

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBERS
701 EAST BROADWAY, COLUMBIA, MO

JULY 6, 2023

COMMISSIONERS PRESENT

Ms. Sharon Geuea Jones
Ms. Valerie Carroll
Ms. Sara Loe
Mr. Michael MacMann
Ms. Peggy Placier
Mr. Matt Ford
Mr. Zack Dunn

COMMISSIONERS ABSENT

Ms. Shannon Wilson
Mr. Anthony Stanton

STAFF PRESENT

Mr. Pat Zenner
Ms. Rebecca Thompson

I. CALL TO ORDER

MS. GEUEA JONES: I will now call this meeting of the Planning and Zoning Commission to order.

II. INTRODUCTIONS

MS. GEUEA JONES: Commissioner Carroll, may we have a roll call?

MS. CARROLL: Commissioner Dunn?

MR. DUNN: Aye.

MS. CARROLL: Commissioner MacMann?

MR. MACMANN: Present.

MS. CARROLL: I am here. Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

MS. CARROLL: Commissioner Ford?

MR. FORD: Here.

MS. CARROLL: Commissioner Wilson? Commissioner Loe?

MS. LOE: Here.

MS. CARROLL: Commissioner Stanton? We have seven; we have a quorum.

MS. GEUEA JONES: Thank you.

III. APPROVAL OF AGENDA

MS. GEUEA JONES: Mr. Zenner, are there any changes to the agenda?

MR. ZENNER: No, there are not, ma'am.

MS. GEUEA JONES: Thank you. Is there a motion to approve?

MR. MACMANN: Move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Loe.

Could I have a thumbs up approval of the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Thank you very much.

IV. APPROVAL OF MINUTES

MS. GEUEA JONES: We all received a copy of the June 22nd, 2023 regular meeting minutes.

Are there any adjustments or changes to the amendment -- or to the minutes?

MR. MACMANN: Move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Approval moved by Commissioner MacMann and seconded by Commissioner Loe. Could I get a thumbs-up approval?

(Seven votes for approval; one abstention.)

MS. GEUEA JONES: Unanimous, with one abstention by Commissioner Geuea Jones. Thank you very much for that.

V. PUBLIC HEARINGS AND SUBDIVISIONS

Case Number 182-2023

A request by SSE, Simon & Struempf Engineering (agent), on behalf of Jeremy Spillman and Brooks Chandler (owners), seeking approval to rezone 2.22 acres of property from the R-MF (Multiple-family Dwelling) district to the R-2 (Two-family Dwelling) district to facilitate cottage-style development. The subject site is located southwest of the intersection of Old Plank Road and Bethel Church Road, and includes the address 200 West Old Plank Road.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the rezoning to R-2.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, did any of my fellow Commissioners have any outside contact with parties to this case? If so, please disclose so now. Any recusals? Seeing none. Any questions for staff? Commissioner Carroll?

MS. CARROLL: I think I heard in your staff report you mentioned that there were environmental constraints?

MR. ZENNER: We have some slope, not -- not that aren't overcomeable, but we do have some

slopes on the property that will have to be addressed. That's probably the primary environmental constraint associated with the land. That, however, can be incorporated, of course, in with the development lots themselves.

MS. CARROLL: Thanks.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Just a note on the map. I was noticing on the locator maps that storm -- storm water, there's a spot of storm water for the City just off this property. Is there any difficulty connecting this to any storm-water issues or services?

MR. ZENNER: There has been nothing that was offered as a part of the actual plan review for the preliminary plat that I am aware of or that came up in the record.

MR. MACMANN: All right. I'll readdress this. Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. I will open public hearing on this case.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Anyone here from the public to speak on this case? Come on up. Don't be shy. Please state your name and address for the record.

MR. POEHLMAN: Michael Poehlman; I live at 1101 Park Ridge Drive.

MS. GEUEA JONES: Sorry. Could you pull up the microphone a little bit?

MR. POEHLMAN: Yeah.

MS. GEUEA JONES: Thank you.

MR. POEHLMAN: Michael Poehlman.

MS. GEUEA JONES: Thank you very much.

MR. POEHLMAN: I live at 1101 Park Ridge Drive, and I'm part owner of the land north of there, and also, I own a house just north and west of there. Okay? So my big concern is Old Plank Road and the traffic. Okay? So has anybody done a traffic study on this? Did you do a traffic study, Pat?

MR. ZENNER: I'll answer questions, Mr. Poehlman, once we've closed the public hearing.

MS. GEUEA JONES: Sure.

MR. POEHLMAN: Okay. All right.

MS. GEUEA JONES: So your concern is traffic?

MR. POEHLMAN: Okay. So I'd like to know if a traffic study was done. All right? I -- and -- or has -- has even -- has anybody gone out there and measured the traffic on Old Plank Road. Okay? I did that this spring before school was out. I counted, like, 4:00 in the afternoon, I counted 500 cars in an hour. Five hundred. Okay? And I -- and I set up a trail camera, too. And in a 24-hour period, 2,700 cars. Okay? It's a ton of traffic, and it's a ton of traffic on a road that really hasn't changed much in 150, 175 years. Okay? It hasn't changed much. It's been paved, but that's it. The width hasn't changed any. Okay? And the -- the warning sign, like, in front of, you know, south of us between here and that

other property, it's, like, knocked down. Never -- nobody ever repaired it. Okay? And the other thing is the traffic enforcement. Okay? I never ever, ever see a Columbia police car out there enforcing traffic. I've never seen it. I see them go up and down the road a lot, but I've never seen them enforcing traffic. But I do see the Boone County Sheriff, they station themselves up at Bethel Church, and they will try and catch, you know, people running the four-way stop. In fact, I was there this afternoon for about an hour on our property just doing some work. Well, first of all, I went up to get my tractor at the neighbor's house, and I was walking on Old Plank Road, and when one car is coming and there's another one coming, there's no room. I had to jump in the ditch twice. Okay? And I see a lot of students out there doing the same thing, trying to jog, trying to ride their bike, and they are in the ditch. And it's just a matter of time before something bad happens. Okay? But the -- the sheriff, they showed up out there today, and they were enforcing the traffic out there on a City street. Okay? I mean, what would Boone County taxpayers think if they knew that their sheriff was -- and their deputies were patrolling City streets for traffic. Okay? And I have a picture on my phone that I took of a deputy pulling over a speeder, and that was today. I mean, all this -- it's a ton of traffic, and it's not managed. Okay? It's not enforced. So I don't even know how you can be here tonight considering even adding one more car to that road.

MS. GEUEA JONES: Thank you very much.

MR. POEHLMAN: There's no -- but there's no plan, is there, to improve it?

MS. GEUEA JONES: I'm not sure about that, but thank you --

MR. POEHLMAN: But shouldn't that be considered? Shouldn't that be discussed tonight if there was plans to improve the road?

MS. GEUEA JONES: I promise you we'll get to Commissioner comments, and you'll hear a lot of them.

MR. POEHLMAN: And the other thing is --

MS. GEUEA JONES: Hang on just a moment.

MR. POEHLMAN: -- what about the school bus? Where's the school bus going to stop?

MS. GEUEA JONES: Sure. I'm going to have to ask you to wrap up, and would you take some questions from the Commissioners?

MR. POEHLMAN: Yeah.

MS. GEUEA JONES: Okay. Thank you. Commissioner Carroll?

MS. CARROLL: Can I ask how you would feel about a multi-family building on that lot?

MR. POEHLMAN: It doesn't matter. It's the traffic, it's the added traffic.

MS. CARROLL: I understand. It's presently zoned multi-family --

MR. POEHLMAN: I know.

MS. CARROLL: -- so that they could build a multi-family building by right on that lot.

MR. POEHLMAN: But right now, there's nothing.

MS. CARROLL: Right. There's not going to continue to be nothing. If they built a multi-family,

how would you feel about that?

MR. POEHLMAN: I don't have any control over that. It's the traffic.

MS. CARROLL: I understand.

MR. POEHLMAN: The road is maxed out, and to say simply, oh, 30 more cars, that a -- ah, that's okay, it's no problem. People have been saying that, Commissioners have been saying that for 50, 100 years. Ah, what's a few more cars.

MS. CARROLL: I think our concern is that there could be a lot more cars, and this is considerably less than what is possible.

MR. POEHLMAN: That's not the right answer. That's not a good answer. The road can't take any more cars. It's maxed out.

MS. CARROLL: But this is in our power, and that's not.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: I'll save Mike -- I'll save Mike that for later.

MS. GEUEA JONES: Oh. Okay. Thank you. Any other members of the public to speak on this case, please come forward. Name and address for the record.

MR. VEACH: Kelly Veach; my residence is at 2620 East Highway 163, Columbia, Missouri, and I do own property downtown that I pay taxes on. I am friends of the family of the Nancy Gore Trust. This is her daughter, Martha. So her tract is just to the west. Mr. Zenner, can you put up that postcard?

MR. ZENNER: I don't have the postcard, sir.

MR. VEACH: Well, the one that you had earlier that looked like a postcard where it showed -- there you go.

MS. THOMPSON: Can you pull the microphone down, please?

MR. VEACH: You bet. Is that better? Okay. All right. So, just to the left is that white tract of land; that is in the County. The -- so as far as the preliminary plat, I don't know how all this works, but the way it's designed right now, there's a stub -- stub street that points over towards the Gore property, and it goes at a right angle. I -- this is all pretty rushed. I wasn't able to download anything until Friday after 5:00. We did meet with the owners for about a half hour yesterday, and they were not opposed to changing the angle of that stub street so that if the Gore property, being a sister developed lot, the stub street would run parallel to the bottom property line and that would make a better-looking layout for lots on the south edge of that. I've got -- you know, I made some photocopies. There are ten of them here I can share with you guys to explain what I'm talking about. I'd be happy to share those with you. Another question, and again, I don't know when to ask this. If the County sewer would be -- if the developer would extend that to the west to the property line where the Gore property starts, so with that -- when that property was developed, they could tie into that. And the -- do you have the one with the preliminary plat you could put up, please? So this one here you'll see on the -- on the west side, there's -- it looks like six lots. I believe the developer felt that first lot would have to be sacrificed for

sidewalk and some other setbacks. So there would be five properties, and these are going to be, he felt, three-bedroom homes. The driveways only allow for two cars, and if you have that diagram, the second car has to be parked cock-eyed, so it's not even -- you can't pull in parallel. And then on the street, there's only room for one parking space in between each of the aprons that go to each of the property. I mean, so it is an interesting development, but what I see happening is a three-bedroom unit, unless there's going to be some sort of -- you know, they have to be owner occupied, they'll probably be possibly, you know, three non-related people. I believe that's still legal to have up to three non-related people in a household. That gives you three cars. At 18 properties, we're looking at -- what is that, 54 cars? I don't know how that would compare to a multi-family development. Still quite a few cars. And if we ended up developing the sister property, it would be more cars dumping onto Bethel. So I've got pros and cons for that, but I just want to make sure the Gore property is protected for future development where that stub street could be extended, and then it would have to be, you know, dealt with leading back up to Bethel -- I'm sorry -- up to Old Plank in some manner. The five lots that you see bordering on the northern side of his property, the Gore house was built in 1880. Very, very mature trees along that fence line. About 30 -- 20, 30 feet from that fence line is a most beautiful Silver Maple. It's just huge, and I don't know how that works when developers, when they disrupt the roots, what happens there. I don't know whether we could put ten grand into escrow and then wait two or three years to see what dies and have an adjustment for any kind of damage done to the trees.

MS. GEUEA JONES: Thank you, Mr. Veach.

MR. VEACH: I don't know if --

MS. GEUEA JONES: I'm going to have to ask you to wrap up.

MR. VEACH: Okay. And the next thing is if he will put any fencing for privacy along that west side.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much. Anyone else from the public to speak? Please come forward. Name and address for the record.

MS. GORE: I'm Martha Gore; I live at 254 West Old Plank, so my property is the property line. So when he puts his sewer lines in, he is going to destroy about 30 of my trees because this is backfilled property. He has the option, because I was speaking with him yesterday, to put his sewer lines in the middle of his street. He does not want to do that. I don't know what his reasons are. He would rather put them on the fence line or close to the fence line which, as he was saying, is going to kill all my trees. So that is a big concern to me because that is a huge part of my property value. And I will say, as far as traffic goes, when I pull out of my driveway from 8:00 or I should say about 7:30 in the morning until about 15 minutes before 9:00 in the morning, the traffic is backed up and I cannot get out of my driveway. It's back up from the intersection of Bethel Church to my driveway. So if this development has three cars per cottage, I have no idea how that's going to work. So I'm not opposed to a development, maybe not

18 -- something like that. I mean, I do want to develop at some point, not next week. So that is something to be taken into consideration, and we're not even talking about kids. The other thing that I worry about are kids and buses. The other thing that I worry about is when you have high-density developments like this, and he cannot guarantee me that they're going to be owner occupied, how do I know that's not going to turn into Demaret or is it Citadel or Bodie Drive. I mean, this is a recipe for Section 8. There's no way that he can tell me it's not going to be, and that's all I have to say.

MS. GEUEA JONES: Any questions for this speaker? Seeing none. Any other members of the public who wish to speak on this case? Last -- oh. Please come forward.

MR. HAZLETT: Good evening, ladies and gentlemen. My name is Andrew Hazlett; I live at 555 West Hickman Drive. And my concern is about the school buses. I have two children who attend Rock Bridge Elementary, and during the 2022-2023 school year, nearly every day, shy of about maybe seven to ten days, the bus was at least 30 minutes late picking up and dropping off, and we were forced to drive the kids to school, which it's not a far drive, but it seems rather silly to me to increase the population density along a bus route that failed in over 90 percent of days to get the kids to school. One of the mantras of Rock Bridge Elementary is being a safe, respectful learner, but that's difficult when the kids can't get to the school or get home in a timely manner. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Any other members of the public who wish to speak on this case? Last call. All right. We'll close public hearing and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments? Commissioner MacMann?

MR. MACMANN: A couple of things, as we've been going through this, and I had some of these same questions, and I used to live down here on Old Plank, so I'm more than familiar with the road. I have done some numbers. By right, right now, if he was to max it out, he could have 152 beds. Average population density in Columbia, we have about 39 to 41 human beings, vis-a-vis, 152. Some of these issues are beyond our purview. I don't -- yeah. Some of these issues are beyond our -- we do nothing, and he can do whatever he wants with it. And I think some of these issues, it would be my hope that adjoining property owners would enter into negotiations with each other because they're just really like the placement of the storm lines and the sewer lines. That -- that is not us. I'm going to hold the rest of my water for the moment. Thank you.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Placier?

MS. PLACIER: Yeah. I had a question. Now this -- part of the complexity here is the combination of City and County zoning. Am I correct in that the R-M, the County zoned property just to the west of there is also multi-family? That's what R-M stands for in County speak?

MR. ZENNER: That is correct.

MS. PLACIER: Okay. So this whole block there has been designated for multi-family, which

would be very dense. Even one of -- oh, what's the name -- Ms. Gore said that your plan was to develop eventually someday. Maybe I misheard that, but I thought that's what you said. So this is -- it's -- it's a tough area because of that combination of zoning types and City-County. And well, it isn't our job to look at traffic or road improvements or that kind of thing. It is evident from the comments that that is going to be coming up and it's going to be a concern for the residents. Our job is to decide if it could change from R-MF to something less dense, less impactful than R-MF. That's not going to prevent the R-M, because that's County, so we'll have nothing to do with that.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Yeah. You got towards what I was going to comment on towards the end there. I think it's important for us to keep in mind that we have an action here for rezoning and a separate action for the plat. This is a down-zoning. This is down-zoning an R-MF to R-2. The plat is in the next action. Aside from that, I can relate to you. I also live on a major collector and I have traffic problems and I can't get out of my driveway, and I've spoken to City Council on more than one occasion because of that. It's hard. Down-zoning this is safer for you than leaving it R-MF. It is. And -- and I feel like, you know, it looks like this is adding density because there's a plat here with 19 plats on it, but it is a down-zoning, and it has the possibility of having a lot -- a lot more density. I view this as a compromise, and perhaps more favorable in the long run. And I do acknowledge the substandard conditions of Old Plank Road.

MS. GEUEA JONES: Any other Commissioner comments? Would anyone like -- oh, sorry. Commissioner Placier?

MS. PLACIER: Well, just about to go over that again. I hope that the commenters realize that in both the R-MF indicated there with the -- for the City, and the R-M, those right now, by right, because they've already been approved, you could have gotten up tomorrow and seeing them breaking ground for large multi-family apartments. We would have nothing to do with that. We've already rezoned it, already ready to go. So the only thing we're doing is trying to make it less dense.

MS. GEUEA JONES: Thank you. Commissioner MacMann?

MR. MACMANN: If my fellow Commissioners have no more comments or concerns, I have a comment and then I have a motion.

MS. GEUEA JONES: Go ahead.

MR. MACMANN: Just so our -- an audience knows here, all of our motions must be made in the affirmative. I will move to approve this. That doesn't reflect my or anyone else's views. We just have to say we approve this and -- so I'm going to make -- I'm going to make this motion in the positive. In the matter of Case 182-2023, 200 West Old Plank, rezoning from R-MF to R-2, I move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Loe. Is there any discussion on the motion? Seeing none, Commissioner Carroll, may we have a roll call when

you are ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Loe. Motion carries 7-0.

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

MS. GEUEA JONES: Thank you. Are there any other motions on this case? Seeing none. That recommendation will be forwarded to City Council. Moving on to our next case. This is the platting action on the same property.

Case Number 183-2023

A request by SSE -Simon & Struempff Engineering (agent), on behalf of Jeremy Spillman and Brooks Chandler (owners), seeking approval of a 19-lot Preliminary Plat to be known as OPR Subdivision Plat 2. The property is presented zoned R-MF (Multiple family Dwelling) and proposed to be rezoned R-2 (Two-family Dwelling) such that it may be developed utilizing "cottage" dimensional standards. The approximately 2.22-acre subject site is located southwest of the intersection of Old Plank Road and Bethel Church Road, and includes the address 200 West Old Plank Road.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the preliminary plat to be known as OPR Subdivision Plat 2, subject to technical corrections.

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

MS. CARROLL: So you contacted the group -- the neighboring property owners by postcards for these two applications. Did you get any responses?

MR. ZENNER: I believe I've received a phone call, I believe it was from Mr. Poehlman, as well as Mr. Veach, in regards to the property to the west, and then general questions from Mr. Poehlman, if I recall. And we sent out early notification postcards for the purposes of the platting solely for questions to be asked as to what's happening and being able to give them an understanding. Again, we are not obligated by any requirements of our Code or statutorily to notice subdivision development. We do that all as a courtesy. But we did follow all of our requirements and statutory standards for advertising on the zoning action.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: Yeah. Just to get some of your knowledge on this, and to make sure I'm clear, you said that the staff thought maybe some of these lot were small, but that was not your prerogative to tell them as long as they get approved under the cottage standards by the Board of Adjustment and not by us, that this can go forward. You weren't able to tell them to change it?

MR. ZENNER: No. I mean, you -- our regulations stipulate a minimum lot size that must be created. These lots are just over -- the smallest lots within the development are just over 3,000 square feet. That is the minimum lot area required. Now what that creates from a buildable area is different, because as long as you have a 3,000 square foot lot, your setbacks will define what you're building envelope is, and the lots in question that are significantly smaller than what we would normally think accommodating for a home is the lot that is here, and some of that has to deal with the fact that there is a required 20-foot utility easement that is impacting the front of the property. And then, of course, as this lot does come back to a pie back here, the buildable area really is more in the middle of the property here, and it -- it requires somebody that is going to have to be creative in architecture. It's either the house is going to have to either be stepped back as it moves further back on the lot, meaning that living space in the rear may be narrower than the front. But otherwise, all of the lots are conventional in their lot width that they have along the streets rights-of-way that they're being created. They meet the minimum lot width of 30 feet, if not greater. And, yes, there is a concern -- there was an expressed concern as it related to the parking, as Mr. Veach brought up, during the rezoning request. That has been provided to us. While the depiction that was provided shows two full-size pickups parking in the driveway, they meet the requirements. They are -- in the R-2 zoning district, you are capable of parking within the front yard setback. You are not limited to just tandem parking. And so the driveway does occupy a majority of the front of these parcels. The parking on street, we do not have and we do not mandate on-street parking. We do not mandate the functionality of on-street parking, and that is -- was an observation that our staff has also made. So there are a number of observations that we have made as professionals that deal with design, deal with development every day, but they are observations. They are friendly notations to the applicant that you may have a development that is going to have some challenges. That's all we can offer is our learned opinion from our experience of looking at multiple, if not hundreds or thousands of developments that we have seen and the problems that we have seen created. I don't -- I can't -- I can lead a horse to water, I can't force it to drink.

MS. PLACIER: It sounds like the road problems possible need for improvements. That's going to have to be a -- a different department than ours to deal with if it does turn out to create more traffic issues. But what about the buffering? Somebody said what if they put fences along their backyards and I have to look at those fences. With something like this, it's not like a commercial development where we often see buffering. What -- is there anything that can be done to mitigate that, or is that just going to be up to the developer to figure out how to -- or to maybe work with the neighbor -- neighboring property owner?

MR. ZENNER: There is no required buffering between like land uses. And so single family, which this is a smaller version, smaller lot version than single family, against the existing single family to the west, which is zoned actually multi-family, so there really -- if there would be any buffer, that buffer would be minimal level one, six feet landscaped strip. If somebody wants to put up an eight-foot

stockade fence on their property, that is entirely left up to that property owner or the developer. It may frustrate the adjoining neighbor, and the neighbor may have concerns as it relates to the destruction of the root system that their trees are enjoying. You know, that's a private -- that's a private property owner issue. That is not something that we are going to intervene on. I'm sure if the applicant wants to avail themselves of our City arborist's advice, our arborist can offer suggestions, but this -- many of the concerns that were raised during the prior hearing have a lot to do deal with communicating outside the purview of this Commission and outside the purview of the City.

MS. GEUEA JONES: Are you done?

MS. PLACIER: Yeah.

MS. GEUEA JONES: Thank you. Commissioner Carroll?

MS. CARROLL: I don't remember raising my hand.

MS. GEUEA JONES: Sorry. It was Commissioner Loe.

MS. LOE: Just following up on the comment -- comments about lot size. I wanted to thank Mr. Zenner for bringing that up, because one of my questions was going to be if they could revise the lot layout since I independently observed that once you add in the easements, the buildable footprint area did seem to be quite tight on several of these lots. I just wanted to add my voice to that concern.

MS. GEUEA JONES: Thank you. Any other questions for staff? Mr. Dunn?

MR. DUNN: Does the applicant have anybody here today?

MS. GEUEA JONES: I don't know, but we will call for public comment here in a moment. Anyone else? Commissioner MacMann?

MR. MACMANN: Just a point of reference. We're talking about buildable lot areas. I'm just going to throw this out there. While we've been speaking, I've been doing this on these smaller lots. This is not super scientific. Eighty to thirteen hundred, depending on exactly how big. The smaller lots, 60, it's, you know, do that.

MS. GEUEA JONES: Footprint.

MR. MACMANN: It is hard to get three bedrooms in there, but you can do that. Just thought I'd put that out there.

MS. GEUEA JONES: Thank you. Any other questions for staff? We're on the order of questions for staff. Seeing none. I will open public comment again on this case.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If you want to come forward and add anything to your additional comments, that's fine, but please don't repeat what you said from the previous case. Go ahead, Mr. Poehlman.

MR. POEHLMAN: Thanks for inviting comments. I know you don't have to on this.

MS. GEUEA JONES: Please state your name and address for the record.

MR. POEHLMAN: Michael Poehlman.

MS. GEUEA JONES: Thank you.

MR. POEHLMAN: 1101 Park Ridge Drive. Mr. Zenner did a great job with the staff report and covered most everything. The one thing I would like to hear more about is the turnaround at the end there. I was expecting a cul-de-sac there, and I'm just wondering how this sits with the fire department, with Public Works and the garbage truck, and how they're going to turn around. Will there be a school bus that has to turn around down there? What about a snow plow? And I could envision people parking down there, too, and filling that space up. So I don't know how effective it is, and I'm really surprised not to see a cul-de-sac there. Okay?

MS. GEUEA JONES: Thank you very much for your comments. Oh, I'm sorry. Mr. Poehlman, we had a question for you.

MR. MACMANN: Just, if I can piggyback on what you said just a little -- for just a moment. Just to let you know that fire and everyone else gets chances to review this, and if the fire -- knowing the fire department as we do, if they didn't like this, they would let -- they would put a kibosh before ever came here because they have that kind of authority. In regards to cul-de-sacs, we're trying to eliminate cul-de-sacs because of the problem that you spoke of. It's difficult to turn around in. I just wanted to let you know that that was case, and for you and all your neighbors, and I appreciate your pain. I used to live down here on Old Plank. Old Plank is not currently on the Capital Improvement Plan list. There's no approved money. That's a concept right now. For those of you who live in the City, I suggest you speak with your Councilperson, Mr. Waterman, to get some money to expand that road because, right now, it's just barely a dream to put money into that road.

MR. POEHLMAN: This whole attitude of us, you know, this, them, that, and it never gets done. Nothing gets done, and that's just -- it's a poor excuse.

MR. MACMANN: Well, that's why I suggested you speak with your Councilperson, Mr. Waterman.

MR. POEHLMAN: I've talked to him endlessly, and it hasn't done anything.

MR. MACMANN: I'm sorry to hear that.

MS. GEUEA JONES: Thank you, Commissioner. Any other questions? Seeing none. Okay. Are there any other public comments? Please be sure to add something new to your previous comments.

MR. VEACH: Kelly Veach, 2620 East Highway 163, Columbia, Missouri. I just wanted to know if I could enter this document on --

MS. GEUEA JONES: Sure.

MR. VEACH: I don't understand how this works, whether if you guys approve that, if that's what moves forward. I did speak to the builders, and they're not here to substantiate this, but they did like the idea of this change here, so --

MS. GEUEA JONES: If you will hand them to Mr. Zenner. Thank you. All right. Mr. Veach,

did you have another comment, or were you just trying to get those into the record?

MR. VEACH: Get those into the record.

MS. GEUEA JONES: Okay.

MR. VEACH: I have copies there if you wanted to look at those, so --

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you. Any other members of the public to speak? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Commissioner Placier, did you have any additional comments? Okay. Commissioner Carroll?

MS. CARROLL: I am somewhat troubled that the applicant isn't here to speak. I feel like his presence could address some of the concerns in some of the topics that have come up tonight. We do typically have applicants present. I guess I would encourage him to attend the Board of Adjustments. At this point, they would have to get cottage standards approved by BOA. And that's really my only comment.

MS. GEUEA JONES: Thank you. Any other comments from Commissioners? Commissioner MacMann?

MR. MACMANN: I have a comment and then if my fellow Commissioners have nothing else, I will make a motion. My comment is to follow -- is as follows. I, too, am disappointed that there was no agent from the owner here until this mission -- till this closed. That doesn't always bode well. Just enough of that. I have a motion.

MS. GEUEA JONES: Are there any other comments from the Commissioners? Commissioner Loe?

MS. LOE: I just wanted to follow up on the discussion about parking, and how that's accommodated, and point out that currently our UDC identifies that in a residential district, no paved driveway or outdoor parking should be permitted to cover more than 30 percent or 500 square feet, whichever is greater than any required front yard. Given the small footprint that we're now dealing with in small lots, I'm guessing that 500 square feet is the greater, but I'm guessing, based on this was written when we -- prior to there being small lots, and I would just like to add this item to what we consider with a small lot, so 29-4.3.

MS. GEUEA JONES: Thank you. Any other Commissioner comments? I have a short one. I think cottage lots and cottage standards are a good way forward. I also think that it is highly likely this preliminary plat undergoes some adjustments. It sounds like the developer and the neighbor to the west have already been in some discussion about changing the angle of the stub street. But I -- I do think that this is a good concept for this location, and just wonder if a lot of the little leftover bits of technicalities are likely to work themselves out in the approval of the cottage standard process, as well as the street improvements are going to have to happen at some point. That is it. With that, seeing no one else --

Commissioner Dunn?

MR. DUNN: Thank you. I just want to reiterate that I, too, like the diversity of housing that this project could potentially provide the area. But I also do want to echo some of the other sentiments that were shared about the disappointment of the lack of the applicant here today. I'm new to this Commission. This is my third meeting, but I just, for the record, hope that this does not become a precedent for other applicants.

MS. GEUEA JONES: Thank you. Last call for Commissioner comment? Commissioner MacMann, we are ready for you.

MR. MACMANN: Thank you, Madam Chair. In the matter of Case 182-2023, 200 West Old Plank preliminary plat, with technical corrections --

MR. ZENNER: With technical corrections.

MR. MACMANN: -- with technical corrections, I move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Carroll. Is there any discussion --

MS. LOE: Seconded by Loe.

MS. GEUEA JONES: I'm sorry. Seconded by Commissioner Loe. I skipped ahead of my brain. Is there any discussion on the motion? Commissioner Carroll?

MS. CARROLL: I was disappointed that the applicant wasn't present during comments. I can say that I did, in general, view the application quite positively. The housing diversity and the small lot development is something that we have asked for. I think that is something that's needed. I also think that down-zoning and cottage style development for this R-MF plat, it's a good compromise. It helps address some of the issues. And -- and so I do plan to support this.

MS. GEUEA JONES: Thank you. Is there any other discussion on the motion? Seeing none. Commissioner Carroll, may we have a roll call when you're ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Loe. Motion carries 7-0.

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

MS. GEUEA JONES: Are there any other motions on this case number? Seeing none. That recommendation will be forwarded to City Council.

VI. PUBLIC HEARINGS

MS. GEUEA JONES: Moving on to our next case.

Case Number 184-2023

A request by A Civil Group (agent), on behalf of Robert and Carol Grove (owners), for approval to rezone 1.85 acres of property from the R-1 (One-family Dwelling) district and M-OF (Mixed-use Office) district to the R-MF (Multi-family Dwelling) district. The subject site is located

northeast of the intersection of Garden Drive and I-70 Drive Northwest.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the rezoning to R-MF.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case, please disclose so now. Do we have any recusals? Seeing none. Questions for staff? Seeing none. Very thorough job, Mr. Zenner.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Public comment?

MR. GEBHARDT: Good evening. My name is Jay Gebhardt; I'm a civil engineer in and land surveyor with A Civil Group here in Columbia. And I want to welcome Matt and Zack. This is my first time in front of you guys. I'm really here just to answer questions. I think Pat has gone through quite a bit of detail. If you have questions about what's proposed, it is still conceptual at this time. I would like to say that the name of this subdivision is Rock Haven, and there's a reason for that. It's a very rocky hillside, so I'm trying to get up to the top where we can have a buildable area and preserve the tree cover. My client tonight is Carol Grove, and she is very concerned about trying to maintain as much of the natural what she considers an amenity for this. This would start out as a replat of these lots into one lot so that we could have one single-family -- or one multi-family lot that -- and we did submit that replat just recently to Pat's office. The -- the intent would be to have either some town homes or some single-family attached units that would be for rent in this area. So we just don't know with the -- until we get a good topo, and we know where the rock on this. We just don't know what we actually can do, and so I'm showing two-unit blocks because I need that ability to change the elevations of the floors to be able to adjust with the terrain. So that's -- that's kind of the reason. Carol is not really happy with all that parking. She doesn't think it's needed, and she's probably right on that. So again, this was a kind of conceptual idea at this stage.

MS. GEUEA JONES: Thank you. Commissioner MacMann?

MR. MACMANN: Madam Chair. Thank you for being here, sir. It's really important that the client shows up, and thank you, Ms. Grove, for being here.

MR. GEBHARDT: That was weird.

MR. MACMANN: Can you answer Mr. Zenner's question? I don't think we made a -- if you're outside the flood plain, you don't need a flood plain permit from the City's view, do you?

MR. GEBHARDT: Actually, you do, Mike. When you have a lot -- let's say you have a lot on the Missouri River and you're on the bluff and you're 100 feet above the river, but your lot goes out to the river, you have a flood plain on your lot.

MR. MACMANN: Because of the property line. Okay. I actually ran into this in Cooper County. All right.

MR. GEBHARDT: Flood plain on the property. And it's really easy to get the permit because you're not doing any work in the flood plain, but it's --

MR. MACMANN: I have to demonstrate. This is my own home, folks. I had to demonstrate that the location of my building was notably away from that line, and you'll have to do the same thing, because they did it by micro zip code or something. Something else, do you know the Groves' concept or desire to preserve these trees as much as possible, or that --

MR. GEBHARDT: Yes.

MR. MACMANN: It is? Okay. And minimize the -- I figured it would be. I have no further questions. Thank you very much.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Any other questions for Mr. Gebhardt? Seeing none. Thank you.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Any other public comment on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Seeing none. Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. In the matter of Case 184-2023, Rock Haven Plat 1, Lots 1, 3, and 4, rezoning, I move to approve.

MR. DUNN: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Dunn. Is there any discussion on the motion? Seeing none. Commissioner Carroll, whenever you're ready, we would take a roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Loe. Motion carries 7-0.

MS. CARROLL: We have seven votes to approve; the motion carries.

MS. GEUEA JONES: Thank you. Are there any other motions on this case? Seeing none. That recommendation will be forwarded to City Council.

VII. PUBLIC COMMENTS

MS. GEUEA JONES: Moving on to general public comments? For a second there, I thought you were coming back, Jay. Okay. Seeing no public comments.

VIII. STAFF COMMENTS

MR. ZENNER: Can't let a meeting go by without making some of them.

MS. GEUEA JONES: That would be sad.

MR. MACMANN: Could. You could.

MR. ZENNER: But then you would leave uninformed. So your next meeting is July 20th. We do have a couple of items on that, and we will have a work session prior to our regular meeting at 5:30. We'll be discussing as we discussed this evening in work session preparations for our joint City Council

Planning Commission work session on July 24th at 5:30 p.m. to discuss short-term rental, so come prepared with your list of non-negotiables for the ordinance and we will then work to frame conversation points for our meeting on the 24th. We have several cases that are coming up on July 20th, all of which are actually rezoning actions. No subdivisions for this next case, one of which is a planned development. So we have a rezoning request at 307 North 10th. It is to rezone property from R-MF to M-OF. It is sandwiched in between a planned district and another M-OF parcel. This is on the west side of North Tenth. The second case we have on the agenda is 1215 East Nifong Boulevard. This is the Chester Edwards property that we talked about at our last meeting in June. This is immediately north of East Nifong Boulevard and to the east of the corner of Nifong and State Farm Parkway. This is the oblong tract that is zoned A, proposed to go to M. So the corner was proposed as M-C and recommended for approval by the Planning Commission. The next parcel to the east, which is the subject site, is proposed for M-N, and immediately to the east of that parcel would be the extension -- the future extension of Grindstone Plaza Drive, and that would tie back into Nifong Boulevard. The next request we have is 1990 West Southampton. This is a rezoning to take property that is currently being used as an Americare facility, a long-term assisted living facility that was zoned PD out of the PD designation and placing it in the R-MF designation. Licensure documentation has been provided to us that this facility is operating as a CCRC, Continuing Care Retirement Community, which is a principally permitted land use within the R-MF zoning district. I will let the applicant explain why they are desiring to move away from the planned district, but I can assume that it is because they would like to do an expansion and not require plan approval to do so. The use itself is not being changed. It is just the process by which amendments to that use will be made, I believe, is the underlying crux of the request. And then finally the last case that we have on the agenda is at the southeast corner of West Broadway and Manor. This is the Latricia Thomas Dental Clinic that was brought before us probably about six months ago and was recommended for denial. It is an R-1 parcel. They are proposing now to come back as a planned district. The purpose for the plan is to assure the surrounding property owners and the Planning and Zoning Commission that the applicant's intent is to incorporate two dwelling units into the structure, and then have the dental clinic as well on site. It is the only way that such an arrangement can be contractually constructed. Therefore, the applicant believes that that is more in keeping with what the Commission's concerns were with the property for replacement of dwelling units onto the site, given that there was a home that was removed. The site plan that we have reviewed up to this point is almost fully compliant and the proposal will be brought forward to you and presented at our July 20th meeting. We have not received any neighboring comments at this point, and public notice was placed and sent out earlier this week. Signs will be placed tomorrow. So we know what we're talking about, here are all of our parcels: The North Tenth Street parcel there sandwiched between the M-N to the north. I apologize. I thought that was PD, and the M-OF to the south. Our Chester Edwards property here on East Nifong immediately to the east of what was recently recommended to be rezoned from PD to M-C.

Then our Southampton property at the corner of Southampton and Sinclair. That is currently the Americare facility retirement community. And then our rezoning request on the corner of West Broadway and Manor Drive. Those are all the comments we have for this evening. We will look forward to seeing you on July 20th. Thank you.

MS. GEUEA JONES: Thank you, Mr. Zenner.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: Any Commissioner comments? Are you going to --

MR. SIMON: I just wanted to apologize.

MS. GEUEA JONES: Are you going to come up?

MR. SIMON: I'm sorry for missing my cases this evening.

MS. GEUEA JONES: Would you do the whole thing for the transcript. Sorry.

MR. SIMON: Yes. Keenan Simon, 2860 South Nebo Cemetery Road here in Columbia, Missouri. I am the -- the agent for the applicant, the civil engineer for the cottage-style development that was presented earlier, and I lost track of time. I was putting my kids to bed, and I apologize. That's not a -- that's not acceptable, so I'm -- I do want to say I'm sorry that I wasn't here to address those questions. We are working through it. There are some things that we are trying to make sure that we get it right, so finishing those up currently.

MS. GEUEA JONES: We appreciate your apology.

MR. SIMON: All right. Have a great evening. Sorry to be late.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner MacMann?

MR. MACMANN: I have a comment. I've given the Chair a little bit of a heads up, and then I have motion. For the third time in my seven years up on this dais, I have heard statements that I felt were deeply bigoted --

MS. GEUEA JONES: Uh-huh.

MR. MACMANN: -- and I've let it go. In the future, I may not, because it's inappropriate.

X. ADJOURNMENT

MR. MACMANN: That said, I have a motion. I move to adjourn.

MS. GEUEA JONES: Oh, you're not even going to let anybody respond to you?

MR. MACMANN: No, I'm not. You all can do whatever you want to do.

MR. DUNN: Second.

MS. GEUEA JONES: Adjournment is moved by Commissioner MacMann and seconded by Commissioner Dunn. Without objection, we stand adjourned.

(Off the record.)

(The meeting was adjourned at 8:32 p.m.)