

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
OCTOBER 24, 2019

COMMISSIONERS PRESENT

Ms. Sara Loe
Mr. Rusty Strodtman
Ms. Lee Russell
Mr. Brian Toohey
Mr. Anthony Stanton
Mr. Michael MacMann

COMMISSIONERS ABSENT

Ms. Tootie Burns
Ms. Joy Rushing
Ms. Valerie Carroll

I. CALL TO ORDER

MS. LOE: I would like to call the October 24th, 2019 Planning and Zoning Commission meeting to order.

II. INTRODUCTIONS

MS. LOE: Mr. Toohey, may we have a roll call, please. Thank you. We have a quorum.

III. APPROVAL OF AGENDA

MS. LOE: Mr. Zenner, are there any adjustments or additions to the agenda?

MR. ZENNER: No, there are not, Madam Chairman.

MS. LOE: Thank you.

MS. RUSSELL: I have a motion.

MS. LOE: Thank you, Ms. Russell.

MS. RUSSELL: I move to approve the agenda.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. Take a thumbs up on approval of the agenda?

(Unanimous vote for approval.)

MS. LOE: Unanimous. Thank you.

IV. APPROVAL OF MINUTES

MS. LOE: Everyone should have gotten a copy of the October 10th regular meeting minutes. Were there any additions or changes to the minutes? Seeing none. Ms. Russell? Mr. MacMann?

MR. MACMANN: I move to approve the minutes.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. Thumbs up approval on the minutes?

(Unanimous vote for approval.)

MS. LOE: Unanimous. Thank you.

V. PUBLIC HEARING

Case Number 231-2019

A request by the City of Columbia for recognition and recommended action on the adoption of an implementation matrix relating to the findings and recommendations presented in the January 2017 Final Report for the Scenic Rock Quarry Road corridor as prepared by the Rock Quarry Road Stakeholder Advisory Group.

MS. LOE: Mr. Zenner, may we have a staff report, please

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends:

1. Acknowledge the January 2017 Final Report prepared by the Rock Quarry Stakeholder Advisory Group as the "Corridor Plan" intended to provide over-arching guidelines relating to the preservation and preferred development strategies along the Scenic Rock Quarry Road corridor as defined in Section 29-2.3(b) of the Unified Development Code.

2. Approve the "Recommendation and Implementation Matrix" as presented to serve as the guide for future policy and regulatory changes necessary to effectuate the recommendations of the 2017 Final Report.

MS. LOE: Thank you, Mr. Zenner. Before we move to Commissioner questions, I would like to ask any Commissioner who has had any ex parte prior to this meeting related to this case to please disclose that now so all Commissioners have the same information to consider on behalf of the case in front of us. Mr. Stanton?

MR. STANTON: As Mr. Zenner stated, I was on that Commission -- on that committee for three years, so all that.

MS. LOE: Thank you. Any additional comments, statements? Oh, sorry. Ms. Russell?

MS. RUSSELL: I just have -- I have a question after this.

MS. LOE: Seeing none. Commissioner questions? Ms. Russell?

MS. RUSSELL: I have a question for legal. When we get to the recommendation, it's my belief that we need to do two motions for clarity. Do you agree?

MR. CALDERA: I think that would probably be best.

MS. RUSSELL: Okay. Thank you.

MS. LOE: Any additional questions for staff? I see none. Since there's no additional questions of staff, we're going to open up the floor for public comment at this time.

PUBLIC HEARING OPENED

MS. LOE: If anyone would like to make public comment on this case, please come forward. Give your name and address for the record. Individuals -- you're co-chairs.

MS. RIBACK WILSON: Good evening. We're co-chairs.

MS. LOE: You're co-chairs. So we will give -- we have three minutes for individuals and six minutes if you're representing a group.

MS. RIBACK WILSON: We're representing a group.

MS. LOE: You are.

MS. RIBACK WILSON: Good evening. My name is Vicky Riback Wilson, co-chair of the Task Force Stakeholders Group, and I live at 3201 Blackberry Lane in Columbia.

MS. YOUMANS: Julie Youmans, the other co-chair, and I live at 2101 Rock Quarry Road.

MS. RIBACK WILSON: First of all, we would like to thank all those who have worked hard on this. We particularly acknowledge the many sessions and the work that you have done, but we also want to acknowledge the staff people and members of the Stakeholders Group who met for over two and a half years every month with three staff members, always two at our meetings every month during that time to help with this report. In addition, there was money allocated from the City Council. We had \$10,000. Most of that was spent on consultants, particularly in the area of looking at a pedway. I wanted to clarify that in the report where there are parameters listed for the pedway, and we worked very hard to see how that could be effectuated, the recommendation was that doing so at this time would be either prohibitively expensive or destroy the scenic road. We hope that you, our future policymakers, will find a way to change that as we go on. It has been just under three years since we submitted our report. Had we had this meeting, this hearing, a little sooner or had we known then what we know now, we probably would have emphasized things in the report slightly differently. A lot of things have transpired in the three years. There have been changes in the road because trees had to be taken down because of construction, particularly south of Grindstone. There has been inadvertent clearing by Boone Electric because of poor communication as to what was expected and why Rock Quarry Road was different from their other projects. There have been new buildings including the partial erection so far of a Butler building with clearing that has taken place and we have realized that there is often or sometimes a conflict between City requirements for clearing invasive species which then eliminates the existing vegetative buffer. There is no emphasis in the report for retroactive replanting or restoration of those buffers. Were we to do this report again, we would emphasize the importance of enforcement. It is that lack which has led to some of the degradation that has gone on in the last several years. In addition, there were approved deviations from the Special Area Plan which inadvertently allowed further degradation of the buffer in several areas. I won't go through all the other examples. If you've driven the road, you know how beautiful it is, particularly at this time of year, and you also know how much it has changed in the more than 20 years that those of us, stakeholders in this room, have been working on these issues. In short, the clock is ticking. We urge you to move this forward. I know you have that same feeling, and to emphasize the importance of enforcement quickly, communication quickly. We ask that the entire report and photographs be made part of the public record, and we would like to recognize the other stakeholder members who, in the interest of time, will not be speaking tonight before Ms. Youmans says anything. So those people who are here, thank you. They attended monthly as did Mr. Stanton from -- long time.

MS. YOUMANS: I can only reiterate and emphasize what my co-chair has said, and also to give the Commission a lot of credit for the work they've done. Living on the road, we're very aware of the

underlying elements and scenic characteristics. We're watching them disappear and be degraded. When we come to the committees, we realize how many other layers and dimensions it takes to preserve these characteristics. People say to me, you're going to a Rock Quarry Road meeting? Why? They did that years ago. Well, as we all know, they did put an ordinance on and it didn't accomplish what we thought it did. Our Stakeholder Committee, I think, is very satisfied with the summary that Mr. Zenner gave, and overall that is where we stand. We understand some details are not exactly what we thought they would be, but the urgency now is our main concern, that even this summer, things have changed so rapidly. And the need for compliance and getting the information out that there will be compliance, we understand that our committee can't come up with these policies, but your recommendations are what will help move the City to take these steps. So again, we hope that the report will be forward and the matrix because the matrix is the details of how to take action for compliance and enforcement. Thank you.

MS. RIBACK WILSON: Are there any questions.

MS. LOE: Thank you. Are there any questions for these speakers? Mr. MacMann?

MR. MACMANN: I just have a quick comment. I would like to thank you both and your entire Task Force for doing what you have done to try to preserve something in Columbia. Ms. Youmans, Ms. Riback Wilson, thank you very much.

MS. LOE: Yes. Thank you for our first Scenic Road Overlay. Hopefully, we will have more, but it's exciting to start somewhere.

MS. RIBACK WILSON: Well, and we should acknowledge that that – the wording of that ordinance was largely the result of work done by Jan Pritchard, who is here, who was president of our neighborhood association at the time.

MR. MACMANN: Thank you, Ms. Pritchard.

MS. LOE: Seeing no further questions, thank you. Any additional comments from the public?

MS. DOKKEN: My name is Dee Dokken; I live at 804 Again Street. I'm representing the Greenbelt Land Trust today. The Greenbelt Land Trust is a not-for-profit organization that helps landowners ensure that their land will maintain the natural or agricultural characteristics that they value into the future. so far, the Greenbelt Land Trust has preserved nearly 600 acres of land for future generations. We own and manage the Hinkson Valley Nature Preserve, approximately 70 acres along Rock Quarry Road and Hinkson Creek. Part of the City's Hinkson Trail runs through our land. In addition, we hold conservation easements on two other neighboring properties, so we appreciate the careful work that the Stakeholders Group, the staff, and Planning and Zoning Commission have done on the report and the matrix, and look forward to it moving to City Council where action is needed as soon as possible to maintain the special qualities of the corridor. Thank you.

MS. LOE: Thank you, Ms. Dokken. Are there questions for this speaker? I see none. Thank you. Any additional speakers? Seeing none.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner discussion? Mr. Stanton?

MR. STANTON: This is a wonderful group to work with. I'm very proud of the group and the product that they produced. I learned a lot about the Rock Quarry Road, and I think that the report, as well as the matrix that the staff put together produced a good product, and I hope that City Council takes it serious and moves as quickly as possible to preserve the interests of the group.

MS. LOE: Ms. Russell?

MS. RUSSELL: I think it would be my honor to make a motion.

MR. MACMANN: I have a second, but I would like to say something before we close.

MS. RUSSELL: Okay.

MR. MACMANN: Or we can -- we'll make the motion and I'll make my comment in the discussion period. Second.

MS. LOE: Well, I think we need to a motion first. We're so excited. Ms. Russell?

MS. RUSSELL: First, regarding Case 231-20 --

MS. LOE: We're going to do one first.

MR. ZENNER: One moment. If I -- if I have --

MS. LOE: Oh. Mr. Zenner?

MR. ZENNER: We'll do two motions.

MS. RUSSELL: Two motions.

MR. ZENNER: One -- one detail, unfortunately, that I had left out of my presentation, and it needs to be considered as a part of an amendment that you all will need to include. It was brought to my attention by Ms. Youmans earlier today that we have identified through the matrix, master gardeners as one of the Stakeholder Group participants that may need to be reached out to. As Ms. Youmans pointed out to me, there were two master naturalists that sat on the Stakeholder Group. Naturalists are different from master gardeners apparently, so I got a little bit of an education today. And it is my recommendation that the matrix be amended where necessary to incorporate master naturalist into several of the Stakeholder Group's participants, and master gardeners also be retained. So you would have master naturalists and master gardeners as participants in Stakeholders. And that would be an amendment to the currently presented matrix that you have before you this evening, and that would be part of your second motion.

MS. LOE: Thank you.

MR. MACMANN: Part of the second one?

MR. ZENNER: Part of the second motion.

MR. MACMANN: Standing by.

MR. ZENNER: Thank you very much, Madam Chairman.

MS. RUSSELL: Okay. In the case of 231-2019, I move to acknowledge the final report as the guidance document for the corridor.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on this

motion?

MR. MACMANN: I just would like to add the comments -- I'm sorry. I spoke before you recognized me. May I be recognized?

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you. I just would like to add in the comments for Council that I encourage them to act with alacrity and to please include meaningful enforcement.

MS. LOE: Any additional discussion on this? Seeing none, Mr. Toohey, may we have a roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Russell, Mr. Toohey. Motion carries 6-0.

MR. TOOHEY: Motion carries six-zero.

MS. LOE: Thank you. Recommendation for acknowledgment will be forwarded to City Council.
Mr. Stanton?

MR. STANTON: I would like to entertain a motion, please.

MS. LOE: Yes, please.

MR. STANTON: I move that we adopt the matrix as prepared by -- for City Council use and future regulatory and policy decisions.

MS. LOE: Would you care to add an amendment to that?

MR. STANTON: Per amendment suggested by Mr. Zenner, please.

MS. LOE: To include master naturalist in addition to master gardener?

MR. STANTON: Right. Yes.

MR. MACMANN: I move to second his initial -- his initial motion and the amendment.

MS. LOE: Thank you. Second by Mr. MacMann. We have a motion on the floor. Any discussion on this motion? I see none. Mr. Toohey, may we have a roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Russell, Mr. Toohey. Motion carries 6-0.

MR. TOOHEY: Motion carries six-zero.

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

MR. ZENNER: And if I may ask the Commission, as a result of your unanimous recommendations, this item would be placed under the consent agenda as it -- on the Council's agenda. As we have discussed previously, the Commission does have the authority to recommend or request that an item of this nature be placed under old business, which would allow for additional public discussion. Is there any desire of the Commission to request that happen?

MS. LOE: This -- so this would allow additional opportunity to speak to it, but it would delay the adoption of it?

MR. ZENNER: No, it would not.

MS. LOE: Oh, it would not.

MR. ZENNER: It would not. It would still be introduced and then the second reading would basically be public input, but it would still be approved on the second reading if there are no outstanding issues that Council wanted to have addressed. So it would not slow it down any, it would just allow for additional public comment to be made.

MS. LOE: Public comment.

MR. MACMANN: If I may?

MS. LOE: Mr. MacMann?

MR. MACMANN: If we wish to -- I believe that we should put it on old business, and I'll say why. If we want them to act with alacrity on this, they need to understand that clearly. A lot of times consent -- consent agenda would be 20 to 50 items long, and it doesn't get the focus and the read that everything else does that gets a public hearing. Now, if no one wants to come and speak, that's fine, but if it's on old business, they've got to read, they've got to be ready to discuss it.

MS. LOE: Can we ask the Stakeholders if they would like it to be? Do we have to open up public comment again?

MR. ZENNER: You would have to open up the public hearing in order to do so.

MS. LOE: Public hearing. I think I'm going to do that. We're going to reopen public hearing.

PUBLIC HEARING REOPENED

MS. LOE: Ms. Youmans and Ms. Wilson, if you can come forward to the podium, we want to ask a question. Would you like to speak at City Council on this?

MS. WILSON RIBACK: I don't know that it is necessary to speak, but I think Mr. MacMann's point is well taken, and that by having it under old business, it would give other people an opportunity, if they did want to, to say how important the road is to them, which might put a little more pressure on the urgency of acting quickly. If it's not going to delay it, I see no harm in putting it under old business.

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

MR. MACMANN: Ms. Youmans, do you want to speak before I start talking?

MS. YOUMANS: I don't see -- I wouldn't want to suggest anything that would delay it. If there is -- we are certainly willing to speak or bring any supplemental information, such as photographs that could be gone through quickly. You have all learned a lot more about the road than City Council has in recent months. Whatever is the best route is what we would want to do.

MR. MACMANN: If I may, could I help you -- perhaps I could help form your decision. If this is pulled by someone else, because anyone can pull this, or one of the Council people can pull this. If it's going to be discussed, I think it would behoove you to be present and have any and all information available, any and all questions that are there.

MS. YOUMANS: Okay.

MR. MACMANN: Something else that I thought of, there is no funding mechanism in here. If it's going to be funded in any way, even outside Stakeholders, that process has to be done. And if it's on the consent agenda, it's something that goes on -- goes up on the shelf upstairs. And we've -- it's been on

the shelf upstairs for 25 years.

MS. RIBACK WILSON: And Councilperson Peters was also a member of the Stakeholder Committee both before she became a Councilperson and during her tenure. So I think she might appreciate the opportunity to address this.

MR. MACMANN: I just think it's -- it's better, and there would be no delay. There's a first read where they literally read the number, no one has to be there, and the second read is either on the consent agenda or it's discussed. And we're done with budget, so there's not going to be, you know -- and I feel it's more effective if it's on the old business.

MS. LOE: Thank you.

MS. YOUMANS: Thank you.

MS. RIBACK WILSON: Thank you for your excellent work.

MS. LOE: Thank you for bringing it forward. All right. We're going to close public hearing.

PUBLIC HEARING CLOSED.

MS. LOE: Any additional Commission discussion? Ms. Russell?

MS. RUSSELL: Do we need to make a motion? Okay. I'd like to move that this -- these -- both of these recommendations be placed in old business and not on the consent agenda for City Council.

MS. LOE: All right.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton, and counsel says we can do this thumbs up.

MR. CALDERA: Correct.

MS. LOE: So thumbs up? Old business, both items?

MR. MACMANN: As amended.

(Unanimous vote for approval.)

MS. LOE: All right. Any additional last-minute thoughts, Mr. Zenner?

MR. ZENNER: No, there are not, ma'am.

MS. LOE: No. Okay. Public hearings are over. Thank you.

VI. PUBLIC COMMENTS

MS. LOE: Any additional public comments? Thanks.

VII. STAFF COMMENTS

MR. ZENNER: The next meeting is November 7. It is our only meeting in the month of November. Enjoy turkey holiday. And we have some cases for this November 7th meeting along with a regular work session which starts at 5:30. Your cases for the night will be the Columbia Mall PD Plan Amendment. This is to accommodate the recently announced contemplated hotel along Bernadette, as well as to address the Statement of Intent, if I recall correctly, to incorporate this. And then we will have our second item, which is a not frequent item that we see come before the Planning and Zoning Commission, the street renaming for Rice Road to Avian Boulevard. As depicted here on the maps, obviously, we all know where the mall is. The road request for renaming is from Ballenger and then

eastward to Lake of the Woods, and that is a road name change that would affect a couple hundred property owners or tenants. The purpose of why this request is coming before you is pursuant to Chapter 24's requirements. There is not a unanimous support of a road name change of all of the affected property owners that abut the roadway; and therefore, a public hearing must be held before the Planning and Zoning Commission with a recommendation forwarded to the City Council. Council will also then have to hold a public hearing as it relates to this item before the road name may be changed. The majority of this road segment is currently a developed -- is developed with residential structures. There is a portion on the eastern end of the roadway that is not, so there won't be as many affected property owners on the east end as there are on the west end of this road segment. We have provided as required by Chapter 24's standards certified mail notice to all property owners of record. We have also provided individual notice to all tenants or occupants of structures within this particular location. I can tell you now at this point we are aware that Avian Boulevard is not an acceptable name according to our Joint Communications staff, and it is very possible that during the public hearing, an alternate name be presented. However, it is staff's opinion that the public hearing is the appropriate juncture at which to point out a new road name and which the public would then have an opportunity to comment on. So as I have said, this is not a common function that we have before the Planning and Zoning Commission; however, regulatorily, you are the body in which it begins with, and ultimately it ends with City Council determining if the road name should change. As we discussed this evening in our work session, we were not able to complete our agenda. We do have the item of our comprehensive plan update that Ms. Bacon will provide us at the November 7th meeting. And moving forward from that November 7th meeting, we will expeditiously attempt to continue the momentum that will be begun in order to ensure that the five-year update criteria can be reported to City Council before the end of first quarter of 2020, which is where we need to be at. So buckle your seatbelts. It's going to be a -- going to be an interesting ride through the remaining portion of this year and then for early next year as we continue to try to get information so we can prepare that amendment and adjustments report needed. With that, that is all we have to offer this evening. What I can tell you is is your December meeting, we do have two meetings in the month of December. Your first December meeting includes these items. It would include two items plus the tabled item for West Broadway that we tabled at our last Planning Commission meeting, so there are only three items at this point for the December 4th meeting, and our application submittal deadline for your second meeting in December is actually Monday of this coming week, so we will have an understanding if we will have items on that agenda. Even if we do not have Commission items for the regular meeting agenda, given what we have to cover in work session, it is likely that we would have that work session meeting, which would be your standard holiday meeting and holiday meal, as well. Thank you very much for your attention this evening and your work, and we will look forward to seeing you at the beginning of November.

MS. LOE: Thank you, Mr. Zenner.

VIII. COMMISSIONER COMMENTS

(There were no comments from Commissioners.)

IX. ADJOURNMENT

MR. MACMANN: I have a motion.

MS. LOE: Mr. MacMann?

MR. MACMANN: I move we adjourn.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We're adjourned.

(The meeting was adjourned at 7:50 p.m.)