

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**March 9, 2023**

**Case Number 59-2023**

**A request by Engineering Surveys and Services, Inc. (agent), on behalf of SAP Holdings, LLC, seeking rezoning from A (Agriculture) to M-C (Mixed-use Corridor). The subject site is located directly northeast of U.S. 63 and Route B interchange and is commonly addressed 4150 Paris Road.**

MS. LOE: Question. Are we going to do these cases together or --

MR. KELLEY: Two separate cases.

MS. LOE: All right. Thank you.

MR. KELLEY: We want them two separate.

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the M-C zoning map amendment.

MS. LOE: Thank you for that report. Before we move on to questions for staff, I would like to ask any Commissioners if they have 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 the case in front of us. Seeing none. Are there any questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Kelley, question. This is my question for Mr. Zenner, too -- a procedural question. Would we normally place Ag or R-1 as a holding zoning classification next to an I-G area?

MR. KELLEY: I don't know what we do for -- if we do holding zone districts now, and I would almost --

MR. MACMANN: We've brought some things in as Ag, I do know that. I mean, not large tracts, but I don't recall any of them being, like, butted up against an I-G.

MR. ZENNER: Well, what I would tell you in the time that I have been here, we have never taken in a mass annexation such as in 1969. And so the land use designations typically are more reflective of what the end use would be. Back in 1969 when we took in the 18 or so square miles that that annexation included, the Planning Commission wasn't prepared to assign zoning at that point. And therefore, the choice of the Ag as a holding zone and then the developed pattern that followed that was incremental, most likely, over time up the corridor. So the leftover remnants that were never processed are why you

have the situation here as it exists. Today, I would be shocked if we probably would do something like that --

MR. MACMANN: And that's why I brought it up just because we've parked some things in Ag --

MR. ZENNER: Uh-huh.

MR. MACMANN: -- not many, but a few. I just don't want to get a property owner the wrong idea. With Ag, it should go to R-1. It's, like, uh, no.

MR. ZENNER: I think the other thing that we have to think about is since the 2017 adoption of the UDC and the revisions to the Ag zoning district specifically, which now prohibits the ability to divide the property into more than two lots, an Ag parcel into more than two, without having to go through a zoning action, does provide some protection. Prior to adopting the UDC, the Ag zoning district would actually allow you to develop R-1 residential subdivisions, consistent R-1 residential subdivisions in the Ag zoning classification. And that could be problematic because then, of course, you have possibly prime agricultural land being, you know, left in that zoning category, but being developed into commercial residential subdivisions, commercial or residential subdivisions, and that -- that's hence the reason the Code change.

MR. MACMANN: I just -- I want to keep our developers happy. That's all, Pat. Thank you very much. Thank you, Madam Chair.

MS. LOE: Thank you. Any additional questions for staff? If there are none, we will open up the floor to public comments.

#### **PUBLIC HEARING OPENED**

MS. LOE: If anyone has any comments that they would like to share in this case, please come forward. We need your name and address for the record. We do limit you to three minutes for individual comments, six minutes if you're speaking for a group.

MR. ROSS: Good evening. My name is Ben Ross of Engineering Surveys and Services, with an address of 1113 Fay Street. I'm here today representing SAP Holdings, LLC, as a mixed-use M-C zoning change. Here's a picture of the property from Route B. It's in the northeast part of Columbia. The red star is the property at the intersection of Highway 63 and Route B. And the yellow shading is a historically disadvantaged community as determined by the federal government. And I know the City is interested in more retail and commercial type development in the northeast part of Columbia, so I think this meets some of the City goals. As staff mentioned, it is on two major roads. Highway 63 is a freeway. It has over 33,000 annual average daily traffic. And State Route B is a five-lane major arterial. It's got almost 20,000 average annual daily traffic. We think that's a good complimentary situation for M-C zoning. Like the staff said, the -- all your public utilities are available at the site already. There is a sewer, a lift station that's designed and easement is already acquired, so we can accommodate whatever sewer flow is generated by this site. We also have existing MoDOT access. There's a lot of restrictive right-of-way, but they do have a 60-foot-wide driveway authorized by MoDOT. And that's all I was going to say for the M-C zoning. Should I talk about the use -- the conditional use yet?

MS. LOE: No. Let's wait, since that case is being presented separately.

MR. ROSS: Okay. And I would be happy to answer any questions or come back up for -- if you have questions later.

MS. LOE: Thank you. Questions for this speaker? Commissioner Stanton?

MR. STANTON: I've seen this case before, so we're still working with the same amenities and all that good stuff, we just kind of moved them -- in a sense, you worked with the neighbors? Everybody is cool now?

MR. ROSS: Well, we worked with staff. You know, our development plan is basically the same. When we were here a year ago, we thought that the fact of all the flood way and flood plain and big creeks on the southern part of the property really made it undevelopable, but we didn't think we could get that through City Council, so we tabled it. And we've since subdivided the property. We created the stream buffers. So the property owner to the south, her property is not impacted at all because we're not changing the zoning on the contiguous part next to her.

MR. STANTON: Thank you, sir.

MR. ROSS: You're welcome.

MS. LOE: Any additional questions for this speaker?

MR. MACMANN: Just real quick.

MS. LOE: Commissioner MacMann?

MR. MACMANN: Mr. Ross, could you point on your map or mine where that driveway is -- that MoDOT access.

MR. ROSS: Sure. You can kind of see it by -- where the jog in the right-of-way is.

MR. MACMANN: Yeah. I see that. How close is that to the intersection?

MR. ROSS: Oh, it's pretty far away. The property line itself is 315 feet. (Inaudible.)

MR. MACMANN: That's all I wanted to hear. I wanted to hear that magical 300 number. Thank you, Mr. Ross.

MR. ROSS: Sure.

MS. LOE: Any additional questions for this speaker? I see none. Thank you.

MR. ROSS: All right. Thanks.

MS. LOE: Any additional speakers on this case? If there are none, we will close public hearing.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commissioner comments? Commissioner MacMann?

MR. MACMANN: If my fellow Commissioners have no further questions or comments, in the matter of Case 59-2023, zoning map amendment from -- to M-C zoning, I move to approve.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Stanton. We have a motion on the floor. Any discussion on this motion? Seeing none. Mr. Zenner, may we have roll call, please.

MR. ZENNER: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. MacMann, Ms. Placier, Ms. Kimbell, Ms. Wilson. Motion carries 6-0.**

MR. ZENNER: The motion passes, six votes in favor.

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