

MINUTES

PLANNING AND ZONING COMMISSION MEETING

SEPTEMBER 6, 2018

COMMISSIONERS PRESENT

**Mr. Rusty Strodtman
Ms. Tootie Burns
Ms. Sara Loe
Mr. Anthony Stanton
Ms. Joy Rushing
Mr. Brian Toohey
Mr. Dan Harder
Mr. Michael MacMann**

COMMISSIONERS ABSENT

Ms. Lee Russell

I) CALL TO ORDER

MR. STRODTMAN: Good evening, everyone. We'll go ahead and get started this evening. I'd like to welcome everyone to the City of Columbia Planning and Zoning Commission regular meeting on Thursday, September 6, 2018.

II) INTRODUCTIONS

MR. STRODTMAN: May we have a roll call, please, Ms. Burns?

MS. BURNS: Yes. We have eight; we have a quorum.

MR. STRODTMAN: Thank you, Ms. Burns.

III) APPROVAL OF AGENDA

MR. STRODTMAN: Mr. Zenner, are there any changes to our agenda this evening?

MR. ZENNER: No, there are not, sir.

MR. STRODTMAN: Thank you, sir. Commissioners, thumbs up on approval of agenda?

(Unanimous vote for approval.)

MR. STRODTMAN: I see approval. Thank you.

IV) TABLING REQUESTS

Case No. 18-76

A request by McClure Engineering Company (agent) on behalf of P1316, LLC (owner) for approval of a PD (Planned Development) Plan to be known as Discovery Park South, along with an associated statement of intent and design parameters. The 40.6-acre subject property is located at the southwest corner of Ponderosa and Discovery Parkway. (A request to table this item to the October 4, 2018, Planning Commission meeting has been received. This the applicant's first request to table.)

MR. STRODTMAN: May we have a staff report, please.

MR. SMITH: Yeah. Thank you, Mr. Chairman. We received this request to table to

allow the applicants to do a little more work on the plan, for them to work with us on some of the outstanding issues. I do believe they are reaching out to the neighboring property owners, as well -- at least that's my understanding. So the request is to table it out a month.

MR. STRODTMAN: Thank you, sir. If there's anybody in the audience -- this isn't a public hearing item, but if there is anybody in the audience that came for this item specifically that wants to speak about the tabling request, not the actual item itself, but the actual tabling request, if you wanted to speak to the tabling item itself, you're welcome to come forward and speak to that, but we're not really listening -- we're not here right now at this moment. If the Commission decides to not approve this, we'll hear the item this evening, but if we decide to approve the request, then we'll actually hear the item and discuss it on October 4th. So if you were here for the actual tabling request, I'd ask you to come forward. Commissioners, any discussion needed on this tabling request? Mr. MacMann?

MR. MACMANN: Just clarification. Planner Smith, the date certain for the next -- my computer just went out. I'm sorry.

MR. SMITH: Oh. October 4.

MR. MACMANN: October 4. And the applicant -- I ask because of what we had in the recent past, this is sufficient time for staff and applicant to address these issues?

MR. SMITH: We believe so, yeah.

MR. MACMANN: All right.

MR. STRODTMAN: Everybody good?. It sounds good. I guess what we need is a thumbs up on -- thumbs up? Do we need -- we don't need a roll call, do we? We need a roll call? Well, go ahead and ask for a roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.

MS. BURNS: Eight to zero; item will be tabled.

MR. STRODTMAN: Thank you. We'll hear that case on October 4th, 2018.

V) PUBLIC HEARINGS

MR. STRODTMAN: Our first public hearing. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to Case 18-160, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. I see none.

Case No. 18-160

A request by Brian Page (applicant) on behalf of a group of homeowners within an area defined by the West Central Columbia Neighborhood Action Plan for approval to rezone 40 parcels from R-2 (Two-family Dwelling District) to R-1 (One-family Dwelling District), six parcels from R-MF (Multiple-family Dwelling) to R-1, and one parcel from R-MF to R-2.

MR. STRODTMAN: May we have a staff report, please.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the requested rezoning to R-1 and R-2 as listed in the included table.

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, any questions of staff? I see none. We'll go ahead, and before I open up the public hearing portion, I just want to kind over a quick ground rule or a couple of ground rules. First off, to keep it -- first of all, would everybody like to stand up that's here for this particular case, just so I have a -- so we, as the Commissioners, have a good feel for who is here for this particular case? Thank you. Have a seat, please. Thank you. The reason I ask that is, I don't think it's necessary for all of you to come up here and speak. You're all welcome to come up here and speak. We'll be here as long as it takes to hear everyone, but -- but I don't think it's going to be necessary. Obviously, we would love for the applicant, Brian Page, to come forward and we'll give Brian -- typically we would give a speaker three minutes. But due to the large group of people, we'll use Brian as kind of the -- potentially the spokesperson for the majority of the group since he's the applicant, and we'll give Brian up to six minutes to speak. And then anyone after that, we will hold that line to three minutes. You know, and obviously, we would like to hear anything that's special or different, unique, and not the same thing over and over. So if you do want to come forward, we would obviously welcome that and encourage it. We have had one of these come through recently, and so we are all as a Commission fairly familiar with a similar process that we've gone through recently. And so I think it's -- we're ready and willing to listen to everyone. But I just kind of wanted to go over those ground rules before we got started. Also, when you come up, we ask for your name and address, and then we will give the floor to you. If you see this little red light on the podium here, that's -- your time has run out and we would ask you to wrap it up and let the next speaker come forward. So with that, we'll go ahead and open it up. Oh, sorry. Before I open it up we have a question. Yes, Mr. Toohey?

MR. TOOHEY: Should we go over ex parte?

MR. STRODTMAN: Oh, yes. Sorry. Is there -- I thought I did. Did I not? Is there one with an ex parte related to this case, 18-160? Mr. Toohey, did you have ex parte discussion?

MR. TOOHEY: Oh, yes, I do. I happened to by accident have a meeting with one of the people who resides in one of these properties earlier this morning, but this subject was not brought up.

MR. STRODTMAN: Thank you, Mr. Toohey. Anyone else have any ex parte? Thank you. So with that, we'll go ahead and open up the public hearing and give your name and address.

PUBLIC HEARING OPENED

MR. PAGE: Good evening, Commissioners, Mr. Zenner, Mr. Smith. I'm Brian Page, and I live at 17 Aldeah. Thank you, Mr. Smith, for processing our application and all your support. We need your help for preserving our app-- for -- we need your help to preserve our homes and our neighborhood. Your approval will help us maintain the integrity of the neighborhood's durable, smart growth, urban design. The history of our older homes started over 100 years ago. The majority of our homes are

small bungalows on lots 50 feet wide. Come see for yourselves. We have density. All but one of the properties are in the same watershed which descends into a floodplain. Our drainage goes first to Flat Branch Creek and then to Hinkson Creek. Your approval tonight will also affirm the West Central Columbia Neighborhood Action Plan. We appreciate all the collaboration between the Community Development Department and the stakeholder residents and neighborhood associations. The Planning and Zoning Commission and City Council unanimously approved our neighborhood plan. We feel responsible for our homes and our neighborhood. We are here to preserve these good homes that just keep serving. Whether owner occupied or rentals, our homes will continue to serve into the future. All properties are located at the east end of the future land-use map. Our area is walkable. From our house, we can walk to the library in five minutes, to Lucky's in ten, and to the MKT in less than twenty. Note the yellow area on the map is designated single-family residential. Our neighborhood is fluid as students graduate and young families outgrow their homes and move on. We have longevity, also. Tom's family moved here in 1944, Betty moved here in 1962, and I haven't learned all the stories. My wife and I bought our house in 1989, and it was built in 1933. And with our attention, it is in better shape than ever before. Many of our neighbors continue to improve their homes. We continue to protect our home from flooding as it is in the floodplain, with climate change and our experience, inform our due diligence. During an intense rain event in 1995, there was 18 inches of flood water around our house when a storm-water conduit was overrun. Two hundred years ago, Smithton settlement was located at the southeast corner of our West Central neighborhood. I was touched by Tom DeMarch's testimonial. Please witness how she and feel -- how she and we feel about our homes. You can see in Kim and Eric Schwartz's testimony that they've put a lot of work into their -- into improving their house at 21 Aldeah. We take pride in where we live. Do you have any questions for me?

MR. STRODTMAN: Thank you, Mr. Page. Commissioners, are there any questions for this speaker? I see none, sir. Thank you for your time.

MR. PAGE: Thank you.

MR. STRODTMAN: I would also for clarification want to let the group know that we have received some correspondence maybe from some of the group that -- some of the individuals that are in the group. We have received maybe -- I'm not sure of the exact number -- three or four. We received one this evening from a Kay Foley, so we have received -- several email correspondences that was sent to staff was given to us, so you can rest assured that we also received those, just so everybody knew that. So we welcome the next speaker that would come -- that would like to come forward this evening.

MS. BRISCOE: I'm Cannie Briscoe; I live at number 10 Aldeah. My husband and I have been there for 27 years. We raised our children there; our grandchildren now visit. We've done a lot of work on our home, and we love our home and we love our neighborhood. As Brian mentioned, we've seen a lot of young families, neighbors come and go. We feel safe there, and it's -- it's a good neighborhood. Even with the rental property, that's never been an issue. It's just a good neighborhood to live in and

we'd like to keep it that way. So we'd like to die there. So not to be morbid, but —

MR. STRODTMAN: Hopefully, that's a long time from now too.

MS. BRISCOE: That's a long time from now.

MR. STRODTMAN: Make it 27 more years.

MS. BRISCOE: Yeah. Yeah. At 27 more years, but -- yeah. We love where we live, so anyway, please don't take that away from us.

MR. STRODTMAN: We hope not to do that, Ms. Briscoe. Commissioners, any questions for Ms. Briscoe?

MS. BRISCOE: Oh.

MR. STRODTMAN: No. We don't have any, so thank you.

MS. LUCHT: Hello. My name is Jill Lucht, and I live 100 Aldeah. And I just -- I will reiterate one thing in that we love our home and we love our neighborhood. We moved in in 2008, and we recently remodeled our home from a two-bedroom, one-bath bungalow to a three-bedroom, two-bath bungalow. And so I just wanted to share that with you so that you know the people in the neighborhood really are improving their properties, and that we need to keep our current footprint, however, because we do have flooding issues in our neighborhood. So doing the R-1 downzoning would help us preserve our storm water -- well, not make it worse. And then just keep it the nice -- the nice, lovely neighborhood that we have. That's it.

MR. STRODTMAN: Thank you. Commissioners, any questions?

MR. TOOHEY: I have a question.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: So why do you think keeping it R-1 will help control the flooding?

MS. LUCHT: I think because R-1 helps us keep all the permeable surface, so if we -- if we had multi-family units or duplexes in the area, there would be more impervious surface, so the storm-water issue would be complicated by that.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. And, full disclosure, I know most of you and most of you know me.

MS. LUCHT: Yes.

MR. MACMANN: And I have worked on quite a few of your homes, but we have not discussed this at all. To follow up on Commissioner Toohey's point, in your home when it rains -- and I'm going to the need to maintain low density here.

MS. LUCHT: Uh-huh.

MR. STRODTMAN: In your home when it rains, can you flush the toilet?

MS. LUCHT: Often not.

MR. MACMANN: Often not. And that's because of the infiltration behind you?

MS. LUCHT: Right. Infiltration --

MR. MACMANN: And the storm water -- (inaudible).

MS. LUCHT: Uh-huh.

MR. MACMANN: So this area -- and I can verify some of this. I'm just clarifying here. This area really could not take much more densification and the lots are all full if I --

MS. LUCHT: The lots that are being downzoned are full.

MR. MACMANN: Other than Mr. Alexander's lot on the corner?

MS. LUCHT: Right.

MR. MACMANN: And the width of your all's lot, I don't exactly remember?

MS. LUCHT: Is it 60 or 50?

UNKNOWN SPEAKER: Fifty.

MS. LUCHT: It's 50.

MR. MACMANN: It's 50, and the depth of your lot?

MS. LUCHT: A hundred and --

UNKNOWN SPEAKER: Twenty.

MS. LUCHT: -- twenty.

MR. MACMANN: A hundred and twenty. And the reason I ask that question and I don't need you all to shout. Most of you can just kind of nod. Most of your all's lots are about the same size; is that correct? And I'll let you know that 50 times 120 is 6,000. These lots couldn't be torn down and rebuilt because they're too small for other development. I just wanted to kind of strike on those points. Thank you very much, Ms. Lucht.

MS. LUCHT: Yeah. Thank you.

MR. STRODTMAN: Any additional questions? Thank you, Ms. Lucht.

MR. TOOHEY: Are all these houses in the floodplain?

MS. LUCHT: Well, I can see that mine is. I don't know how --

MR. STRODTMAN: Well, only you -- unfortunately only you can speak anyway.

MS. LUCHT: Right. Okay. So I -- mine is, yes. And a lot of homes in right next to ours do flood in heavy rain events.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: To speak generally to Commissioner Toohey's issue, and I'm sure someone here will correct me. On this Ms. Lucht's side of the street, the east side of the street, those homes are in the floodplain. Across the street, they are generally not, but that's not 100 percent true.

MR. STRODTMAN: Thank you, ma'am.

MS. LUCHT: Thank you.

MR. STRODTMAN: The next speaker, please?

MS. PLEMMONS: My name is Gail Plemmons; I live at 17 Aldeah, and my home is in the

floodplain, as a matter of fact. And this was disclosed to us when we bought our house. Part of the reason we bought our house is because it is right next to the storm creek and we wanted to help preserve that, so we are definitely in that floodplain. I wanted to tell you just a little bit about our West Ash Homeowners Association. It's very active. We meet to discuss concerns and plan activities. In August, we hosted our annual Night Out Against Crime at Montessori School. This spring, we met with the health department to talk about the weed ordinance, which is now under revision. In June, we held a pollinator day at Montessori School again where we exchanged native plants and educated ourselves about how to attract birds, bees, and butterflies to our yards. Our old neighborhood is an example of modern urbanism. We understand, as I hope you do, that people are happier and healthier when they are close to nature. The storm-water creek flowing from Ash to Aldeah next to my house has been preserved by us. The mature trees and plants along that natural area welcome deer, owls, hawk, and the occasional coyote. We know our neighbors and -- some people doubt me. We know our neighbors and we have no problems getting someone to feed our cat or water our tomatoes when we're out of town. Help us preserve our sense of belonging. Thank you.

MR. STRODTMAN: Thank you. Commissioners, questions for this speaker? I see none. Thank you, ma'am. We love to hear the stories about the neighbors loving everyone. Anyone else like to come forward? We'll go ahead --

MS. OERLY: I'll be brief. My name is Diane Oerly. I don't live in this area, I live by Albert Oakland Park. I'm the president of my neighborhood association, Oakland Manor Neighborhood Association, and I'm here to congratulate this community of people who care so much about their homes that they're making the effort to make our community plan come true. And I wanted to thank each and every one of you for the tireless time and energy and effort you contribute to making our community nice. I want to congratulate their leadership. I know that it's not easy to get 47 people moving in the same direction and especially when it's the direction the City wants us all to go. So thank you all for your effort, and I think it's a wonderful neighborhood.

MR. STRODTMAN: That's great to hear. Thank you. Commissioners, any questions for this speaker? I see none. It's wonderful to have another neighborhood association compliment this one, so that's pretty cool. That's the first time that's happened. We'll go ahead and close it -- if you want to come forward, you have to come forward to the podium. Give us your name and address.

MR. WILSON: I'm Lewis Wilson; I live at 404 West Broadway, which, on the map, is roughly directly across the area under consideration. I'm in R-1 zoning. I've lived there since 2000. I'm undertaking an expensive and slow and painstaking renovation of my house, and I feel that this proposal to rezone will enhance my property value. I -- since I moved there in 2000, I've always been concerned about the -- the amount of R-2 zoning within any reasonable business of my home. And the more R-1 I see in that area, the better I feel about it, and I'll take any questions.

MR. STRODTMAN: Thank you, Mr. Wilson. Commissioners, any questions for this speaker? I

see none. Thank you, Mr. Wilson.

MR. WILSON: Thank you.

MR. STRODTMAN: Anyone else like to come forward? We'll go ahead and close the public hearing this evening.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion, questions for staff, additional discussion needed? A motion? Mr. Stanton?

MR. STANTON: As it relates to 18-160, I move to approve all rezoning requests per table provided by staff.

MR. MACMANN: Second.

MR. STRODTMAN: Thank you. Commissioners, we have a motion by Mr. Stanton to approve Case 18-160. It received its proper second from Mr. MacMann. Do we have any discussion needed on this motion? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns, for that. Our recommendation for approval will be forwarded to City Council. City Council obviously has the authority to make the final decision, but our recommendation for approval will be forwarded to them. You guys are welcome to leave. I want to thank everyone for coming. I do really love to see the community support and as Ms. Oerly mentioned, I love the neighborhood association and I love the lists of all of the things you guys are doing, so keep it up and good luck to you guys in the future with the Council. We'll go ahead and let you guys clear the room, and -- unless you're welcome to stay. We have some pretty interesting cases, and we love to have the audience. But let them clear the room and we'll get started in just a second.

Case No. 18-165

A request by McClure Engineering Company (agent), on behalf of P1316, LLC (Owners), for approval of a Planned Development (PD) Plan to be known as "Discovery Park - Landmark Hospital PD Plan". The subject site contains 6.65 acres of property and is generally located between Nacona Parkway and Ponderosa Road, addressed 4560 Philips Farm Road. The property is zoned Planned Development (PD) and Mixed Use-Corridor (M-C). The purpose of the PD Plan is to facilitate the development of the property for a hospital.

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends approval of the Discovery Park-Landmark Hospital PD Plan.

MR. STRODTMAN: Thank you, Ms. Bacon. Commissioners? Mr. Toohey?

MR. TOOHEY: If it only requires 180 parking spaces, and there's only 28 beds, why would they want 317 parking spots?

MS. BACON: So the applicant is here, and I will probably defer that question to them. It's 176 percent of the required parking. Per the Code and per this use, they can go up to 200 percent allowed within the UDC.

MR. STRODTMAN: Just a clarification, Ms. Bacon. So they -- they're at 176?

MS. BACON: Uh-huh.

MR. STRODTMAN: They're allowed up to 200 percent?

MS. BACON: Correct.

MR. STRODTMAN: Thank you. Additional questions? Mr. MacMann?

MR. MACMANN: I want a clarification because I don't recall the details and I did not research specifically. And perhaps Mr. Zenner can answer this because I believe, Ms. Bacon, you were on your temporary hiatus to Colorado when we approved the hospital space up north. Please help me remember, we had to wait on a certification for need of that facility at that time; is that correct?

MR. ZENNER: I do not recall.

MR. STRODTMAN: I don't believe -- I think it was more -- I think that that was one that -- Ms. Loe?

MS. LOE: I believe I asked about if they had a certificate of need, but we didn't weigh in on it.

MR. MACMANN: And it would be -- and that, just to clarify, the certification of need does not come from this body -- it has no bearing on our decision; is that correct?

MR. ZENNER: No. Plan approval is what's being sought. If they're unable to obtain the appropriate state certifications, the plan just won't be built.

MR. MACMANN: All right. I just -- I just wanted to make that point clear. Thank you.

MR. STRODTMAN: Any additional questions, Commissioners? Ms. Bacon, is this, I assume, and Mr. MacMann made the same assumption. This is the same facility affiliation that is on the north side with the Landmark -- not on the north side, but north of this one?

MS. BACON: My understanding is the one on Old 63 -- there was an article in the newspaper -- the Missourian today, and it discussed the relationship between the two Landmark hospitals.

MR. STRODTMAN: Okay. Thank you. Well, with that, we'll go ahead. I don't see any additional questions. I'm going to open it to the public hearing.

PUBLIC HEARING OPENED

MR. STRODTMAN: And we'll give anyone three minutes, and ask your name and address, please.

MR. SANDER: Thank you. Chris Sander with McClure Engineering. Our office is 1901 Pennsylvania Drive in Columbia. I'm here with a representative of the -- the developer of the property,

and Ms. Peckham is here from the Landmark Hospital. They might be able to help answer some questions as we go along. Basically, we've -- looking at medical office, hospital use of a lot here that falls right in line with the overall development -- it's sort of the next step as the Discovery Park development fills out. This is the -- adjacent to the hotel and the restaurants there, and it should -- it's the -- specifically, you asked about the certificate of need from the State for the hospital beds and that is -- that is a requirement for the permitting -- or for getting the use of the building. That was taken -- that certificate of need was issued prior to us starting this part of the process, so we have one to -- you know, put things in the right order and make sure that we had that under control, so that has already been issued. The question to the parking, this is a very similar facility to a facility that Landmark has built in Florida. And through operation of the facility, they have a really good handle on -- as -- as healthcare kind of changes, and Ms. Peckham can probably speak to this a little bit better, but we don't -- we're moving into a situation where you move people in and out of a facility. You don't try to keep them there for a week in a bed. And so some of the use of this facility, 90,000 square feet with only 23 beds, you know, that -- there's a lot of use going on inside of the hospital that's more than just what the 23 beds align with, and that's where the additional parking comes -- the need for the additional parking. Clearly, it's expensive and takes a lot of land, so they're -- they understand the use of their facility, having a very similar facility, and that's where their -- kind of -- kind of come up with the -- the need that that's what it takes to run the facility. We -- like I said, Mr. Cardetti is here on behalf of the developer, and Ms. Peckham on behalf of the hospital, and we can sure try to answer any questions you have.

MR. STRODTMAN: Thank you, Mr. Sander. Commissioners, any questions for this speaker? Mr. MacMann? Oh. Ladies first, Ms. Burns?

MS. BURNS: Oh. Thank you. Any idea of staff, physicians, other employees that you'll have at this facility?

MR. SANDER: I'm going to leave that for Ms. Peckham and let her answer that.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I have an engineering question. Hi, sir. How are you? And this is following up from a meeting we just -- we all just came out of. As far as City utilities go, does this facility in any way require any special needs of the utilities than what we might anticipate?

MR. SANDER: It does not. We will have -- an on-site generator backup would be the largest item.

MR. MACMANN: Which is a regulatory thing, also, is it not?

MR. SANDER: Sure. Yeah. A -- but that's something that we would be providing. It's not something we're asking that the utility providers to provide to us. The sewer mains, water mains, gas extensions, that's all a been part of -- there's adequate facilities out here, as we've planned -- as -- as the development has continued, we've been phasing in a building, the developers have put in a lot of that facility as we go, and water and light. As far as electric goes, we have -- we didn't expect, we didn't

anticipate any problems with the --

MR. MACMANN: Supply

MR. SANDER: -- facility.

MR. MACMANN: I just -- I just wanted to clarify the point.

MR. SANDER: Sure.

MR. MACMANN: Thank you, sir.

MR. SANDER: You bet.

MR. STRODTMAN: Thank you, Mr. Sander.

MR. SANDER: All right. Thank you.

MR. STRODTMAN: Anyone else like to come forward?

MS. PECKHAM: My name is Laura Peckham and I'm the CEO of Landmark Hospital, 604 Old 63 North, currently in Columbia. We are proposing the building of a new hospital to relocate our long-term acute care hospital, 23 beds. That is -- average length of stay for those patients is anywhere between three and six weeks, so patients stay for a long period of time and they have multiple visitors, staff, with our team, multidisciplinary physicians, around-the-clock nursing care, so all of the staff will need parking spaces, and -- to address your questions on staffing. There is also medical office space, additional space. One of the reasons that we are relocating the hospital from our current location is the need for expanded services, the multidisciplinary physicians, so specialty physicians that need to come in in addition to radiology services, CT scanning, x-rays, other additional services that are not currently able to be provided in our small location at 604 Old 63 North.

MR. STRODTMAN: Thank you.

MS. PECKHAM: Uh-huh.

MR. STRODTMAN: Commissioners, questions for this speaker? Ms. Loe?

MS. LOE: Ms. Peckham, so are you relocating or is this augmenting?

MS. PECKHAM: The -- it is not relocating all of the hospital. So currently at the 604 Old 63 hospital, there is long-term acute-care hospital beds and inpatient rehab beds. We are only moving the -- the long-term acute-care beds to the new facilities, and the hospital will remain for inpatient rehab.

MS. LOE: Thank you.

MS. PECKHAM: Uh-huh.

MR. STRODTMAN: Anyone else, Commissioners? I see none. Thank you, Ms. Peckham.

MS. PECKHAM: Thank you.

MR. STRODTMAN: Any additional speakers this evening? I see none. We're going to go ahead and close this public hearing.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, questions, discussion? Need additional information from staff? Mr. Stanton?

MR. STANTON: I would like to make a motion.

MR. STRODTMAN: You know, I would be willing to hear it.

MR. STANTON: As it relates to case 18-165, Landmark Hospital PD Plan, I move to approve the Discovery Park Landmark Hospital PD Plan.

MS. RUSHING: Second.

MR. STRODTMAN: Thank you. Commissioners, we have received a motion and a -- it's received its proper second for approval of Case 18-165. Do we have any discussion needed on that motion? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Thank you. Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval of Case 18-165 will be forwarded to City Council for their consideration.

Case No. 18-170

A request by I-70 Community Improvement District (CID) to have the I-70 Loop Corridor Plan (The Plan) adopted as an addendum to the City's 2013 comprehensive plan entitled "Columbia Imagined - The Plan for How We Live & Grow".

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends to support the CID's request that City Council adopt the I-70 Loop Corridor Plan by resolution.

MR. STRODTMAN: Thank you, Mr. Zenner. Before we get to any questions for City staff or questions or move on, is there -- at this time, I would ask any Commissioner who has had any ex parte communication prior to this meeting related to Case 18-170, please disclose that now so all Commissioners have the same information to consider on behalf this case in front of them. Mr. MacMann?

MR. MACMANN: Mr. Chairman, I don't have information directly related to this, but in matters of acknowledgment or reference to the CID, I must recuse.

MR. STRODTMAN: Thank you.

MR. MACMANN: Yeah.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: I did have a meeting with the director of the CID today to talk about grants, but we did not discuss the plan.

MR. STRODTMAN: Thank you, Mr. Toohey. Any other Commissioners? I will also disclose

that I attended one of the public hearings or public meetings, and so I will just disclose that I was at one of the public -- I was one of the 130 people. So with that, Commissioners, is there any questions of Mr. Zenner? Yes, ma'am?

MS. BURNS: In going over the public process, Mr. Zenner, are you comfortable and is legal comfortable with the notification the way the process was held that this couldn't come back after the fact and somebody indicate that other public processes that the City has sent out information for, this was done in a different manner and that that might be a future problem?

MR. ZENNER: I can't speak on behalf of the law department, but I will indicate that with the H3 Charrette process, that was not something that was noticed by our staff. Again, that was a private party, downtown leadership, requested the preparation of that plan. Now, there was City dollars associated with that that were allocated, if I am not incorrect. However, I don't believe, as a guidance document, we're utilizing this as a guide. We are not using it as a regulatory document. Council's acknowledgment of the document as a guide, as an objective to achieve an end in the corridor will involve the opportunity for public comment at that point. Again, as I've stated in work session, much of the area that's already -- that is contained within the planning boundaries of the loop plan are already zoned to accommodate the redevelopment that's desired. Therefore, from a land-use perspective, there's -- there may not be a tremendous amount of land-use change requests that would come before the Commission or the Council. Platting, on the other hand, may be a different story, and we may have lot consolidations and things of that nature that do need to come through both processes. Using the plan as a guide and an objective is something that I think the way that their process was conducted, I think is a -- was a public process. It wasn't done in a vacuum with just the planning committee and their consultants. They reached out. As we utilize the plan as an evaluation tool and as a guide, I think the acknowledgment and the exposure that the plan will receive will increase. The CID would like to shift from the planning committee to a different committee form, that it will actually then utilize in order to continue to keep the momentum moving forward with implementing the plans, goals, and the objectives. So it's going to switch gears here shortly in order to be able to keep that momentum rolling. And I think as that occurs, the CID will likely continue to enhance its -- its outreach to ensure that the goals and the ideas in the plan are actually brought to reality to benefit the corridor's businesses, as well as to the City as a whole. So I think the public process will probably get better as it moves on and, therefore, I don't have reservation to it. This is a private-party document, so it is not -- it's not held generally to the same standards that we would be held to for the noticing processing and ensuring that we meet a higher level of notice in order to meet the objectives and the desires of maybe our elected officials. I believe that they did a stellar job of what they have done in garnering 130 out of just two meetings is pretty impressive in our book.

MS. BURNS: Thank you.

MR. STRODTMAN: Ms. Loe?

MS. LOE: I agree that a lot of the recommendations were more general in nature, therefore,

they were suggestions or could be taken as recommendations. However, page 52, I felt like it did become a bit more specific, and was just curious that if we do recommend this, are we saying that we agree with those recommendations? I was also a bit confused because the language indicates that it appears to be proposing that a designation for the corridor would be M-C, mixed use, and many of the properties along the corridor are M-C. However, some of the properties, such as the school, I don't think we are going to consider rezoning. It also talks about the -- applying an overlay plan of mixed use and we don't currently have an overlay mixed-use designation. So I didn't want -- are we saying yes?

MR. ZENNER: You would be saying yes if you're -- if you're favorable of recommending that the plan's conceptual objectives and conceptual ideas be considered. You are not saying yes to a formal zoning process. You can't. There has been no application for that. There is a legal process by which to rezone and notice property which this process is not circumventing or will not overrule that process. Property owners will need to make application to rezone. The corridor, the CID itself may approach City Council and ask for an overlay to be created. I would suggest that if the objective is to try to seek relief from particular Code requirements that are in the UDC as it relates to subdivision, potentially parking, and other requirements that are zoning related, that will require some other official action of City Council and then we will get into a very extensive public process that the City will have to administer because we are going to be potentially affecting property rights and usage in our regulatory process. So, no. This plan does not -- does not necessarily, I would say, endorse a particular process because the particular processes that are identified here on page 52 require further review. They require direction or application. It's interesting you should raise this point, Ms. Loe, because as I went back through the minutes as it related to the H3 Charrette, if I'm not incorrect, it happened to be at the same time that we were talking about a downtown TIF. And it was very clear in the minutes that were taken with the discussion of H3 Charrette of the whole idea that we're not adopting the TIF as a way of funding, and that was disclosed quite heavily and it was made very clear in the minutes for the adoption of the H3 project that it was being adopted as a guiding document. It was not being adopted as regulation or support of any funding mechanism. If the Commission is so inclined, you could caveat your recommendation. You could suggest that we support the ideas, the goals, and the objectives, but we also acknowledge the fact that additional regulatory processes need to be followed to fulfill particular items. I think, in general, as Mr. Toohey pointed out at our last work session, the corridor, to some people's belief, needs help. The plan provides the direction for getting that help. And if that is where you, as a Commission, are -- are seated at this point and feel that that is what this what this plan can fulfill, that is the objective by which you may want to make your recommendation of its support to have it acknowledged and allow us then to continue to work with the CID as a City to develop the other regulatory mechanisms that may help to effectuate the goals and the objectives within it, such as the creation of an overlay, possible rezoning of property.

MR. STRODTMAN: Thank you. Mr. Stanton?

MR. STANTON: Question of staff. When a neighborhood plan comes before us and we adopt it, what is it classified? Is it a resolution to the City Council? What is its designation when it goes to City Council?

MR. ZENNER: The -- the area plans that we have adopted, we have been directed to prepare by Council have all been adopted by ordinance. They are with the -- in my research, the 11 years I've worked here, we've done three area plans. The first area plan we did was actually adopted by ordinance and it was the Northeast Area Plan, with specific reference to being incorporated as an addendum to the Metro 2020 Plan, the predecessor to Columbia Imagined, our current comp plan. The following two area plans, the East Area Plan and the West Central, were adopted just by ordinance. There was no reference to it becoming an addendum to the comprehensive plan. In general, the difference that I drew from that research was ordinances apply to City initiated and directed area planning efforts, resolutions have applied to those that have been private party for the purposes of recognizing the importance of the effort undertaken by the private entity and the importance of the goals and the objectives within it. It was acknowledged by resolution, and that is why when I made my recommendation on behalf of staff, that is why we are recommending to acknowledge the plan's importance by resolution. That is also consistent with what's on page 52 of the plan that the CID was seeking. They would like it done by resolution, not necessarily by ordinance. Obviously, they would probably take it by ordinance, but ordinance is being limited, at least in my research for what we've adopted, to those City initiated documents.

MR. STRODTMAN: Thank you. Ms. Rushing?

MS. RUSHING: How extensively was the Planning Department involved in this process?

MR. ZENNER: As I pointed out, we were not directly -- my staff, myself were not. The City was involved. Our traffic engineering division staff participated in the divisioning meeting that was had after the first public meeting in July which helped to refine goals and -- or ideas that were generated out of the first meeting to see improvements. And then they, if I understand correctly, were engaged as the plan was further refined before it was final produced in March. But there was -- other than that involvement, there was limited engagement of the Community Development Department staff that deals with planning. Some of that, I think, can be explained by the fact that the majority of the land mass is already zoned to accommodate the type of development that's desired. Obviously, as we pointed out during our initial work session when the CID presented, there is an opportunity, I think, here that exists for the City's Community Development Department which administers our Unified Development Code to coordinate with CID staff in order to help them help future prospects understand the regulatory requirements and then to potentially identify areas where there may need to be possible modifications to those standards to help facilitate the objectives of the plan. But again I go back to the fact that the only way to help facilitate objectives if there's a conflict is there needs to be some additional document developed, and that would be then the overlay. And that would have to come through an initiated process by City Council back to the Commission, at which point the City staff, the CID, would work together to develop that overlay's

structure and bring it back to a public process that we would normally do for any other zoning change or an area planning process.

MR. STANTON: So the Charrette was a resolution?

MR. ZENNER: That is correct, sir.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: So the Planning Department wasn't directly involved with this, but weren't there members of Council and other City staff that were involved?

MS. BACON: I do want to point out, I did follow it on Facebook as a private citizen. I wasn't living here during most of the planning and development process, but I used to live in Parkade, and so I was watching it from afar, I will say that.

MR. ZENNER: So, Mr. Toohey, the planning committee consisted of Trent Brooks from MoDOT, Felice Brown, which was a resident, Chris Burnam of Parkade Plaza, Gary Ennis, with Ennis Appliance, Dave Griggs with Flooring America, Mike Heimos with the City's Sustainability/ Stormwater Office, Vicki Kemna from Boone Electric, Paul Land from Plaza Realty, Jeff Lashley from Moberly Community College, Tom May from Break Time, James Roark-Gruender for Passions, Clyde Ruffin, our City Council member for Ward 1, which is where this is located, Mike Schupp from MoDOT, Richard Stone from the City's Public Works Department, who is also our City traffic engineer, Annette Triplett from the PedNet Coalition, Lili Vianello McDonald's -- I'm probably butchering these names -- Gary Ward from the University of Missouri, Ryan Williams from our Water & Light Department, and then Scott Wilson from the Downtown Leadership Council, those are their planning committee members. And then, of course, you had the board for the CID that participated, as well as you had their consultant staff. So, I mean, they had a group of -- of knowledgeable individuals that have involvement within the corridor participating, and it's in the visioning side of this and evaluating objectives or goals and ideas. I would tell you that the planning staff, if we had participated in this, we would have been looking at things maybe more from a land-use perspective of how to we accommodate particular land usage within maybe the zoning or are we creating other conflicts. From some respects, while we were maybe left out of the process directly as administrators of the UDC, we come in after the ideas are produced and then we have to figure out, well, here's what you would like to generate, here's what our zoning code allows us to do. Really, this is, as I think Ms. Loe pointed out, it's a document of ideas. It's recommended actions. It's not necessarily anything that has been decided on, and I think once the decisions of what types of improvements need to be made are arrived at is really where the expertise of our City staff comes in from a -- from a community development perspective to help walk through the regulatory process to achieve that end goal. So right now, we're looking at a broad document with a lot of ideas within it to help improve the corridor. Is the document's ideas and its focus and its thrust appropriate? I would suggest to you from the City staff's perspective, and my review of the plan, yes. I think the ideas that are provided here in the document offer a lot for us to be able to sink our teeth into and to help move the corridor forward. Therefore,

adopting it by resolution helps us be able to do that, and then we can actually start to really do the real work, and that's to figure out how does our Code either accommodate or not accommodate these ideas, and then we can work to figure out, well, how do we make it accommodate them in all instances, if that's possible, and that would be the next step.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: So if we go back to your previous comments, so did I understand you correctly that you feel like there needs to be an amendment added to this that prioritizes some of these goals?

MR. ZENNER: Not necessarily. I think to Ms. Loe's point, she was concerned that some things that are here on page 52, which talk about the creation of -- that the designation -- the zoning designation, which reflects the objectives of the plan, is really M-C, the corridor designation, which actually the M-C corridor designation allows for pulling buildings up to the front property line with almost zero lot line -- zero lot line setback reductions and parking standards. That's actually a -- that's an official zoning action that has to occur by the Board of Adjustment. That's not something that you can do just by adopting the plan. We've got to go through a couple of additional regulatory steps. The idea of developing an overlay, which is also addressed here on page 52, again is something that is actually a regulatory action, that this recognition of a plan isn't stating one way or another that you're condoning or acknowledging that that's what you want. It would be -- it's the idea and then I think that idea is something that needs to be vetted through our regular vetting process of a public -- a public outreach and a public hearing. Property owners within the corridor, property owners within the community have a right to speak to that. We don't just unilaterally decide we're going to apply something to a corridor because it's in a plan. So that would be what the caveat to the recommendation could potentially be is you acknowledge the plan's broad goals and objectives, but you're not necessarily supporting any one particular method by which to get there. That's something that would need to come through what a -- through a formal request process.

MR. STRODTMAN: Any additional questions, Commissioners, of staff before we open it up to the public hearing? We'll go ahead and open it up to the public hearing.

PUBLIC HEARING OPENED

MR. STRODTMAN: So we just ask for your name and address.

MR. GRIGGS: Good evening, Commissioners. I'm Dave Griggs; I'm the chairman of the Business Loop 70 CID. I reside at 6420 North Highway VV, which is not in the City, however, I have been a business operator and owner on the Business Loop since 1972, I believe -- maybe '73. Irregardless, I certainly want to compliment Mr. Zenner on your outstanding summary of why I'm here because he's saved me from having to go through so much of this again. You did a great job, Pat.

MR. ZENNER: Thank you very much, Mr. Griggs.

MR. GRIGGS: With me is Carrie Gardner. Carrie is our CID executive director, and Lili Vianello, who represents McDonald's in the CID, so we're here to try to answer any questions. I would like to just address a couple of things, particularly for Ms. Burns' question on who knew about this.

Facebook, our posting on the Loop website, we sent postcards to every neighborhood association in the City's database. We met personally with most of, if not all, of the neighborhood associations that touch our proposed CID. We distributed postcards, we went door to door and met with business owners and corporations who operate businesses on the Business Loop, so we did our very best to get all of our neighbors and the community informed. And, frankly, I think the testimony of 70 people came to our first public hearing was pretty impressive. I've been to way too many public hearings, particularly with MoDOT, on things -- little issues like I-70, where three people come and it's not -- how in the world would we get 70. But nonetheless, I think we really made a great effort. We tried very hard to do that. So hopefully that addresses that question. I'm going to tell you, this is a process. And, frankly, our plan is, unfortunately, from my standpoint, the beginning of the process. We are starting to form committees to address things like storm water and infrastructure and traffic and to really start trying to develop and refine the plan to what it can be. There's several challenges on the Business Loop just because of the way it is. It is controlled by MoDOT because it was the U.S. Highway, MoDOT's jurisdiction, so a property owner can't do anything that affects the Business Loop without MoDOT's input. Obviously, it's in the City, so we have to deal with all the City Planning and Zoning ordinances, et cetera, and it's a very -- Pat was very kind. I would call it a very tired corridor, but having tried to form a CID about 15 years ago and getting absolutely nowhere, I am extremely pleased to say that we accomplished that this time and I think that was more of the effort of our organization group to go door to door and get the businesses and the property owners involved and engaged in the process. I personally have a goal of expanding the CID to go corridor wide and corridor wide means probably to Hinkson Creek, et cetera. Obviously, MoDOT is making a great deal -- has made a great improvement on the Conley Road extension, and because of that additional traffic, is doing a major traffic study on the -- on the east end of our part of the Business Loop. We anxiously await that, but there's going -- maybe, in my opinion, some major traffic improvements there. So this -- truly is where we are today is the beginning of the process. Your recommendations to the Council to adopt this by resolution I think is exactly what we want, because we're not ready, frankly, to tie down the specific part of this or that specific zoning requirement or anything like that overlay, et cetera, and the resolution, as I understand it, gives you the opportunity to endorse us, say we, the community, support redevelopment enhancement of the Business Loop, engagement of the community, but doesn't tie you down to anything specifically and we're not ready to ask for that anyway. So we're here to answer whatever questions. I have two other notes. I think I've answered my notes. We're here to answer any questions that you might have or do our very best to do so.

MR. STRODTMAN: Thank you, Mr. Griggs. Commissioners, speaker -- questions of this speaker? I see none. I thank you, sir, and thanks for your efforts to get us to this point.

MR. GRIGGS: Thank you very much.

MR. STRODTMAN: We appreciate that. Would anybody else like to come forward this evening? We'll go ahead and close the public hearing.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, we've had other discussions in work sessions and discussion about this, so Ms. Loe, I think, want to -- we'll let ladies go first this time. Ladies first. Ms. Loe?

MS. LOE: Just -- just in the interest of a qualified motion --

MR. STRODTMAN: Yes.

MS. LOE: -- perhaps. Let me float it and you guys can tell me what you think. So in the case of 18-170, the I-70 CID corridor -- I-70 Loop Corridor Plan, move that the Council adopt by resolution the Corridor Plan's guiding principles, concepts, and goals with the understanding that the specific regulatory process will be further developed and defined.

MR. STRODTMAN: Ms. Rushing?

MS. RUSHING: I just have one comment. Maybe exchange approve for adopt?

MS. LOE: I think we need a second before we can discuss.

MS. RUSHING: Yeah. Okay.

MR. STRODTMAN: True.

MR. STANTON: I'm not comfortable with that yet. I need to talk.

MR. STRODTMAN: Okay. Commissioners, we have a motion on the floor without a second. I see no second.

MS. LOE: So withdraw?

MR. STRODTMAN: So withdrawn. Is there another motion that somebody would like to put forward for discussion, consideration? Mr. Stanton?

MR. STANTON: I just want to discuss the whole concept with my colleagues.

MR. STRODTMAN: That's fine.

MR. STANTON: I love the plan. I love its direction, I love the detail, but this is -- this is my biggest issue. When I'm in the community, I push people to play the game as its designed. When I talk to community leaders, I say make sure that you have a formal neighborhood association because that is recognized by the City and your ideas will have more weight and more teeth because you're a recognized entity. I also push when I see community groups in my neighborhood, I say, hey, get a neighborhood plan together because it is recognized as a format and a protocol that is recognized by the City and it has teeth and it will be recognized in the comprehensive plan if you play the game XYZ. Don't go off the reservation with your own plan that does not fit the format that is not recognized by the City. That's what I push to do while talking to the community. This plan has all the components to be part of a formal, formatted plan recognized by the City. I wish to see it in that format. Take this information, run it side by side with the neighborhood plan, and insert the necessary information in the necessary format. I come from the education perspective. When I'm not digging ditches or pouring concrete, I used to teach. And if I had a report turned into me and I said I wanted it in MLA format. I want all things -- it could be a

masterpiece, poster-prize-winning document. If it is not in MLA format, do I give that student an A+? Do I recognize that document as -- as a work that I can give a grade and say you did a great job if you did not put it in the MLA format and did not cite your resources as I asked? So that's the situation here. It's a beautiful document. It is not in a format that is recognized, even though it meets all of the things we asked for. I want to be able to look at the West Central Neighborhood Plan and this same document and be able to -- and to compare apples to apples just like all other recognized formal plans recognized by the City. Why does this matter? I can know the difference between the resolution and an ordinance. To say that we're going to grant this -- say we take it as is and we grant what is asked for as a resolution, I don't think the public or the Council or us even will know the difference. Point in case, CVS. We looked at the Charrette and made decisions, I'm sure, based on what the Charrette said about that particular land. I could be wrong, but I'm pretty sure that it had a lot of weight on the decision made for that -- for that area. So the Charrette had teeth. It had teeth that were recognized by the people that were making the decisions, and we are giving this same document those same teeth. Yes, this is a great document. Yes, it has great ideas. Yes. Yes. Yes. But if you think this is not going to have an impact on what happens in this area, we're sadly mistaken because it will. And if it does, and which I do want it to, put it in the MLS format like the teacher asked for so that I can read it and grade it as such.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: Regardless of that, however, it's adopted, people are going to pick and choose how they want to use the document. I mean, we already did that with Columbia Imagined. We did that earlier tonight. Columbia Imagined has contradictories in itself between smart growth and neighborhood preservation. Tonight we picked neighborhood preservation over smart growth.

MR. STANTON: I disagree. I think that that was a -- that was used in a plan. This -- this -- it proves my point. This is something that their neighborhood plan utilized. This is something that they had expressed in their neighborhood plan, and they began to execute their plan which was recognized by the City in a format designed and recognized by the Planning Committee. I mean, I think we don't want to get in the habit of not steering our community or our leaders in the direction of things that are fully supported. I think that we can take this document, put it through the same process -- it's already done. I guess is what I'm saying, it's already done, but it's not in a -- it's not in the format that's been designed and recognized by the City. I can't bring a group of people from my neighborhood just in here to talk about my community, and they're going to say, well, what neighborhood association do you belong to? Oh, we don't have one, but we're just going to come in here and we're going to tell you what we want our community to look -- our neighborhood to look like. We will listen, but their -- their words won't have teeth because they're not a recognized group like we -- the City has designed in a neighborhood association to be able to be recognized and be able to come before this body and discuss things about their neighborhood and move forward, make a neighborhood plan, and so forth and so on. There's rules, there's a game to this, there's rules to this game, and we need to hold people accountable to play by

those rules.

MR. STRODTMAN: Ms. Loe?

MS. LOE: You bring up a good point. I would say that the plans that have been adopted by ordinance may follow a template. I'm not sure I've seen that template, so that would be one of my questions. Is there a template for a plan?

MR. STANTON: Yes. They have a process in which every neighborhood goes through and has a series of questions. If you look at the West Central Plan is part of the last case we just talked to -- about. It's not the whole thing, but it's -- there's a format. There's certain things they ask, there's certain questions they go through. They have all the answers is what I'm saying.

MS. LOE: But this -- this was not being put forward to be adopted by -- into the ordinance, but rather as a resolution because it does not follow that plan.

MR. STANTON: I know, but it's going to have the same teeth.

MS. LOE: And we have a precedent -- we have a precedent for that with the Charrette Plan. So I think the question is really asking what's the difference and I think you're proposing that we no longer adopt plans by resolution?

MR. STANTON: I would be very close to saying that.

MS. LOE: Yeah, I think so.

MR. STRODTMAN: Ms. Burns?

MS. BURNS: I support Ms. Loe's motion because of the additional language of additional regulating process as needed. I feel like that gives us some checks and balances in this. And I also think when we refer to the Charrette Program -- the Charrette document, I understand that that's not an adopted document by Columbia Imagined. It's a guiding document, and that's what I look at this as, also.

MR. STRODTMAN: Ms. Loe?

MS. LOE: I -- I think if we're going to say -- I think this could be a bigger discussion, if we're going to say we no longer adopt plans by resolution and that's why I bring it up because we have done that, that -- we do do that. But maybe we do need some clarity or clarification between what a resolution versus a plan that's adopted by ordinance means. I'm not sure every plan can or should meet a neighborhood plan template, so I'm a little bit of leery of going in that direction.

MR. STANTON: And I agree. But I think this is one that's pretty close where we need to -- this is my problem. This will be a document used to develop this area if like it or not, hands down. The Charrette has showed us that with CVS. They looked at the Charrette, maybe -- now we have -- the City bought some land and it is going to be a park. That's what the Charrette wanted that place to be. It didn't want CVS there. The Charrette had a heavy influence on what happened with that land.

MR. STRODTMAN: Ms. Rushing?

MS. RUSHING: Well, I'm going to get back to the language. I think there's a difference between adopted by ordinance and approving by resolution. And my understanding is they want to go

for grants. They're going to need something that shows that the City has approved their plan in order to get -- to apply for those grants. So it's a less formal -- and you're right. It doesn't have the teeth of being adopted by ordinance, but, you know, it's -- I support this plan --

MR. STRODTMAN: I'll chime in. I kind of agree with Ms. Rushing. I think it's a wonderful plan. It's not an ordinance. It's not going to have the teeth that -- the CID is not looking for it to have the teeth. They're looking for it to be a plan that will eventually lead to teeth, to documentations, to a process that will give them teeth. The Charrette was much more detailed. It -- you know, it went into, you know, specific areas and specifically said what they thought was going to go there, where, you know, in my eyes, this CID is a much -- you know, 30,000 feet, start to step back, and, you know, it wasn't as detailed, as specific. And I plan on supporting it. I think it's a -- you know, it's a good plan and, you know, they had a lot of public input. It was maybe done not the traditional way, but this is a group of business owners and landowners that took the initiative of themselves and, you know, led the charge. We heard from Mr. Griggs that he's been -- you know, working on this for years. So, you know, I think it's a plan that has taken years to develop and, as a result, I think it has been well vetted and, you know, it's not -- we're not saying it's going to hold our hands to future because I don't think it is. I think it's just a directional guide for us and not a specific road map that we have to follow. Mr. Stanton?

MR. STANTON: I've just got one more thing and I'm just going to leave it at that.

MR. STRODTMAN: Thank you.

MR. STANTON: I feel that this will be -- I feel like they're taking the easy way out. By going with a resolution, they don't have to -- they don't have to hold to the standards of an ordinance, so they don't have to be vetted through the process that an ordinance would require. But it's going to have the same weight and power as I -- I bet you. I bet you it will. So that's all I'm going to say. Love the plan, don't like the format, think it needs to be vetted to the City a little bit more like we require anything else. That's all I'm going to say.

MR. STRODTMAN: Ms. Loe, would you like to try --

MS. LOE: Try --

MR. STRODTMAN: Try it again. Try it again.

MS. LOE: Okay. I'm going to try it again. All right. Move -- in the Case of 18-170, move to adopt -- move to recommend that Council adopt by resolution the corridor plan's guiding principles, concepts, and goals with the understanding that the specific regulatory process will be further developed and defined.

MS. BURNS: Second.

MR. STRODTMAN: Thank you, Ms. Loe, for the motion, Case 18-170, to approve, and we received a second by Ms. Burns. Do we have any discussion on this motion? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Thank you.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. Strodtman, Mr. Toohey. Voting No: Mr. Stanton, Ms. Rushing. Motion carries 5-2.

MS. BURNS: Five to two, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation will be forwarded to City Council for their consideration.

VI) PUBLIC COMMENTS

MR. STRODTMAN: That was our last case of the evening, so is there anyone from the public that would like to come forward that has not had a chance yet?

VII) STAFF COMMENTS

MR. STRODTMAN: Staff comments?

MR. ZENNER: Yes. Your next meeting will be on September 20th, two weeks from today, same time, same place. We will be having our work session and again we'll be covering some more topics as they relate to the five-year comprehensive plan update. Ms. Bacon will -- no, Ms. Bacon will be out of town. She's telling me she -- that's right. She will be at a conference, so you will have to listen to me go on about something. I'll figure out what we'll talk about. But then you can come into this wonderful room and we will have a -- we will have a public session where we have wonderful items to discuss. We have two public hearings, the Williams rezoning, a down -- and upzoning request of Heriford Road from R-1 to M-OF. This is a parcel that backs up to I-70. And then we have a revision, a major plan revision to the MBS-OP Development Plan and this is off of West Ash in order to accommodate Boone County Family Resources on the parcel that is directly across from the MBS facility there just before you get to Fairview. Then we have a joint item that is a public hearing and a subdivision request, and we have the Ridenour permanent zoning action. This is currently zoned county A-2. It seeking to be annexed through separate document and permanently zoned to accommodate R-1, M-N, and M-C zoning, and a corresponding preliminary plat that shows the division of the property into those aforementioned zoning districts. Just so we can familiarize ourselves with where the properties are located, the Heriford Williams rezoning request, there on Heriford Drive just backing up to I-70 Drive, and immediately to the west of that is the Honda dealership. Here on your right-hand side of your screen is the MBS-OP plan and now a PD plan, of course, directly across from the MBS facility there on the north side of Ash. And then our Ridenour annexation permanent zoning. The permanent zoning sites we will discuss and then the Oakland Crossing preliminary plat. The properties surrounding this to the north and east are under a partial inter-annexation agreements and should the Council decide to bring these property -- this property in, it will potentially effectuate the annexation agreements and that result in the adjoining properties coming before the Planning and Zoning Commission for a recommendation of permanent zoning on what was previously identified in the annexation agreement for sanitary sewer service many, many moons ago. That is all way have this evening to provide to you. In regards to our

corridor plan recommendation, as a 5-2-1, and that one represents an abstention by Mr. MacMann, that item will show up on old business on the City Council's agenda, having not achieved the 75 percent recommendation for approval. With that, that is all we have to offer for this evening and we appreciate your time and your attention tonight.

MR. STRODTMAN: Thank you, Mr. Zenner.

VIII) COMMISSION COMMENTS

MR. STRODTMAN: Commissioners, any comments of Commissioners? Ms. Loe?

MS. LOE: I just had a point of clarification, and this is for staff. On the downzoning case, a -- one of the arguments made was that the existing structures were better suited in part because they presented less of a flood hazard than future construction might. And in checking the flood map, it does appear about 20 of the lots may contain some portion of their lot in floodplain. But I just was curious about this because my understanding of being in a floodplain overlay would be that they would not be allowed to rebuild with their floor level, including basement below the floodplain level. And many of those buildings have basements below -- partially below grade at this time. So that seemed inconsistent to me.

MR. ZENNER: I would have to, Ms. Loe, I would have to look at the floodplain overlay regulations. I -- you are correct that the FPO requires new construction to be two feet -- a minimum of two feet above BFE. I believe basement level construction, provided it has -- provided its particular flood-proofing requirements, may be allowed to be used, but that would again be something I'd have to look into. Mr. Smith may have additional information on this given that that may have been question that came up at a public input meetings and questions that were posed by others with the zoning, so I'll let Mr. Smith add to that.

MS. LOE: Well, I just -- I mean, if our new requirements aren't creating buildings that are better than buildings that were built in the 1930s, I think we really should be looking at those more closely. But I happen to think they do, so --

MR. SMITH: And I think there's two -- two different issues going on. One was the floodplain issue, and I did speak with the applicants about that, and explained that the homes could be demolished, and they could be rebuilt there as long as the -- the foundation was two feet above the floodplain level. Looking at the lots, though, there is some prohibitive area because the lots are fairly small and to grade a lot to raise a foundation there, it's two feet above the flood level, and they're not at flood level now, you could be talking several feet if the foundation had to be -- to be raised. So I think there's limited redevelopment potential for some of those sites. The other is the increase in impervious, which could add to some of the storm-water issues they have now on site. And I think the assumption there is that a two-family home is going to have a larger footprint than an existing single-family home. That's not necessarily absolutely true, but I think if you -- all things being equal, if you're building a two -- a two-family dwelling, it is going to be larger than probably those existing single-family homes out there because most of those are kind of worker-style home that isn't a large four-bedroom home. So some of those --

some of those kinds of things are based on assumptions, but I think they're fairly accurate.

MR. ZENNER: I would further add to that, given the lot sizes, as Mr. MacMann had queried, 50 by 120 and a 6,000 square foot lot, two-family development is actually not even possible by the current Code because there's not enough lot area, a minimum of 7,000 square feet is required in the R-2 zoning district to be able to do a duplex -- reconstruction of a duplex.

MR. SMITH: And then you're looking at buying multiple lots and buying them, and we're losing a little bit of the efficiency then of building two -- two-family dwellings if you're combining two lots.

MR. ZENNER: So certain limitations, I think as Mr. Smith has pointed out, and what we've acknowledged, I think, at former requests, and in this one again, the mismatch between zoning that is currently identified on our -- on our zoning maps with actual physical land use is part of these requests to downzone, while they preserve the overall neighborhood character and reduce the potential for lot consolidations, are matching up with the land use patterns that historically existed within these areas. And I think as Mr. Smith pointed out when we did the downzoning number one in West Central, the idea of this, as Mr. Toohey stated earlier this evening, working against objectives within the Code or within the comp plan, there are still significant area that exists within West Central that accommodate more dense development, that may be in better locations. And the area plan, the neighborhood plan identified those locations, and that's to Mr. Stanton's point, that through the process of working with the neighborhoods and them articulating where they felt particularly land uses were most appropriate, we have a document that now acts more as a formal land-use guide that directs more specifically the decision-making process. Without that, you really wouldn't have the stated desires of residents that were acknowledged by City Council to be enforced. As you were having your discussion in relationship to ordinance versus resolution, while we do not have a definitive answer, I think the -- the pocketbook answer as to the difference between an ordinance and between a resolution is such that a resolution may be more considered possibly as a desire -- a desired outcome versus an ordinance. When we adopt documents on an ordinance, they -- they normally incorporate other types of obligations or requirements. They are more -- they hold to a higher standard of law. We adopt final plats, for example, which dedicate public right-of-way, they dedicate utility easements. Those are adopted by ordinance, and they are adopted by ordinance because there are rights being conveyed with that final plat to the City of Columbia. A plan prepared at the direction of City Council is one that generally is being prepared with an objective of making that more of an enforceable document, whereas in this particular instance this evening with the corridor plan, it was prepared by a series of business owners desiring to make improvements within an identified area, not much different than the Charrette. We had business owners and property owners that wanted to see objectives facilitated for future growth and improvement of the downtown area with the Charrette. The business owners on the Loop want to see that affected in their area. They need the recognition in order to help with the -- the competition portion of being able to have additional dollars maybe opened up to them to be able to compete for the recognition of that plan will help in that respect,

but it does not hinder our ability to enforce our current regulations unless otherwise amended. So when we look at the distinctions between possibly private prepared plans that seek recognition for purposes other than enforcement of unique maybe zoning standards versus those that are prepared by City direction, that's maybe the -- what you want to look at from -- I would hate to ever get to the point that we tell a private entity or a private group don't do your own planning. Come ask us and we'll get to it in several years because we don't have enough staff to be able to generate a plan in six months. The effort that was conducted within six months to develop a plan, in essence, for the Loop corridor is a phenomenal time frame to develop what was produced. That would have taken us a year or longer, and I don't want to fraught individuals within this community that have the resources to do something like that, or to come in and ask us then recognize the work that we've done, but we don't expect you to incorporate it as part of the comp plan because we understand the difference. So that's, I think -- I applaud you this evening for your discussion, for the outcome. I think we have fulfilled what the objectives of the comp plan are. We're trying to promote goals and objectives of the comp plan through other documents. Park recreation plan is the same way. It's -- it's not adopted as a part of our comp plan, but we use it, but it goes through a public process, of course. There's a lot of stuff that we have that we've adopted previously in the City of Columbia or reviewed, and I think what we're ending up with is dealing with it. So I think we're okay. Thank you.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: In 20 words or less, can you say -- can you tell us why with the -- with the first case there were two pages out of Columbia Imagined that only address neighborhood preservation? Because four pages later in that plan, it talks about smart growth and having mixed use in neighborhoods. And so by downzoning those properties to R-1, that can potentially prohibit that goal out of Columbia Imagined?

MR. SMITH: Yeah. I mean, it comes across, I think, as picking and choosing. But what I would say is that you can have both in that neighborhood area. In this particular location, neighborhood stabilization, in our opinion, is the -- is the, I think, the bigger priority. We have smart growth, I think, principles and policies in the plan, but you can't have that in the entire WCC plan area to say every lot must adhere to a smart growth -- as much density on every lot as possible. You have to say, you know, that's part of the planning, is that this location here is -- is better given the context of what's there now. And given the fact that for 50 or 60 years, the opportunity to redevelop it from its lower density -- and when we say lower density, this is a fairly high-density single-family area. You don't get this type of dense single-family development anymore. And I think that is something we look at, so we should probably look to protect some of it, but the recommendation isn't protect everything out there as single-family. It's to look at locations that are better suited, targeted locations, so that when someone does come in and say, hey, we want to redevelop the site there, there's something that that says, yeah. That's the spot that's good, not these three lots middle of the block here that's surrounded by single family. So

it's trying to identify where in the neighborhood plan neighborhood stabilization is more appropriate and where higher density is appropriate.

MR. TOOHEY: I guess my issue with it is not to include it at all or include the entire plan because it seems like staff is picking and choosing what part of Columbia Imagined should be applied to that particular case when you only include two or three pages in the plan.

MR. SMITH: It -- it's --

MR. TOOHEY: I understand completely what you're saying, it's just a principle of --

MR. SMITH: I mean, we could just leave it out all together and just kind of explain the principles. I mean, we get the same issue come up all the time with things, I mean, like, one that always comes up with sidewalks and tree preservation, you know. If you have trees there, and you want to put a sidewalk through, which is the principle and which is the priority that gets -- that gets picked, and then sometimes you do have to choose one or the other, and that -- it's not -- it's not always black and white.

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: That drives my point. That came from the neighborhood plan adopted and vetted by the community and the City. That was a priority. That's why it did -- it went the way it went. That was what the neighborhood associations and the people who lived there wanted it to happen. They weren't trying to balance it. That was one of the -- that was one of their priorities.

MR. SMITH: And can do a better job maybe of saying all of these types of objectives are in play in this location, but these are the ones that we're going to focus on as meeting the higher priorities. It's just going to make the staff report longer. So, I mean, if that's what you want, we can do that.

MR. STRODTMAN: Job security for you guys.

MR. SMITH: Yeah.

MS. LOE: Then we'll ask fewer questions.

MR. STRODTMAN: Any additional comments, Commissioners? I see none.

IX) ADJOURNMENT

MR. STRODTMAN: Would we take -- anybody like to make a motion for adjournment?

MS. LOE: So moved.

MS. BURNS: Second.

UNKNOWN: Second.

MR. STRODTMAN: We are adjourned. Have a nice evening.

(Off the record.)

(The meeting was adjourned at 9:07 p.m.)