

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**December 21, 2023**

**Case Number 33-2024**

**A request by Allstate Consultants (agent) on behalf of Rock Ivy, LLLP and Thomas K. Gordon (owners) to rezone 24.23 acres of property from the A (Agriculture) and R-1 (One-Family Dwelling) districts to the M-C (Mixed-use Corridor) district. The subject site is located on the east and west sides of Fairview Road between Bernadette Drive and Worley Street, and is addressed as 700 Fairview Road.**

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning to the M-C District.

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

MS. PLACIER: I -- I just had one question. You recommended approval despite your concerns about some of the uses allowable under M-C. What made you recommend approval despite that?

MR. PALMER: The items in my conclusion about the existence of the buffer, the natural buffer, and also just the access to the major roadways. The site is situated such in a road network that it's -- it's appropriate to have those warrantance [sic] of uses. The kind of rub is, you know, you do have residential in close proximity, and so I think that green space does offer an acceptable buffer. It would be above and beyond anything that the Code would ever require, obviously, and then there's also just the physical distance that's separating the two. So, you know, it's kind of a weighing of the pros and cons and at the end, I do feel like it's appropriate, so --

MS. GEUEA JONES: Okay. Thank you. Any other questions for staff. Seeing none. We will open the floor -- Oh, I'm sorry. Commissioner Carroll?

MS. CARROLL: Yeah. Were there -- were there going to be changes to the intersection at Bernadette?

MR. PALMER: No. Actually the plan just shows that it's extended through.

MR. ZENNER: If you're familiar with where the driveway is that leads back to our power plant, that would basically just be widened, and it follows that general alignment.

MS. CARROLL: Okay. Thanks.

MS. GEUEA JONES: Any other questions for staff? Seeing none.

**PUBLIC HEARING OPENED**

MS. GEUEA JONES: We'll open the floor to public comment.

MS. LAMAR: Good evening. My name is Phebe LaMar; I have offices at 111 South Ninth Street. I'm here this evening on behalf of Rock Ivy LLP, and Thomas Gordon, who own together the approximately 24 acres east and west of Fairview Road and north of Worley. My client is seeking to rezone all of their property to M-C to match the small portion at the northern end that's already zoned that, and it's also requesting approval of a preliminary plat that was displayed to you this evening. Originally, my client approached the City staff with a concept review for the self-storage facility as was discussed as a result of the comments that we got from City staff. Instead, we came back with this proposal to rezone the entire thing -- the entire piece of property and also to submit the preliminary plat for the entire piece. At this location, M-C is the most reasonable zoning option. If you look at the larger zoning map, which you didn't have in front of you, all of the property that's north of the Mall up -- up to I-70 is zoned M-C, so all the way over to Stadium, all the way along that, that's all M-C, so this is certainly not spot zoning, this is absolutely a zoning -- a zoning district that makes -- makes sense. And if you look at the Mall property, which is the only property -- well, maybe not quite the only property, but pretty close, the main property in that area that is zoned PD as opposed to M-C, there are lots of reasons for that that include access issues, also the fact that the property itself, the larger Mall area is owned by multiple owners, so there are all kinds of issues that go along with the fact that that has to be zoned PD. Not only that, but it was zoned that prior to the adoption of the UDC in 2017, and the UDC certainly discourages the use of planned zoning as opposed to the regular zoning. So M-C in this area is the type of zoning that makes sense. As Mr. Palmer also pointed out, there is the green space area. I went back and looked, and there's a deed restriction on the property for at least a portion of that green space that requires that it be used for that only at the time that it was deeded, and that will continue into perpetuity. So there is buffering between the residential zoned property and the commercial property that's built in and has to stay that way. It's also important to note that the City will -- will and can require a traffic impact analysis prior to the issuance of a building permit or approval of a side plan or conditional use permit, and that will address if there are traffic issues at that time, and whether there need to be traffic -- need to be improvements made to the infrastructure at the time that actual uses are being put into place. The proposed preliminary plat is compliant with all City ordinances and should therefore be approved. For all these reasons, and those already provided by City staff, we request that this rezoning and the preliminary plat be approved. Ron Shy, who is the engineering on the project, and I are here and happy to answer any questions that you have.

MS. GEUEA JONES: All right. Thank you. Any questions for this speaker? Seeing none.

Thank you so much.

MS. LAMAR: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Seeing none. Any Commissioner

comments on this case? Seeing -- oh, Commissioner Loe?

MS. LOE: Just clarification on the traffic improvements. Commissioner Carroll was asking about Bernadette. On Worley Street, any improvements there would be -- come out of the traffic study?

MR. PALMER: Potentially so. Actually with the Walmart development to the south here, there was some plans to improve and realign Fairview so that it met at that intersection as opposed to having a jog. Part of that discussion ended up creating the green space on the south side. It was part of the MBS property, and it was deeded to the City with a deed restriction. And because of some of the topography and other issues, that road alignment just wasn't feasible to begin with, a lot of it being utility easements, stuff like that, that nobody was really interested in moving. Then also I know there's steep slopes in there and some other things, but just the fact that it's, you know, probably climax forest in most of it. But anyway the end result, though is that that jog is -- was designed to stay there. The City traffic division created a new design for improvements that is not on the CIP plan at this point, but they do have a design for it, and it maintains that jog. So I don't know what improvements would be necessary, but yes. If they propose a use that meets the threshold of 100 trips, they will be required to have that traffic study, and the traffic study would be recommending whatever improvements at that time, and it would be part of their approval process for their building permit, so --

MS. LOE: All right. And the reason I asked this is just with that jog, and it currently only being controlled by stop signs, it can be a bit problematic.

MR. PALMER: Yeah.

MS. LOE: Long waits, and you're shuffling in and out of that lane. So I'm anticipating that if we're adding traffic, I was just curious if we're talking about adding lights or traffic circle, and would those options then be on the table?

MR. PALMER: It's all potential outcomes, yeah.

MS. LOE: Right.

MR. PALMER: And I'm not sure what would be a good design for that -- that jog. It's problematic, obviously, so --

MS. LOE: Thank you.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Traffic analysis includes pedestrian traffic. Okay. Yeah. I feel like I would be remiss if I didn't point out pedestrian traffic on Stadium is pretty inhospitable because of the traffic on Stadium. If you're trying to get to the Columbia Mall or to the Walmart shopping from central city, it's actually maybe less frequented, but pretty important pedestrian route to go across Worley or Ash and up Fairview. I use it myself quite a bit. I know other people within the pedestrian community that try to use cars less use that same route. I realize we're in the minority, people who want to do Walmart shopping by bike, but I still think that it's an important consideration.

MS. GEUEA JONES: Anyone else? Questions for staff, or where are we at? We're at Commissioner comment. Okay.

MS. LOE: We're in comments.

MS. GEUEA JONES: Come on, Sharon. Let's go. Okay. Any other Commissioner comments? Okay. Seeing none. Anybody want to -- okay. Commissioner Loe?

MS. LOE: In the case of 33-2024, Gordon Farms rezoning, move to approve the requested rezoning from R-1 and A to M-C.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, 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: Mr. Stanton, Mr. Dunn, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

MS. CARROLL: We have eight votes to approve. The motion carries.

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