

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**February 24, 2022**

**Case 78-2022.**

**A request by Crockett Engineering (agent), on behalf of LOCALE23 LLC (owner), seeking the rezoning of two parcels from PD (Planned Development) to M-N (Mixed-Use Neighborhood). The 17.92-acre subject site is located southeast of the intersection of Lenoir Street and East Sugar Grove and commonly addressed as 4130 and 4150 Lenoir Street.**

MS. LOE: May we have a staff report, please?

MR. KELLEY: Yes. Thank you, Madam Chair. And for the purposes of the minutes, this is Brad Kelley speaking as well. As you mentioned the request is to rezone the property from PD to M-N. Originally this request was to rezone from PD to M-C, that's what was advertised, but the applicant changed the request to rezone this to M-N. Public notice was given for this in the form of postcards on January 26th. And advertised on February 8th.

To give context to the site, it's fronting on Lenoir Street here, seen between Grindstone and a -- Discovery interchanges. Lenoir Street kind of serves as an outer road here between the two interchanges, and then adjacent to the Sugar Grove Street here as well. To the north is residential property zoned R-MF that serves as a Lutheran Senior Services. And to the east as ag property that is owned by the University of Missouri and improved with the Discovery Research Park. On the left you can see a graphic for zoning that I'll be referencing later.

To give some background, the site previously contained the Sunshine and Ed's Mobile Home Park, it was annexed in 2007, and zoned CP, and this was modified in 2015. The current Statement of Intent permits uses that are similar to M-N today that – the Statement of Intent had some restrictions that went along with it as well, including requiring a traffic study and -- that would go along with the development planned. And also required that the developer would be responsible for improving any -- or completing any improvements that were recommended through the traffic study. It also required that the property be platted. And gave some restrictions for the maximum gross floor area of the site, maximum height, and minimum open space to be retained. No CP plan has been submitted, nor has one been approved as to date.

The modification in 2015 was just to increase the gross floor area by about 20,000 square feet and to include the option of a hospital as a hospital was interested in locating to this site. This area is kind of in a -- has some mixed development patterns. To the north is developed. And across the Highway 63 is developed as well. To the east, it's mostly unimproved land, but once again owned by the University. While it is zoned ag, it -- they're not subject to local land use controls, so zoned ag, but they're able to develop beyond that basically, evidenced by the Office and Research Park that's there now. It is located at the intersection of two collector streets. And it was within half a mile of these two freeway interchanges. One is more significantly developed, and has been for some time. And then the other has been ongoing significant development since the site was originally zoned CP. And generally around that interchange it's mostly PD. Or ag on the other side. Columbia Imagined, and the East Area Plan, both identified this site as a commercial district. Again, the applicant is requesting M-N. M-N is consistent with this being designated as a commercial site. And it's intended to provide for shopping and services and/or near residential areas. Again here is the full surrounding land use that I provided in the staff report in case we want to come back to this later.

Future development of the site will require a plat to be reviewed by P&Z, then go to Council for approval as well. With any development, depending on its size and trip generation, may require a traffic study. All of this to be similar with the original restrictions of the Statement of Intent, so that's not necessarily being lost. All UDC requirements will apply. When this was originally zoned CP, we didn't have the UDC. So now we have protections for significant trees, climax forest, we have additional landscaping, screening, buffering requirements, among other things as well. And I'll -- this will be relevant for my next slide as well, but there have been significant changes in the context of this site since this was zoned CP.

So again this is a picture of the site today, you can kind of see the more developed area to the northwest up here. And around this interchange. And then to -- what would be the south/southeast on here, you see some currently in-development parcels along either side of this interchange. This is a comparison I want to show you all here, is pictures taken in roughly 2007/2008 when this was zoned CP. So you can clearly see that the interchange had not been built yet, and so that was kind of in consideration of why this was zoned CP. Wanting to give some more consideration and thought to the context of the site in developing a PD plan to go with it, because there had been significantly less development at the time, and there has been some significant changes since then.

Rezoning to M-N would remove the Statement of Intent and PD plan requirements, but it would provide additional protections via UDC. So currently there is a height restriction of 45 feet, going to M-N would reduce that to -- or, sorry, currently the height limit is 45 feet, this would be reduced to 35 feet, thereby being more strict than the current PD. It would remove the open space requirement from 25 percent down to 15. And remove the gross floor area restriction as well. And I noted in the staff report that its

additional height restriction would contribute to a potentially lower gross floor area as well. The PD is not seen as necessary unless significant control oversight development is seen as essential. And again the - there is not much change in the permitted uses, the Statement of Intent uses, that are akin to M-N today. So with that, staff recommends approval of rezoning the site from PD to M-N. And I'm happy to answer any questions you may have.

MS. LOE: Thank you, Mr. Kelley. Before we move on to questions of staff, I'd like to ask any commissioners who have had any ex parte related to this case, to please disclose that now so all commissioners have the benefit of the same information on the case in front of us. Seeing none. Are this Placier?

MS. PLACIER: Yes, just some clarification on the zoning designation M-N, with "N" meaning "neighborhood," you know, providing some kind of access to services to a neighborhood. Really the only neighborhood of this is the Lutheran Nursing Home. And the other residential areas are across Highway 63. So I -- it's hard to make that connection there. So what's the rationale for M-N? MR. KELLEY: Sure, that's a good question. It kind of looks at the point of this as some mixed development patterns here. So both Columbia Imagined, the city's comprehensive plan, and the East Area Plan, identified the site as a commercial district, so with that it doesn't give clear direction to what commercial district that should be, so going into the analysis we're generally looking at between either M-N, Mixed-Use Neighborhood, or M-C, Mixed-Use Corridor, which is more intense than M-N. So kind of looking at that, we look at what uses that the current PD allows, those are uses that are allowed in M-N today, so the uses are -- the uses requested are similar to what's permitted today.

MS. PLACIER: So the idea is that to go for less intense uses, even if there is not directly a neighborhood around it, that I shouldn't take that word "neighborhood" too literally? It's --

MR. KELLEY: Right. So there are uses allowed in the M-C that they -- may be more appropriate to serve like a regional commercial center.

MS. PLACIER: Gotcha.

MS. LOE: Any additional questions for staff? There are none. We will open up the floor to public comment.

## **PUBLIC HEARING OPENED**

MS. LOE: If anyone has public comment, please give your name and address for the record.

MR. CROCKETT: Madam Chair, Tim Crockett, Crockett Engineering, 1000 West Nifong. I'll be brief in my comments, I believe Mr. Kelley did a good job in his staff report on this project. Again I would ask that when the Commission looks at the zoning map that surrounds this area, there is a tremendous amount of ag-zoned property, and I think as Mr. Kelley indicated, a lot of that is University of Missouri, and they're exempt from city regulations, so they are developing their property not in an ag designation, but rather something more in line with a commercial designation. And so just to kind of point that out so when you look at the zoning map for the area, you'll think, Wow, there is a lot of ag property out here, but

it's certainly not being developed that way. As indicated also, when this property was originally rezoned PD, the storm water regulation was in -- was very young, it had just been approved, and so we had new storm water regulations that really weren't -- you know, weren't tested yet, and I think there was some concern with that on how that will affect this property. And certainly not the UDC, the UDC was certainly not even thought about too much at that time. Since that time we have much stricter storm water controls, and the UDC, that helps protect this property, downstream property, as well as neighboring properties as well. So being rezoned from a PD into an open district I think goes along the lines of what the UDC was developed for. And so with that, I'm happy to answer any questions that the Commission may have.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, Mr. Crockett. Any other speakers on this case? Seeing none. We're going to close public comment.

### **CLOSE PUBLIC HEARING**

MS. LOE: Commission comment? Commissioner Geuea Jones?

MS. GEUEA JONES: So I just want to take a minute and say thank you to the applicant for maybe moderating the zoning here, but -- and for coming to us as straight zoning. I think we've talked a lot about the UDC should mean we only use planned development when we absolutely have to. I understand what Commissioner Placier is saying about there is not really a neighborhood-neighborhood, but I think the idea of this being a waypoint for people who are working out at Discovery Ridge, working in some of the other sort of office parks that are out there, plus the residents of Lenoir Woods. I mean, I like the way this is shaping out, and I much prefer M-N to -- than I would to M-C.

MS. LOE: Additional comments? Commissioner Carroll?

MS. CARROLL: I do work at Discovery Ridge, so this would be directly next to my workplace. I can say that that portion of Lenoir Woods, it does have a certain neighborhood quality to it. There are residences that are not even attached to what would be kind of akin to a multifamily living building, and I think that it makes sense to have M-N in this location. I'm also thankful for that. It kind of provides a bit of a buffer as we go towards more of the heavier commercial aspects, my own workplace included.

MS. LOE: Additional comments? Commissioner Stanton?

MR. STANTON: If my colleagues don't have any other questions or comments, I would like to entertain a motion, Chair. As it relates to Case 78-2022, 4130 and 4150 Lenoir Street, Zoning Map Amendment, I move to approve the rezoning from PD to M-N.

MS. KIMBELL: I approve. I did approve, yes. I second that.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Kimbell. We have a motion on the floor, any discussion on this motion? Since there is none. Commissioner Carroll, may we have roll call, please?

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

MS. CARROLL: My vote is "yes". Commissioner Loe?

MS. LOE: Yes.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Yes.

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

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