Commissioners?

Mr. Kriete, do you have an idea where your driveway would be on that southern lot if you were to show...

MR. KRIETE: So there we go. Exactly location's a little unknown. I tried to put this in color to make it a little easier to see.

But if you look at the green area, that's the potential location of the driveways. They may shift. They -- they will probably shift and move around.

I provided some separation on those, too. You can see you got over five hundred foot of separation from the roundabout on Vandiver and the highway crossing there. And then you can see separation between four hundred and some odd feet, another four hundred some odd feet. And then, you know, a little over -- a little shy of three hundred feet towards the Mexico Gravel roundabout. So plenty, again, plenty of separation from an access management standpoint.

But within that flood elevation you're -- you're looking at an area that's -- Vandiver Drive itself is going to be under about a foot of water in a hundred year storm at that location. And the driveway approach then would be a foot to, you know, maybe six inches under water at that point.

And again, you're talking about backwater. Talking about that just -- that -- the water that's kind of storing in that -- in that flow elevation.

The water's going to be moving on the other side of Vandiver for sure.

MR. STRODTMAN: Thank you.

Miss Loe?

MS. LOE: But where Staff had talked about sharing the driveway or moving the driveway to the second, your grades are closer to 691, which is shown to be the elevation of Vandiver. Where --

MR. KRIETE: Uh-huh.

MS. LOE: -- you're showing the driveway in green, your grades are going down to 6 -- 686? 684?

So, I mean, we're -- we are beginning to talk about that several feet that you were discussing previously.

MR. KRIETE: No. On --

MS. LOE: I mean, I don't agree that --

MR. KRIETE: Yeah. On --

MS. LOE: -- these two locations are analogous.

MR. KRIETE: Well, on lot 3, if -- if you take a look at the grades, the -- that's the elevation of the lot itself.

But if you look at Vandiver Drive --

MS. LOE: I agree, but in --

MR. KRIETE: -- and --

MS. LOE: -- order to build a driveway you're going to have to --

MR. KRIETE: Your driveway has to top --

MS. LOE: -- fill in the --

MR. KRIETE: Yes. And you do have to fill that in. Now again, remember this is backwater. And by the Floodplain Overlay District, which we'll be in full compliance with, this fill is allowed and can be done and can be done safely.

MS. LOE: Under FEMA it's allowed. Under the subdivision --

MR. KRIETE: Under --

MS. LOE: -- of Columbia it would not be --

MR. KRIETE: That --

MS. LOE: -- necessarily. So --

MR. KRIETE: Yeah.

MS. LOE: -- there's some differentiation in that interpretation. I don't think we want to go down that path right now.

MR. KRIETE: You know, these are not analysis that were done by myself, done by the City of Columbia. These were done by a federal agency. These were done FEMA. They -- they set these --

MS. LOE: Right. Under FEMA it would be allowed, but --

MR. KRIETE: Yes.

MS. LOE: -- they were not evaluating it for City of Columbia provisions, I presume.

MR. KRIETE: No. Absolutely not.

MS. LOE: Right.

MR. KRIETE: But the City has adopted their requirements as a floodplain manager of their system. And that's where the Floodplain Overlay District has grown from. And so --

MS. LOE: Right. And I'm commenting as a Planning and Zoning Commissioner based on the planning code.

MR. KRIETE: Yeah. So we'll speak about the driveway itself. Let's start on that.

But if you're looking at 690, the 690 range of that, you know, 690, you're going to be above 691 at that elevation where that driveway goes in. That driveway itself, within the right of way, it's going to be higher than the road elevation. It has to slope up by city standards. It's going to have very little impact, as we say.

What occurs on the lot then becomes regulated by the Floodplain Overlay District. And it will all be done within conformance of that. And we will not cause the amount of rise that that district would allow. It's going to be much less than that.

MR. STRODTMAN: Miss Loe?

MS. LOE: It's a question for Staff. Are we approving driveway locations at this time?

MR. PALMER: No, you are not.

MS. LOE: Thank you.

MR. STRODTMAN: Any additional questions of this speaker, Staff -- Commissioners?

I see none. Thank you, sir.

MR. KRIETE: Again, I would be happy if there's any other questions that come up regarding floodplain and all, I can discuss that further and be happy to come back up. Thank you.

MR. STRODTMAN: Thank you.

Anyone else want to come forward?

MR. KEMBLE: My name is Nile Kemble. I live at 3000 East Henley, just on the other side of Highway 63.

Three questions. First, if I talk now do I get to come back for 18?

MR. STRODTMAN: Yes.

MR. KEMBLE: Okay. Second, they mentioned that the discharge from these plats was going to go towards the creek. Is it going to be part of the city sewer system or is it going to discharge into the creek?

MR. STRODTMAN: My understanding is it would be discharging into that southeast corner, which would be part of the -- the storm water that's already set up there for that. It was planned for that drainage to come.

MR. KEMBLE: Okay. Those are my questions. Thank you.

MR. PALMER: I believe it already drains that way. So then any further development on the property will have to be -- additional storm water will have to be mitigated as part of their development.

MR. KEMBLE: Okay. Thank you.

MR. STRODTMAN: Thank you, sir.

Commissioners, any questions?

Anyone else want to come toward and speak to us this evening? You're welcome to.

I see none.

Commissioners, any additional questions or information needed, or other discussion or a motion?

Yes. Mrs. Burns?

MS. BURNS: I appreciate the discussion on this, and I'm going to look forward to, as it comes back in a more finalized manner, to look and see what's planned for these three lots. But at this point in time I think we've received good information from Staff. Thank you.

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: Thank you, Miss Loe, for keeping us on task concerning the floodplain regulations and concerns.

Due to the fact that this is just a preliminary, and I can't wait for the final to come up, I would like to make a motion, sir.

MR. STRODTMAN: Yes, sir. Go ahead.

MR. STANTON: As it relates to Case 18-35, Centerstate Plat 14, preliminary plat, I move to approve.

MR. STRODTMAN: Thank you.

MS. RUSSELL: I'll second that.

MR. STRODTMAN: Commissioners, we have a motion that's been made by Mr. Stanton for Case 18-35. Has received its proper second by Miss -- Mrs. Russell.

Is there any discussion needed for this motion?

Mr. MacMann?

MR. MACMANN: Just a comment. Gentlemen, this has absolutely nothing to do, what I'm about to say, with your project. Personally until we get clarity on the sensitivity and floodplain issues, and we haven't had a chance to discuss it, I am going to vote no on these floodplain issues and letting -- letting everyone else know that's where I -- because I -- I don't have -- I don't have -- I don't have any information and every interpretation. I don't think I can make an informed choice.

MR. STRODTMAN: Thank you. I understand, Mr. MacMann. Thank you.

Any additional discussion or comments on this motion?

Ms. Loe.

MS. LOE: I agree with Mr. MacMann. I actually don't have an objection to this, but I do feel that we are getting -- we have conflicting literature in our code at the moment, and because of that I -- I am also going to vote no.

I feel like we're choosing one passage over another under which to look at this. And I don't feel that's that correct.

MR. STRODTMAN: Also just so for the record. This is some -- this floodplain overlay is something that the Staff just earlier this evening discussed at our work session, and we are actually going

to have this topic on a future -- the January 18th work session we're going to have this specific item on the agenda.

So we would like to have further discussion on this because we do know that there is some issues with it. So just for the record.

Any additional comments before we ask for a roll call?

Mrs. Burns, would you ask -- do a roll call when you get the time?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Harder, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Voting No: Mr. MacMann, Ms. Rushing, Ms. Loe. Motion carries 5-3.

MS. BURNS: Five to three. Motion carries.

MR. STRODTMAN: Thank you, Mrs. Burns. Our recommendation for approval of the preliminary plat will be forwarded to City Council for their consideration.