

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**December 9, 2021**

**Case 26-2022**

**A request by Crockett Engineering Consultants on behalf of P1316, LLC for approval of an amendment to the Discovery Park-Endeavor Center West PD Plan to revise two mixed-use buildings shown on the plan by changing the use to residential, increasing the height, and decreasing the footprints of each building. This request also includes a design exception to waive the requirement to provide entry doors that face the public street. The approximately 4.12-acre property is located at the southwest corner of the intersection of Nocona Parkway and Endeavor Avenue.**

M LOE: May we have a staff report, please?

MR. SMITH: Yes. Thank you, Ms. Chairman. As you had stated, this is a request for a major amendment to an existing PD plan, one that was actually just approved earlier this year, January of 2021. It is a public hearing, being a major amendment. Public information sent out to surrounding residents early November. It was advertised later November. Discovery Park -- we kind of do usually a quick overview of the entire development just to give a little context of where we're at with things. On the left is essentially north/south of the Discovery Park area, with the north currently developed. Some of the middle areas have approved plans and some of that has also started construction as well. Notably, the Aria Apartments on the right side you can see right in the middle, with some of the additional apartments kind of off Dakota Boulevard being constructed now. So the part we're looking at is the blue highlighted area, so southwest corner there of Nocona and Endeavor, so right in that area where's there's a lot of construction going on now. A little aerial -- an oblique aerial to give you a little bit better context. There you see Tolton High School on the lower left corner as well. So the existing site, again, approved in January 2021, was three lots. Two of those lots are under -- for amendment tonight. The existing lot to the north, which would be the L-shaped building here. That's not changing. That's going to remain a three-story mixed-use building with residential on the top two floors and commercial on the first floor. The two buildings in blue are the ones they're looking to amend. It was originally approved for approximately 10,000 square feet each of generally commercial mixed-use. In this

context you know, commercial, office retail, that sort of use. So -- and they were going to be one-story buildings. The statement of intent in this area for tract five, not to get too much detail, that includes a large swath of this area, basically allows most commercial uses and residential uses. So the change of use is permitted per their statement of intent that's already been approved. So this is just a little tighter here. This is the existing plan. You can see one-story buildings facing Nocona there to the -- to the east. The bottom of the screen here is east. So we flipped it -- flipped it just for ease of viewing with parking to the rear of the buildings. This was the plan that's actually on the agenda that was included with the packet. It initially included design exception. So just to clarify, design exception is basically something in the zoning section of the UDC, 29-4, that would normally be like a Board of Adjustment item. So it's a zoning amendment. There's a design guideline section that says entrances must face street from all buildings, multi-family included. So they initially did not have a public entrance to the building facing the street. They requested an exception to that to be granted relief from building that. And staff's recommendation was denial at that time. Through some further discussions with them and work with their architect, they were actually able to revise that. That plan was sent out to Planning and Zoning on Tuesday, I believe. Excuse me. This just restates what I said. The new plan does provide a public access -- and by "public" I mean residents of the building -- so access that meets that requirement, facing the street. So no design exception is required anymore. And that was the main contention the staff had with it and was -- was generally the reason for the denial. So not to cut to the end, but our recommendation has changed now to recommend approval based on that revision to the plan. So you see the green here. That is the entrance into the building. Not to an apartment, but into the general interior of the building so that residents have access to the street, as well as to the parking lot both sides. And just to kind of also recap, so this would be a approximately 30-unit residential building each. They're building three stories. The parking on the site actually is going to be pretty comparable to what it would have been for the commercial uses on that site as well. So very little change in the overall site plan and the footprint of the parking areas. One change that did occur though is because it is becoming residential, there's a requirement though that you must screen at least half your parking from the street. To accomplish that, we did work with them to include some evergreen trees in heavier amounts along Artemis Drive, which is the primary street where it wasn't screened already by the -- by the buildings. So with that in place, we felt confident that they would meet the 50 percent screening requirement for parking. They're probably in excess of that, but that way we're quite certain they meet it. And generally all the other landscaping is compliant with the UDC. The change of use is permitted with the statement of intent. There are no traffic or access management issues with the

amendment. And with the revision to make it compliant with the design guidelines section requiring entrances facing streets, staff's recommendation at this point will be approval of the major amendment to the Discovery Park-Endeavor Center West PD Plan. And I'd be happy to answer any questions.

MS. LOE: Thank you, Planner Smith. Before we move on to questions for staff, I'd like to ask if there's any commissioners who would like to recuse? Commissioner Stanton.

MR. STANTON: I do some extensive work out at Discovery Ridge, so I'm going to recuse myself.

MS. LOE: Thank you. And before we ask any questions, I'd like to ask any commissioner who has had any ex parte related to this case to please share that with the Commission so all commissioners have the benefit of the same information on behalf of the case in front of us. Seeing none, are there any questions for staff? Seeing none, I will open up the floor to public comment. Please give your name and address for the record.

MR. CROCKETT: Members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I've only done it a few times. It's not going for me here. Sorry about that. There we go. Thank you. I always do the -- again, as Mr. Smith indicated, this is 2.73 acres of property comprised of lots two and three of Discovery Park, Plat 6. Those two lots are two of three lots that were contained in a previous approved PD plan by this Commission. We're seeking to revise the plan as indicated. This is a schematic of the original plan that was approved and this is a schematic of what is being requested for tonight. You can see that the layout is basically virtually the same. Really the differences are the buildings themselves. This schematic shows the lighter parking lot area is what is designed and under construction. The other portion is not. That's the only difference there. So the parking layout and the building layout is virtually the same. This is -- this is an elevation of the building that we asked -- are seeking to build on those two locations. As Mr. Smith indicated, we originally asked for a design adjustment to this project based on the fact that it was the architect's belief that the -- because they had direct access to those units on the street side, that that was going to be sufficient. That was not. When the staff report came out and said that that isn't applicable in this case, we filed a design adjustment, if you will. She decided to work last weekend to come up with an alternative plan that made that work. So she moved some internal units around. That's the reason why we submitted the design application or design adjustment was because we got -- it was late last week when we did it, I believe, or middle of last week when we did it. And then she wasn't satisfied with the recommendation for denial. She thought she could make that work. So ultimately she

did. It did not affect the footprint of the building, it just changed some internal portions. But it does have doorway access points both to the external street to the -- I guess it would be the south, it's kind of at an angle -- as well as to the parking lot but also off the ends of the building as well. So they have direct access all around the building and not just there. Again, the changes that we're requesting to make would be changes to make those -- those commercial buildings into residential uses and then maintain going from one to three stories. The first building that was on the approved PD plan is a three-story building and it is a mixed-use, it has lower level commercial and then it has two levels of residential. All the units that we're proposing are all one- and two-bedroom units. There's kind of shortage of the one- and two-bedrooms in the community right now. Again, we are taking out the design adjustments. The buildings fit in with the development. And the residents will be served from this development by the adjacent commercial, office and recreational uses. As you're starting to see, there's a big -- there's a shift going on in the -- in this development to add more resid-- or excuse me, add more commercial and more recreational opportunities as things take place. So they're starting to get to that point. They would love to develop more commercial in the area. They're trying to, they're doing the best that they can. What they're getting a lot of feedback is that we need some more rooftops, we want it in different locations. And so this is kind of what they're leaning toward based on the feedback that they're getting from commercial users. And so that's the purpose for it. And again, just to kind to give you a point of reference, directly across the street was The Kitchen, which was a multi-use PD plan that you approved at your last Commission meeting that has a substantial portion of office uses as well as recreational opportunities. And again, with that, I'm happy to answer any questions that the Commission may have.

MS. LOE: Thank you, Mr. Crockett. Any questions for this speaker?

Commissioner Geuea Jones.

MS. GEUEA JONES: So originally these were mixed-use one-story.

MR. CROCKETT: Basically they were commercial one-story -- or mixed-use, but basically --

MR. SMITH: The context of commercial is probably the best.

MS. GEUEA JONES: Yeah. Now we're going to residential three-story. Are they also going to be studio and one-bedroom apartments, or do you know that?

MR. CROCKETT: They're all -- they're all going to be one-bedroom units and then two-bedroom units.

MS. GEUEA JONES: So not -- not family housing then?

MR. CROCKETT: No. Not -- not family. They're seeing a need for one- and two-bedroom units.

MS. GEUEA JONES: Are they currently at capacity?

MR. CROCKETT: They have other product coming online, so I'm not sure. Some products come online quickly and they may not fill up immediately, so -- I believe they're very close to being at capacity. I think for the most part, most of their units fill up before the construction is complete. But if not -- I don't want to say they're at capacity when the building just opened up last week and they may have a few units --

MS. GEUEA JONES: I understand. But generally they don't have empty units sitting around?

MR. CROCKETT: Correct. Correct. Generally they don't have any empty units sitting vacant.

MS. GEUEA JONES: Is there a reason they don't want to do what they're doing on lot one with the first floor commercial and then two stories of residential?

MR. CROCKETT: If you look at the plan that you approved last time, it has a similar three-story building and has lower level commercial. On three of those corners, it's that same similar type building; three-story lower level commercial. There's only a certain -- we got to make sure that we put certain amount of commercial at the right locations and only get a certain amount of it. We don't want the commercial sitting vacant. And that's the concern that they have is if we get too much lower level commercial, the commercial will sit vacant and so --

MS. GEUEA JONES: So you're at saturation?

MR. CROCKETT: I'm sorry?

MS. GEUEA JONES: You think you're at saturation?

MR. CROCKETT: Not at saturation long term, but right now as we build, yes. And so the idea there is to put the commercial at the -- at the intersection at the right locations that would serve the residential development.

MS. GEUEA JONES: Thank you.

MS. LOE: Any additional questions for this speaker? I see none. Thank you, Mr. Crockett. Any additional speakers on this case? If there aren't, we will close public comment. Commissioner Geuea Jones?

MS. GEUEA JONES: I would just mention again my frustration that every time something out there comes to us, it's getting denser and denser and it's always designed for single individuals, couples with no kids, that sort of thing. I -- I would be much happier if this were housing that was more flexible, especially given the challenges that we're having. And I'm -- I'm again noting a pattern because of the way this site is being developed. And I -- I know I'm in the minority on this, but I'm stating it again for the record. I am very frustrated by the pattern of giving up commercial and outdoor space in favor of parking and residential. Even given what they're doing with The Kitchen, this is

still going to be a highly dense, not necessarily with family friendly housing development. That is all.

MS. LOE: Commissioner Carroll?

MS. CARROLL: There's another pattern that's been bothering me here. And that is the pattern of asking for a PD plan and getting PD plan approvals and then coming back with an amendment for more density, in this case more stories. We're coming back frequently, revisiting the same PD plans frequently, which makes me wonder if a PD plan really does suit you. And I -- I feel that straight zoning would be beneficial to avoid multiple revisits to the same PD plan. I also don't like revisiting with each thing, asking for incrementally more density where each revisit seems like a small ask, but has a tendency to chip away.

MS. LOE: Additional comments? These sort of are legacy PD plans, so yeah.

MS. GEUEA JONES: This one we approved -- in or December.

MS. LOE: Yes. But they were around -- these have been around.

MS. CARROLL: But a request for straight zoning could have been made in December.

MS. LOE: We have seen some PD plans go to straight zoning, haven't we, Mr. Zenner?

MR. ZENNER: We have. There have been some. And I think staff shares Ms. Carroll's perspective. We have suggested and recommended at different times in the development of Discovery that it may be more val-- may be more productive to go to a straight zoning. This property is entitled, however, in a unique fashion and there is some reservation, at least as it's been expressed to us by the applicant and developer of the property, to open up the project to a public process to re-zone out of what is somewhat of a relatively flexible planned zone district with a significant number of opportunities within it. And that potentially would not be able to be approved today if it was not a planned district, given the spectrum of uses that's on this site. So while I can see Ms. Carroll's point and we, I think generally as a staff, would agree that it would be far more useful of our time, probably the applicant's as well, to have straight zoning, they've chosen to retain what they have here I think out of a little bit of comfort knowing, well, here's what we've got, here's a process that we need to go through when we amend it. Mr. Crockett may be able to speak to the process that he is currently working with the applicant on as it relates to the relatively limited amount of remaining planned district zoned land. We have also encouraged the applicant over time, given that we've gone through so many revisions, that it may be beneficial to receive a master site plan that we can look at, and possibly as a part of that, may be able to provide some flexibility with a statement of intent that's revised more comprehensively that would reduce the need for major

amendments. It's a path that's not yet been explored. But you have the point at the end basically at Endeavor that is left, you have the property that's zoned planned district on the -- what would be the east side of Nocona that's planned and then some property that's south of The Kitchen, at least north of Gans that remains. We still have a very large chunk of property that's south of Gans that is bounded on the northeast by Ponderosa that's planned district as well and has not yet come forward. So you know, we're nearing the end here. If we can be patient, we hopefully will get through this and get the development plans in place and get the development built. This has been a very, very challenging project I think as the market dynamics have changed in this particular area, and the vision of how Discovery was originally intended to be developed and is now being developed.

MS. LOE: Thank you, Mr. Zenner. Any additional comments or motion?  
Commissioner Burns?

MS. BURNS: I will make a motion if we're finished with the discussion. In the Case 26-2022, Discovery Park-Endeavor Central West PD Plan amendment, I recommend approval.

MS. RUSHING: Second.

MS. LOE: Second by Commissioner Rushing. We have a motion on the floor. Any discussion on this motion? Seeing none, Commissioner Carroll, may we have roll call, please.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: No.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

MS. CARROLL: My vote is no. Commissioner Loe?

MS. LOE: Yes.

MS. CARROLL: There are five votes to approve, two no votes and one abstention. The motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council.

MR. ZENNER: And given that this was a recommendation of less than 75

percent in support, it will be under old business.

MS. LOE: Thank you, Mr. Zenner.