



City of Columbia, Missouri

Meeting Minutes

Board of Adjustment

Tuesday, September 11, 2018
7:00 PM

Work Session

City Council
Conference Room
First Floor City Hall
701 E. Broadway

I. CALL TO ORDER

Present: 6 - Martha John, Janet Hammen, Philip Clithero, Andy Waters, John Clark and Peter Norgard

II. INTRODUCTIONS

III. APPROVAL OF AGENDA

September 11, 2018 Work Session agenda approved without modification

Adopt work session agenda as presented

IV. NEW BUSINESS

A. Discussion - Zoning District Height Limits

Mr. Zenner introduced the topic and provided an overview of how changes to the UDC would be processed from the Board to the Council and from the Council to the Planning Commission. He noted that it was a Council decision to assign proposed revision topics to the Planning Commission and that prior to any changes becoming effective the Commission would be required to hold a public hearing and provide Council with a recommended action. Mr. Zenner further stated that it would likely be valuable for the Board and Commission to work in a joint session to craft proposed regulatory changes which would allow both bodies to understand each other's perspectives on specific issues. Mr. Zenner noted that given the sensitive nature of building height topic it would not be unlikely that the Commission would want to engage in public dialogue regarding the potential text change prior to holding an actual hearing on the revision.

Board members agreed that a joint work session would be valuable and would be open to attending it once scheduled. There was general discussion about the mechanics of making the meeting effective what could be expected during the session. Mr. Zenner stated that if past history were to predict the future it would be likely that the staff would prepare some type of "draft" text for the purposes of discussion and then refine the proposal following the outcome of the meeting. The "draft" text could be a product produced by the Board during a future work session. Mr. Zenner further noted that it would be likely that more than one work session would be necessary.

Having addressed the mechanics of the UDC amendment process, Mr. Zenner asked how the Board would like to proceed with the topic on the agenda this evening.

There was general discussion regarding the actual agenda topic and if it was intended to cover other possible text amendments the Board felt necessary to consider. Mr. Zenner indicated that this specific topic was to be limited to the discussion of height and that the second agenda topic on this evening's agenda was to cover a broader discussion of issues. Chairman Water noted that the staff had been preparing a list of UDC issues that could act as a foundation for future discussion. Mr. Zenner indicated that was correct; however, the list was not ready for distribution given that it had several editorial comments that he wanted to remove before distributing it to the full Board. Furthermore, he noted that he wanted to go through and narrow down the list of issues to those that were directly related to the Boards area of authority.

Having established the scope of the discussion on this topic the Board began to engage in a dialogue between themselves regarding the history and the desire to address building heights. The discussion focused on the most recent case along Fay Street in which the issue of building height was sought to be increased to accommodate an active roof-top area. Mr. Zenner provided the regulatory limits of height and how elevator bulkheads and parapets were allowed to increase maximum zoning district building height by 6-feet. He further noted that the building heights in our multi-family and commercial districts had not changed between the former zoning code and the UDC. He stated that he was concerned that the Board's granting of the height variance on this last case could have been perceived as not actually meeting the hardship criteria, but was granted more out of convenience to the applicant after their claim the building could not be built within the prescribed height limit and permitted height exceptions.

Based on these comments there was general Board discussion. The discussion included a wide range of topics that included how height was measured, how current building construction needs to accommodate mechanical equipment spaces, the difference between finished floor and rough floor to floor heights, and the desire to have potential active roof-top areas to fulfill other UDC and Comprehensive Plan objectives. From this discussion several suggestions were made on how to address the issue of a justified height increase.

One suggestions presented was to have documentation provided with the application materials that would better describe and justify why a height increase was needed. Another suggestion was to consider allowing a "by-right" height exemption when an active roof-top was proposed within the M-N or M-C zoning district. It was further discussed that there needed to be some type of special zoning category contemplated for the Greek Town area of the City were it seems that most height variances are sought.

There was further discussion on these suggested actions. The Board did not reach a consensus on how it wanted to request modifications in the maximum zoning district height. The challenge in arriving at such consensus dealt with the desire to have more information regarding the potential impacts that allowing a general exemption in the M-N and M-C district would have on adjacent property as well as a concern that just increasing the height based upon the addition of a single building feature (i.e. a roof-top patio) may not truly address the problem of height variances in general. The Board felt that additional discussion on the height issue generally

was needed.

However, the Board did agree that height variances in Greek Town were a single tangible issue that could be requested to be address at this time. Mr. Zenner noted that staff could evaluate the collection of variances within Greek Town and seek to identify any patterns among them that could serve as a basis by which to propose future text changes. The Board felt that this was an appropriate approach to take and formally asked staff to prepare a memo for Council's consideration that would direct the Planning Commission to begin a process of looking at revising the UDC specifically for Greek Town. A motion to direct staff to proceed with preparing a memo for Council was made and seconded with all members present voting in favor.

The Board made a motion to direct staff to prepare a Council memo requesting that the Planning Commission consider text changes to the UDC specifically addressing zoning-related matters (i.e. height, setbacks, parking) within the Greek Town area. Motion unanimously passed.

Motion to direct staff to prepare a Council memo requesting that the Planning Commission consider text changes to the UDC specifically addressing zoning-related matters (i.e. height, setbacks, parking) within the Greek Town area.

B. Discussion - Zoning Provision Amendments - Generally

Chairman Waters indicated that staff had a list of identified issues with the UDC that it would be distributing at a later date. He further noted that as issues arose during Board meetings it would be best to have Mr. Zenner add those topics to a running list that could then serve as a base from which future Board recommendations for UDC changes could come from. He noted; however, at this time it may be premature to discuss additional UDC changes until the discussion of height had been fully completed.

V. NEXT MEETING DATE - October 9, 2018 @ 6 pm (tentative)

A motion was made to have another work session meeting on October 23, 2018 at 7 pm. Motion unanimously passed.

Set October 23, 2018 @ 7 pm as next work session meeting

VI. ADJOURNMENT

Meeting adjourned at approximately 8:30 p.m.

Motion to adjourn