

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

AUGUST 20, 2020

Case Number 74-2020

A request by Crockett Engineering (agent), on behalf of Gary Pfau (owner), seeking approval of a two-lot final plat containing approximately 0.35 acres of R-MF (Multiple-Family Dwelling) zoned property located at the NE corner of N. Sixth Street and Wilkes Boulevard to be known as "Nowell's Addition, Plat No. 2". In addition to plat approval, a design adjustment from Chapter 29-5.1 (Subdivision) relating to dedication of a 10-foot utility assessment along N. Sixth Street is requested. The intent of plat is to split the existing lot so the homes (600 and 602 Wilkes Boulevard) will be on individual lots.

MR. TOOHEY: Before we proceed, I just want to say again, I would like to ask any Commissioner who has had any ex parte communication prior to this meeting related to Case No. 74-2020, please disclose that now so all Commissioners have the same information to consider on behalf of this case before us. Hearing none, may we have a staff report.

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends:

1. Approval of the design adjustment from Section 29-5.1(g)(4) to permit a reduction of the required ten-foot utility easement on a portion of N. Sixth Street in the vicinity of the existing home at 600 Wilkes Boulevard as reflected on the plat.

2. Approval of the final plat for Nowell's Addition, Plat No. 2.

MR. TOOHEY: Thank you, Ms. Bacon. That was a Zenner mouthful. We've got lots of questions, so I'm going to start on this side and go to the right. Ms. Russell?

MS. RUSSELL: When we get to the motion, do you want one motion or two?

MR. ZENNER: Two.

MR. TOOHEY: Okay. Ms. Burns?

MS. BURNS: Was the applicant agreeable to maintaining the single-family character that the Board of Adjustment suggested?

MS. BACON: He is nodding in the affirmative.

MS. BURNS: Okay. And then would that convey to subsequent property owners?

MS. BACON: So it convey -- yes. So redevelopment of the property --

MS. BURNS: Since it's zoned R-MF. Okay.

MS. BACON: Yes. So let's say that the property transfers in the future and they wanted to use it for multi-family, they wouldn't be able to use those substandard lot widths. They would have to

reconsolidate the two off. Yeah.

MS. BURNS: Okay. Thank you.

MR. ZENNER: All variances and the conditions associated with them and granted by the Board transfer to subsequent purchasers. They run with the land.

MS. BURNS: Thank you.

MR. TOOHEY: Mr. Stanton?

MR. STANTON: I have a similar question. So this isn't going to bite us in the behind later because the zoning hasn't changed, but they agreed to a particular condition even though the zoning allows them to have multi-family?

MS. BACON: Correct.

MR. STANTON: So they would have to come back, consolidate that into one lot, and then proceed for --

MS. BACON: Correct. Uh-huh.

MR. STANTON: Okay.

MR. TOOHEY: Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chair. Ms. Bacon, first off, I'd like to say the neighborhood has been very engaged in this area of late, but not specifically these properties. And I'd want to say that, the narrow lot -- the narrow lot widths -- I did the same thing you did --

MS. BACON: It's a mouthful.

MR. MACMANN: It is a mouthful. -- don't bother us, and also there are a lot of narrow lots if you just look up and down the street. Could these properties qualify for an ADU? They're big enough?

MS. BACON: OH, no. They -- well, let me take a step back. You have to have 50 feet of lot width to have an ADU. So this one here would not be able to sustain a --

MR. MACMANN: But the right hand would potentially?

MS. BACON: Uh-huh.

MR. MACMANN: Okay.

MS. BACON: Well, yes. Uh-huh.

MR. MACMANN: Okay. How did we parse out driveways?

MS. BACON: So they'll -- there are two things to that -- or to that question. So there's an existing shared driveway right here.

MR. MACMANN: Uh-huh.

MS. BACON: And so one of the variance requests was actually to be able to keep that, so we don't -- we don't allow, basically, new shared driveways to occur. The Code specifically says you can't have a driveway within six feet of the adjoining property line.

MR. MACMANN: The neighborhood is fraught with shared driveways.

MS. BACON: Yeah. Uh-huh. So this -- so this, they were granted a variance for that, so this shared driveway situation is going to be allowed to persist. Any additional driveway activity is going to be

subject to any -- like what any other property would in the Code.

MR. MACMANN: All right. And the next question would be as follows. I notice that these have a private sanitary sewer that services them; is that correct?

MS. BACON: So that -- there is one there; however, there is a second public line. That -- that came up. Actually, Mr. Zenner specifically asked me that, as well.

MR. MACMANN: All right. We had some issues recently on the west side where both of those systems are actually operational. Is this one -- is the private sewer currently working?

MS. BACON: I don't believe they're connected to it.

MR. MACMANN: You don't know?

MS. BACON: Yeah. It came up as part of the review questions. I can tell you that.

MR. MACMANN: Yeah. That's -- that's been a problem, just to let you all know here on the Commission that we've run into that in a couple of houses recently on Alexander where they're both functioning. The -- the narrow utility easement where it goes down to three feet on the side of the house -- I'm familiar with this property. I live right around the corner. Is that a problem for the utilities?

MS. BACON: So they reviewed this particular case. Because of the additional five feet of right-of-way dedication would give them a little bit more space. Given what's there, what future plans are for this area, they felt like they could work within that constraint.

MR. MACMANN: All right. The last question I have is as follows. The new quote/unquote property line -- I mean, I realize they were both one property before. It moves to the east of the fence. Are you with me on the drawing, where it cuts out to the southeast and then drops straight back to the south? That can create confusion going forward. I just wanted to point that out, because someone assumes that the fence line is their property and it is not. That's all I have for the moment. Thank you very much.

MR. TOOHEY: Anyone else have any additional questions for staff? All right. If not, we'll go ahead and open up the public hearing.

PUBLIC HEARING OPENED

MR. TOOHEY: If you have any information that you would like to present to the Commission, please come forward. All right. Seeing none, the hearing is closed.

PUBLIC HEARING CLOSED

MR. TOOHEY: Any further comment, discussion, questions for staff? Want to make a motion? Ms. Russell?

MS. RUSSELL: In the case of 74-2020, Nowell's Addition Plat No. 2, I move to approve the design adjustment from Section 29-5.1(g)(4) to permit a reduction of the required ten-foot utility easement on a portion of North Sixth Street in the vicinity of the existing home at 600 Wilkes Boulevard as reflected on the plat.

MR. STANTON: Second.

MS. TOOHEY: I think we got a second from Mr. Stanton. Okay. Thank you, Ms. Russell, for

your motion. Any other discussion? If not, Ms. Burns.

MS. BURNS: Yes. Thank you.

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

MS. BURNS: Motion carries. Recommendation will be forwarded to City Council.

MR. TOOHEY: All right. Moving on to Public Hearings.

MS. RUSSELL: I have a second motion.

MR. TOOHEY: Oh, I forgot about that. Thank you, Ms. Russell.

MS. RUSSELL: In the case of 74-2020, Nowell's Addition Plat No. 2, I move to approve the final plat for Nowell's Addition Plat No. 2.

MR. MACMANN: Second.

MR. TOOHEY: Mr. MacMann had the second. Thank you. Any further discussion? All right. If not, Ms. Burns, will you call roll, please

MS. BURNS: Who made that second, please?

MR. MACMANN: I did.

MR. TOOHEY: Mr. MacMann.

MR. MACMANN: Thank you.

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

MS. BURNS: Eight to zero, motion carries. Recommendation will be forwarded to City Council.