

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
October 20, 2022

Case Number 272-2022

A request by Crockett Engineering Consultants (agent), on behalf of Columbia's Woodcrest Chapel (owner), to approve the rezoning of property from A (Agriculture) to PD (Planned Development) and to approve a statement of intent and PD development plan known as the Woodcrest Chapel PD Plan, to allow limited additional uses of office, personal services, indoor recreation, and other uses, but with no new construction on the site, and a design exception for buffering and screening. The approximately 9.62-acre property is located at the northwest corner of Nifong Boulevard and Sinclair Street, and includes the address 2201 West Nifong Boulevard. (This case was tabled at the October 6, 2022, Planning and Zoning Commission meeting.)

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the rezoning of the site from A to PD, and approval of the Woodcrest Chapel PD Plan.

MS. GEUEA JONES: Thank you. Before we get to questions for staff, do any of my fellow Commissioners have information to add from their outside conversations? Seeing none. Questions for staff? Seeing -- oh -- Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Just a comment, Mr. Smith. I was -- I'm sure, and it still is. When I first read this, it was, like, we're going add some uses here so they can rezone in a more functional site. But the way it was presented, I want to ask you afterwards, like, when are they selling this, because you pitched it like it was a commercial development. And I'm just like -- I'm a little taken aback by that. A little commentary there. Thank you.

MS. GEUEA JONES: Any other questions for staff? Commissioner Loe?

MS. LOE: Just -- I was going to save this for discussion, but to follow up on Commissioner MacMann's comment. I have to agree that the characterization as commercial node struck me, which I think is why I bothered you with questions during the week. I would characterize this based on the statement of intent more as an office or services type node, given that the 5,000 square feet is restricted to office and services only, and there is no retail or real commercial aside from the farmer's market which will be intermittent if it's run as most farmer's markets are. So I would be interested in your opinion or if I'm interpreting that correctly.

MR. SMITH: Yeah. I would say that, you know, commercial services aren't restricted to just retail uses, you know. Office can include offices that individuals would visit and obtain commercial services from. Personal services is really a commercial service, you know -- a beauty salon and barber, that is something -- when you talk about a service, it's usually the distinction between a retail service or commercial retail and a commercial service, is a retail, you're getting a good, commercial service is you're getting service, and that is very distinctly in that vein of a barber shop or a beauty shop. An office can be a lot of different offices, you know. You can have tax professionals and attorneys, and it's a little bit towards the office. It is a little bit away from -- of a commercial service, but the -- the indoor recreation, that is definitely a service, or it falls within that commercial use kind of vein. The permitted use table kind of groups them, if you want to look at it that way. Office actually falls with the commercial permitted use category, so all of them are considered commercial. I mean, you can get a little more specific about if you are looking for a commercial node that provides only retail, or only restaurants, those are -- those are definitely commercial uses, as well, but there's -- there's a wide range of commercial uses that one can employ on a site.

MR. ZENNER: And I would -- I would add, before you make your next comment, Ms. Loe, that our comprehensive plan does not draw the distinction between commercial nodes and office nodes. So, therefore, when -- I think as Mr. Smith just pointed out, when you look at how the categorization of our land uses are within the permitted use table, we will -- we default, in essence, to a commercial node is what is identified either as a marketplace or as a different scale of node for services -- retail services or commercial services in general. And so with not having much else to go on when we talk about, well, how does this comply with the comprehensive plan, it's a node. And in most instances, that node is normally passed in the -- in the cloak of commercial. It's a commercial node, though, the uses, as you pointed out, may be far less intense than what typical commercial uses may be in most individuals' minds. This an adaptive reuse of the property, to allow it to continue to be productive within the existing neighborhood but expand its productivity for those that adjoin the site. And that's -- that's, I think, you know, I -- there's -- there's nothing here in what's been presented to us that they're turning around to sell this property, if it's entitled, and I think the entitlement is narrow, so that is -- you know, when we -- when we look at what we have to work with, commercial nodes are the only thing that we have in our Code. We don't have an office node. If we had an office node, we may have referred to it that way, but I think there are aspects of what's proposed here that may not necessarily be just office and therefore, we have to categorize it as at least we see it.

MS. LOE: I was really looking at our permitted use table and our mixed-use districts, and our use of commercial there falls in the middle. And office -- mixed use office falls at the left end of that. Mixed use office allows the office as a permitted use, personal services as a conditional use, does not allow the retail does not allow the manufacturing and production, which would allow the bakery, artisan. So I felt this proposal fell more under the M-OF type use than it did under the M-C, which is where I was getting my commercial nomenclature from.

MS. GEUEA JONES: Thank you. Any other questions for staff? Seeing none. We'll open the floor to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If you would please step forward. If you would state your name and address for the record, speak into the microphone, and we'll give six minutes for a group, three minutes for an individual. Thank you.

MR. MINCHEW: Hi, Randy Minchew, 2416 Case Point. What I wanted to talk a little bit about was the process that we went through with talking to the neighborhoods, doing open houses. We did three open houses. We did a couple of them on the first application, when we were trying to get just a general zone -- zoning. We heard what everyone said. We took all of that information and -- and put it into what we have now. And so, you know, my -- my history with Woodcrest, I started going to Woodcrest in -- in 1994. Woodcrest has helped our family. I have received many things from Woodcrest, you know, a good church family. At one point, we were a couple of thousand members. We're about 300, maybe 400 members now. And so, we'd like to stay at our location, and -- and so, the reason for us asking for the rezoning, the reason we're going through this process is, basically, to subsidize so that we can continue to do church there. We have no interest in putting retail there. It's for office. We want to put services in there that benefit the community, that fall within, you know, the -- sort of what our church is intended to do. So the gym already exists. We're not building anything new. We're going to utilize the structures that we have there now. We are not utilizing them now because we just don't have that many people. We don't have the staff anymore. We used to have 25 people in -- in offices all through the building there. We don't have that anymore. We have a huge copier. We have a videography room. We have all kinds of services that would be terrific for, you know, maybe someone in -- a therapist or a counselor. It's office use. It's not -- there is no intention of retail. So the slide just goes sort of through the process that we went through, the events that we did, the open houses that we did. The latest one was just ten days ago. We have endorsement letters from really the most -- the people who were the most vocal or against what we had originally asked for, they are now endorsing what we are requesting. So we feel like the neighborhood is in support of that, and we -- I appreciate you guys' time, and I appreciate the consideration of this. So -- and we've got the -- well, I talked about all of that. So questions?

MS. GEUEA JONES: Any questions for this speaker? Commissioner Placier?

MS. PLACIER: I noticed one of the potential uses was as a school. That was not mentioned. I guess it would be allowable in this zoning area anyhow, but is that your intention to develop part of this space as a school?

MR. MINCHEW: Well, it's already developed as a school.

MS. PLACIER: Okay.

MR. MINCHEW: So we've used it as a school for years.

MS. PLACIER: Okay.

MR. MINCHEW: So, you know, during the -- during the church service, it would be for, you know, for the kids while the parents are in church. And then during the week, it could already be used as a school just with what we have now. So we're not changing anything on -- on the use of that. That already exists, and it's a great facility to do that in. I mean, it's -- it's perfect. It was designed and built for that, so --

MS. GEUEA JONES: Any other questions? Commissioner Loe?

MS. LOE: Thank you for coming. Do you have any idea of what types of tenants might use the office and personal service spaces?

MR. MINCHEW: I mean, our biggest -- you know, with as much as we'd like to subsidize what we're -- you know, it's quite a strain. The building is quite a strain on a congregation of 400 people. With 2,000, we were expanding; right? And so, we -- we can't go outside our sort of stated mission, what the values of our church are. And so, that's why we've -- we've really -- and we've -- and we've talked to a therapist. We've talked to a, you know, counselor psychologist, people who might provide some service to the congregation, you know, paid services, if you will, but also maybe to the neighborhood. So you might have a child psychologist, you could have -- and the office, the sitting, it's perfect for that. I mean, our office doors have glass on them, so it's perfect for the sort of -- because when we had -- when we were doing church there, we were -- we had counselors, we had, you know, so you could come in and talk to a pastor or a counselor or whatever. It's all set up with sort of that safety thing in mind for people to be a part of. So it's a -- it's -- I mean, it's ready to be used that way. As far as the gym goes, you know, there is a rock-climbing wall on the outside there. We've had some discussion with some people who are in the rock-climbing business who would -- might consider using that. So that's what we're thinking about, something that would -- someone who could utilize the gym for young people. I don't see it being turned into a weight-lifting gym or an exercise gym. It's really not -- that's not what we're -- there's a huge basketball court in there. I don't know if you know anything about the -- the limited number of basketball courts that are available for kids to practice on, but, you know, we have one there and ready and available. It could be -- people could start using it tomorrow. So even with the zoning, we're still -- we still have to make it fit within our -- sort of our stated mission, so -- and the way the zoning is set up, I mean, we really can't go too far outside of -- of what we would do anyway.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for this -- Commissioner Kimbell?

MS. KIMBELL: Hi, Randy. How are you?

MR. MINCHEW: Hi, Robbin.

MS. KIMBELL: I have been to Woodcrest several times, so I can attest to what you're saying, and understand the situation that you're in, as well.

MR. MINCHEW: Thank you.

MS. KIMBELL: So the tenants that you're looking to bring in, are they going to be, like, a 9:00 to 5:00 type thing every day of the week, or is it just going to be part time?

MR. MINCHEW: Well, I mean, yeah. I don't see it being evening work. I mean, the people that we've talked to, the interest, you know, when you start doing something like this, you say if we could get this done, would you be interested? It would be services during the day. Now, the gym, you know, when we were fully functional and Marshall Robb was running The Edge for us, it worked in the evening. I mean, we had different people over there in the evening. So I don't know that the gym itself might not be utilized because, you know, when your kids were playing basketball, after work, you've got to take them somewhere so that they can practice or play their games, so I would imagine that the gymnasium would be used the way it was when we originally built it, so --

MS. KIMBELL: And then in regards to what Commissioner Placier said about the school, I know there was a seminary there at one time -- not a seminary, but a system set up for schooling?

MR. MINCHEW: Sure.

MS. KIMBELL: Do you see that coming in at the future, maybe?

MR. MINCHEW: Not so much a seminary. That -- that was -- what was there is now being done at Parkade. Rod Casey had that seminary in there, so that's at -- at Parkade. I mean, if it -- if it made sense and someone had, you know -- I mean, we're talking a half a dozen, maybe eight people renting space. We're not -- it's not hundreds of people. And then if you have six or eight people like that and they have clients, then you're talking 20, 30 clients in a day for everybody involved. So it's really -- as far as traffic goes, it's not -- you know, it won't change anything. But, yeah, I don't see us -- because we still need the building to do church in. Right? And so we have, you know, different meetings and counseling things during the week, so we use it -- we use it in the evenings during the week. So we can't stop doing church there just to subsidize, you know, so we can keep the building, because that would sort of be -- we might as well just move. Right?

MS. KIMBELL: Thank you.

MS. GEUEA JONES: Anyone else? Seeing none, thank you very much.

MR. MINCHEW: Thank you.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I'll be very brief in my statements tonight. I believe that Mr. Smith did a good job on the staff report. I would like to state that when this project started, we talked to staff about it, and original intent was looking at M-N. Not for the whole site, I mean, our changes, our belief in our mission for what we wanted here didn't change, but after discussing, you know, further with staff and discussing with the neighbors, so you can see that they went through quite a -- quite a long process with the neighbors for a year and a half or so, it became evident that the concerns that they had could be mitigated by going the planned route. By limiting it to the office uses that we're asking for, the limited commercial uses that we're asking for, can be mitigated going the PD. And so, again, you know, I said before, we're not looking to add, we're not looking to add drive-through, we're not looking to add a restaurant, we're not looking to add, you know, anything like that. No additions, keep the building as it sits today, and just repurpose it a little bit during the -- during the workday. Again, Mr. Smith showed

some pictures here and the existing vegetation along the property lines. You know, we can certainly add fencing, and we can certainly add screening to meet a level 3, but it'll be less than what's there today. And so, I mean, there's actually houses on the other side of that screening that you cannot see. If we had to add that screening, then, obviously, I think that you -- we would be able to see those trees. So the existing vegetation that's there provides -- certainly fulfills the intent and the obligation of the screening regulation. So that's why we're asking for the design adjustment. Again, Mr. Smith and the City Arborist have been there, and they agree with that. We have no problem. We're not going to remove that vegetation. We're not going to tear that out, so there's no issues there. So, again, I want to keep my comments brief, so with that, I'm happy to answer any questions that the Commission may have.

MS. GEUEA JONES: Any questions for this speaker? Seeing none. Thank you very much.

MR. CROCKETT: Thank you.

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

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments and/or motions? Commissioner Stanton?

MR. STANTON: As it relates to case 20-- or 272-2022, Woodcrest Chapel PD -- rezoning PD plan, I move to approve the rezoning of the site from A to PD and approve the Woodcrest Chapel PD plan.

MS. KIMBELL: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Kimbell. Any Commission discussion? Commissioner Loe?

MS. LOE: There are some use-specific standards on personal services for M-OF and then MC-MDT. If we're interested -- and I'm not seeing those show up in the statement of intent. If there are some of those that we might want to entertain including, do we need to include those in the statement of intent? The one I'm looking at is the use may not involve the use of explosive or hazardous material, which I thought we exempt from personal services anyway, but it's identified under use specific standards.

MR. SMITH: No. I think in those cases, we've taken, I think, the position that unless they request to be not subject to use specific standards, they're going to be subject to any use specific standard for that permitted use, in general.

MS. LOE: Even as a PD?

MR. SMITH: Yes.

MS. LOE: Okay.

MR. ZENNER: And the rationale behind that is in a PD, you can request any land use within the permitted use table. And unless you specifically request to be excluded of a specific -- the use specific standard, it is assumed, as Mr. Smith just pointed out, to be required, and that deals with the unique nature of a PD. It's because it allows you to select any use that's allowed in the districts that are listed in that use specific standard to be applied to the PD.

MS. LOE: Okay. So then for a point of clarification from you, does that mean that the M-OF

specific standard limiting the personal services use to 2,500 square feet does apply?

MR. ZENNER: Yes, it would.

MS. LOE: All right.

MR. ZENNER: All of those standards would collapse into the PD even though it's not specifically -- PD is not specifically called out.

MS. LOE: Thank you. That reassures me even more and bumps us even more into the M-OF in my mind.

MR. ZENNER: And I think that that was the -- I think probably in our minds, when we initially started -- when the path went for M-N, and we reacted to the request of M-N and said, whoa, we need to think about this from the other adjoining properties, I think the question always comes our staff's mind is does the PD serve its intent pursuant to the Code. And as Mr. Smith pointed out, there were a number a reasons why the PD made sense. That's not to say that an M-OF request may not have, but I think you would have been looking at a variety of other uses possibly that we did not think may have been compatible, and the PD allowed us to narrow that list down even further.

MR. SMITH: Yeah. I'd say about the M-OF was that was part of the conversation when they came up with M-N. We suggested the M-OF would actually meet their needs, the problem became that you can't partially rezone something to M-OF, so they still would have wound up with ten acres of M-OF, and that still most likely would have required a traffic study and probably improvements, and that's not something they really wanted to explore. So that's -- it's a lot of added costs for them. And so they did want to look at way to kind of limit that down, and the PD really, at that point, is the only avenue short of subdividing the property off and rezoning specific lots, which we also discussed, but this was looked as the kind of best option to achieve the addition of the services and not rezone the entire thing to kind of an open commercial or office zoning district.

MS. LOE: I appreciate it. I think that PD in this case probably is appropriate, and my reference to the M-F was just I think I went through the same exercise Commissioner MacMann did in trying to figure out what end of the scale -- was this more commercial or more O-F.

MR. SMITH: I don't think it was -- I don't think this whole concept was more use driven, I think it was more how do we limit the site. If we're not going to be able to pare it down from ten acres, how do we -- how do we put that neighborhood scale condition on it to make it fit and not overpower the residential neighborhoods, but also still allow some uses, some services. The PD seemed to be the -- the best option.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other comments from Commissioners? Any motions from Commissioners?

MS. LOE: We have one.

MS. GEUEA JONES: Oh, do we? Thank you. I am so sorry.

MR. STANTON: Yeah.

MS. GEUEA JONES: Oh. I appreciate that. Thank you for keeping me on track. In which case, may we now have a roll call, seeing no further discussion.

MS. LOE: Yes, Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Wilson, Ms. Loe, Mr. Stanton, Ms. Burns. Voting No: Mr. MacMann. Motion carries 7-1.

MS. LOE: The motion is supported seven to one.

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