

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**APRIL 22, 2021**

**COMMISSIONERS PRESENT**

**Ms. Sara Loe  
Ms. Valerie Carroll  
Ms. Sharon Geuea Jones  
Ms. Lee Russell  
Ms. Tootie Burns  
Ms. Joy Rushing  
Mr. Michael MacMann  
Mr. Brian Toohey**

**COMMISSIONERS ABSENT**

**Mr. Anthony Stanton**

**STAFF PRESENT**

**Mr. Pat Zenner  
Mr. Rachel Smith  
Mr. Brad Kelley  
Ms. Rebecca Thompson  
Mr. Tim Teddy**

**I. CALL TO ORDER**

MS. LOE: I'm going to call the April 22nd, 2021 Planning and Zoning Commission meeting to order.

**II. INTRODUCTIONS**

MS. LOE: Ms. Carroll, may we have roll call, please.

MS. CARROLL: We have seven present; we have a quorum.

MS. LOE: Okay. Did you call Mr. Stanton?

MS. CARROLL: Oh. Commissioner Stanton.

MS. LOE: All right. And --

MS. CARROLL: I was hesitating. We have eight; we have a quorum.

MS. LOE: Thank you.

**III. APPROVAL OF AGENDA**

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

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

MS. LOE: Thank you.

MS. RUSSELL: I move to approve the agenda.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. Can I get a thumbs up approval on the agenda?

(Unanimous vote for approval.)

MS. LOE: It looks unanimous. Thank you.

#### **IV. APPROVAL OF MINUTES**

MS. LOE: Everyone should have gotten a copy of the April 8th meeting minutes. Were there any amendments or edits to those minutes?

MS. RUSSELL: I'll move to approve the minutes.

MR. MACMANN: Second.

MS. LOE: Moved by Ms. Russell, seconded by Mr. MacMann. I'll take a thumbs up approval on the meeting minutes.

(Seven votes for approval; one abstention.)

MS. LOE: We have seven for and one abstention; Ms. Rushing.

#### **V. WITHDRAWN ITEMS**

MS. LOE: That brings us to our first item of the evening, which is a withdrawn item.

##### **Case Number 109-2021**

**A request by McClure Engineering Company (agent), on behalf of Marshall and Sylvia Murray, William Orscheln, and Angelica and Lee Hardy (owners), seeing approval of a four-lot final minor plat to be known as Thornbrook Plat 7A. The proposed plat will reconfigure three existing platted lots and plat a survey tract for the first time. All properties involved in this platting action are zoned R-1 (One-Family Dwelling). The 10.4-acre site is located approximately 0.67 miles west of the intersection of Highway KK and Scott Boulevard. (This item was tabled at the April 8, 2021 Planning Commission meeting).**

MS. LOE: Staff comments?

MR. ZENNER: The item has been withdrawn due to, as stated in the -- in the correspondence associated with this item that the Murrays have withdrawn their letter of authorization. Therefore, the plat cannot be processed as currently presented. The plat may return in a varied state. At this point, we do not know that, though. This was not an advertised item due to the fact that there were no design adjustments associated with it, so the withdrawal is simply a formality and noted for the public record. No vote of the Commission is needed.

MS. LOE: Thank you. Mr. MacMann?

MR. MACMANN: I have a question of staff, if that's all right? As it is withdrawn, is there a time limitation -- can you -- on resubmittal for them?

MR. ZENNER: No. The time -- the jeopardy period is only associated with projects that are denied -- withdrawn after a denial of the Planning Commission. This has obviously not even been considered by the Commission, so no jeopardy.

MR. MACMANN: All right. I just -- I wanted to see where that was and have that on the record, too. Thank you very much.

MR. ZENNER: Thank you.

MS. LOE: Any additional questions? Seeing none. We will move on to Tabling Requests.

## **VI. TABLING REQUESTS**

### **Case Number 136-2021**

**A request by the City of Columbia to amend Chapter 29, Sections 29-1.11 [Definitions]; 29-3.2 [Permitted Use Table]; and 29-3.3 [Use-Specific Standards] of the City's Unified Development Code (UDC) relating to revisions to the Retail, General; Personal Services; Office; Physical Fitness Center; and Artisan Industry uses as well as creation of new standards and provisions relating to a new use to be called "Accessory Commercial Kitchen". (This item is requested to be tabled to the May 20, 2021 Planning Commission meeting).**

MR. ZENNER: As discussed at the end of our last meeting on April 8th, due to an unforeseen delay in being -- in processing the request for public engagement and being unable to withdraw the advertising that had been submitted in preparation for this meeting, we determined, and as we indicated, we were going to request this tabling to allow us to complete the public engagement process as it relates to these particular technical amendments that we are proposing to the Code. The tabling request is to the May 20th Planning and Zoning Commission meeting, roughly a month away, which does allow us an opportunity to solicit an additional about two and a half to three weeks of public comment and prepare the appropriate staff reports for these items. The tabling request, unfortunately, is just a byproduct of us being on top of the advertising and then not realizing we couldn't pull it back fast enough, so we hopefully -- hope the Commission understands, as well as the public.

MS. LOE: We shall see about that. Are there any questions of staff? I see none. So this was advertised, so I will open the floor to any public comment on the tabling of this item.

### **PUBLIC HEARING OPENED**

MS. LOE: I see none.

### **PUBLIC HEARING CLOSED**

MS. LOE: Bring it back to Commission comment? Ms. Russell?

MS. RUSSELL: I think we need a motion. In the case of 136-2021, I move to table that case to the May 20, 2021 Planning and Zoning meeting.

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Any discussion on this motion? I don't know about this, guys. All right. If there's no further discussion, Ms. Carroll, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. MacMann, Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Carroll.**

**Motion carries 8-0.**

MS. CARROLL: We have eight votes to approve; the motion carries.

MS. LOE: Recommendation for tabling is recommended by the Commission.

## **VII. SUBDIVISIONS**

### **Case Number 115-2021**

**A request by A Civil Group (agent), on behalf of Merle and Charlotte Smarr (owners), for an approximately 7.6-acre one-lot final plat of three properties addressed 2801, 2909 and 2911 S. Old Highway 63 to be known as "Old Highway 63 Storage Plat 1". The properties are zoned M-C (Mixed-Use Corridor) district.**

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

Staff report was given by Ms. Rachel Smith of the Planning and Development Department. Staff recommends approval of the "Old Highway 63 Storage Plat 1" subject to minor technical corrections.

MS. LOE: Thank you, Ms. Bacon [sic]. Are there any questions for -- before I ask about questions for staff, I would like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission so all Commissioners have the benefit of the same information on the case in front of us. Seeing none. Questions for staff? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Smith, is that sewage easement active or is it just an easement?

MS. SMITH: I do believe there is sewer line running there, yeah.

MR. MACMANN: All right. I thought it was active, but I couldn't remember, because there was an inactive line. All right. Thank you very much, Planner Smith.

MS. LOE: Any additional questions? I had one question. The screen buffer.

MS. SMITH: Uh-huh.

MS. LOE: On the third parcel on the south, there is no buffer shown, and I was just curious about that.

MS. SMITH: Oh. It -- it actually runs just off to where the parcel is, I think. Yeah. It's generally running the same as this. I'm not sure -- are you talking about here?

MS. LOE: Yes.

MS. SMITH: I'm not sure about that. I can check into that.

MS. LOE: Right. Even if the stream is off the parcel, the buffer would still --

MS. SMITH: Would still be on it. Uh-huh. Yeah. I can make a check on that. As -- as we're making the recommendation of subject to technical corrections, that potentially could be a technical correction.

MS. LOE: Thank you. Any additional questions? Mr. MacMann?

MR. MACMANN: Just a clarification. On the map that Mr. Zenner provided me -- thank you, Mr. Zenner -- it is shown on my map correctly or as she portrayed it. It doesn't seem clear on the

electronic copy, but it appears clear on mine. So it -- we'll need to make sure anyway, but it should be what it's supposed to say.

MS. LOE: Multiple copies floating around. All right. If there's no further questions. This was not advertised for public comment, but we usually do open the floor in case anyone does have any comments that would help us in evaluating this case.

#### **PUBLIC HEARING OPENED**

MS. LOE: Seeing none, we will close that window of opportunity.

#### **PUBLIC HEARING CLOSED**

MS. LOE: And bring it back to Commissioner comments. Ms. Burns?

MS. BURNS: If there are no comments, I'll make a motion. In the case of 115-2021, Old Highway 63 Storage Plat 1 final plat, recommend approval of the Old Highway Storage Plat 1 final plat subject to minor technical corrections.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on the motion? Seeing none. Ms. Carroll, may we have roll call, please.

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

MS. CARROLL: We have eight votes to approve. The motion carries.

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

#### **VIII. PUBLIC HEARINGS**

##### **Case Number 114-2021**

**A request by the City of Columbia (owner) to apply permanent City O (Open Space) zoning, upon annexation, of approximately 135 acres of land presently zoned Boone County M-L (Light Industrial). The subject property housed the former Boone County Fairgrounds and will be developed as a future City park. The site is located northeast of the interchange of Brown School Road and Highway 63, and includes property addressed 5212 N. Oakland Gravel Road.**

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of O zoning as permanent City zoning upon annexation.

MS. LOE: Thank you. Before we move on to questions for staff, I'd like to ask Commissioners if there is any ex parte related to this case to please share that with the Commission so all Commissioners have benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Kelley, I have a question about the sewers as they are shown on our maps. There are private sewers which I'm sure will become public

sewers the minute it's transferred into the City. I noticed that from the residential district in the northwest, there is a sewer line coming down connected to the City line. Do we know anything about the quality of that sewer?

MR. KELLEY: I don't know anything about the quality of the sewer. I did ask our sewer utility engineer yesterday if she knew of any capacity issues in the area, and she said there weren't any.

MR. MACMANN: All right. The reason I ask that question is off times, residential facilities of this type have lagoons and other notable plumbing issues, and I was just trying to be cautious with the people's money and investments. Thank you.

MS. LOE: Additional questions for staff? Seeing none. We'll open up the floor to public comments.

#### **PUBLIC HEARING OPENED**

MS. LOE: Seeing none of those, we'll close public comments.

#### **PUBLIC HEARING CLOSED**

MS. LOE: And move on to commission comments. Ms. Russell?

MS. RUSSELL: Well, since there are no comments, I'll make a motion. In the case of 114-2021, I move to approve the assignment of O, open space zoning upon annexation.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on this motion? Seeing none. Ms. Carroll, may we have roll call, please.

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

MS. CARROLL: We have eight votes to approve. The motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. That concludes our cases for the evening. That brings us to Public Comments --

#### **IX. PUBLIC COMMENTS**

MS. LOE: -- of which there still are none.

#### **X. STAFF COMMENTS**

MS. LOE: I'm sure you won't disappoint us, Mr. Zenner.

MR. ZENNER: I was going to ask. I hope that sigh wasn't because you had to listen to me again. Apparently so. Well, we just got rid of an employment district. We have another meeting coming up, though, and that is on May 6th. We do have some agenda items associated with that, but before we get into the meeting, as I always do, you've got a work session at 5:30. And lo and behold, we're going to bring up something that Ms. Loe provided staff. We're going to have a discussion -- no, it is not another zoning request. But we are going to have a discussion as it relates to some density comparisons that Ms. Loe had been doing some research on following our request for the Northridge

Cottages project up on the north side of town as it related to some potential opportunities that we may have in being able to evaluate density and trying to put it into -- into a contextual framework as the Commission may move forward with requests that hit that edge where we're asking for density to be increased. But it also, as our staff is evaluating the material that Ms. Loe provided us, it also may stimulate some additional conversation as it relates to something that we talked about this evening, and that is potentially expansion of our zoning district base zones, which also is potentially relevant at this point in time given the requests that we spent three and a half hours on at our last meeting. So be prepared for probably a full hour and a half, hour and 15 minute discussion of that topic with the potential outcome of some additional research that staff may do moving forward, but we're -- we're slowly but surely making it through that list of projects that I wanted to get through first quarter that I presented to you at the beginning of January, and this is all leading up potentially to some more significant work that we will be engaged in beginning in probably June, July, as it relates to preparatory actions for the Comprehensive Plan update that will begin in complete earnest the beginning of next year. So we've got some topics to cover, but we've also got some additional work that'll keep us busy in the background. We do have a meeting however following that, and that meeting does include a number of projects -- which I'll let Vanna get me there. Our upcoming cases include one single subdivision, again no design adjustments associated with this. That is Eastland Hills. This is on the corner of Upland Church Road and I-70 Drive Southeast. We have two public -- three public hearings, and this was mentioned this evening during our work session, the rezoning request at 5710 Bull Run. This is dealing with equipment shares proposal to create a corporate campus off of Bull Run Drive where the old former Ashley building was and the vacant tracts that are to the east of that that adjoin the Truman Solar property where our solar project has been built, and the adjoining Eastport Subdivision to the south. This is a request to go from PD and MC to M-BP as it exists today. So Mr. Smith will be providing the report on that. It does dovetail well into our conversation this evening about the concern that we may have as it relates to expanding M-BP without really considering those consequences because this particular type of project and rezoning request, given the nature of the controls that exist in M-BP really, from a staff perspective, appear to make sense and that this request is probably an appropriate introduction of a use in this particular developed area. We also have an additional -- two conditional-use permit requests, one for a veterinary hospital immediately south of the Arby's that is off of Broadfield Drive and West Broadway in the -- in the office park that is there just to the west of Hy-Vee, and then we have another conditional-use permit request for an expansion of the U-Haul dealership into the hotel property that is to the west of it with self-storage facilities over 14 feet tall, which this will be the first request that the Commission will be hearing in relationship to that set of unique conditional-use standards that were developed just before we adopted the new Code, and then were transitioned into the new UDC. And finally we have another rezoning request -- merged rezoning and a subdivision request that's for permanent zoning. This is down just to the south of the intersection of Vawter School Road and Scott Boulevard, almost directly

across from the second entrance to Copperstone for a semi-large-lot residential subdivision requesting R-1 zoning. It is currently zoned Boone County R-S, which is the equivalent to R-1, and the requested annexation is in order to allow for the property to be able to be connected to sanitary sewer. It is possible that the subdivision plat may be delayed, however, it does not necessarily impact the request for permanent zoning, so they do get disconnected. Do not be surprised if that does appear on your agenda. We have an issue with an existing sanitary sewer connection to a home that was on the original parent tract of land that we are still trying to work through technically, and as a result of that technical issue, we may not be able to bring the plat forward, so -- but it will probably be included as an exhibit to the permanent zoning request, just so you have an understanding of how the property would be potentially lotted as a part of the permanent zoning request itself. So if we move to the next pages so you can get your eyes on the sites, our first Eastland Hills plat there is right at Upland Church and I-70 Drive Southeast; our property then off of Bull Run for equipment share, and then our two conditional-use properties there at the Broadway Business Park office building, and it is the building immediately to the south of the Arby's, if you're familiar with that area, and then, of course, the other conditional use. And then it's the exact same map, but just two different cases for the Timberbrook permanent zoning and preliminary plat. That is what you have for your coming meeting. Hopefully, it will be as short as this one, but the work session will be far more interesting. So with that, that's all we have to offer. Thank you tonight for your attention and we look forward to seeing again.

MS. LOE: I'm sure Mr. Zenner did not mean our presenters any slight with that comment about the work session. We enjoyed this evening's presentation very much.

MR. ZENNER: Not at all.

MS. LOE: No. No.

MR. ZENNER: I made them work for their -- work for their change.

#### **XI. COMMISSIONER COMMENTS**

(There were no comments from Commissioners.)

#### **XII. ADJOURNMENT**

MS. RUSSELL: I move to adjourn.

MR. MACMANN: Second.

MS. LOE: Seconded by Mr. MacMann. We are adjourned. Thanks, everybody.

(The meeting adjourned at 7:35 p.m.)

(Off the record.)