



# City of Columbia, Missouri

## Meeting Minutes

### Planning and Zoning Commission

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Thursday, July 8, 2021  
7:00 PM

Regular Meeting

Council Chambers  
Columbia City Hall  
701 E. Broadway

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#### I. CALL TO ORDER

MS. LOE: I would like to call the July 8, 2021 Planning and Zoning Meeting to order.

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

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

MS. LOE: Thank you.

**Present:** 9 - Tootie Burns, Sara Loe, Joy Rushing, Anthony Stanton, Michael MacMann, Valerie Carroll, Sharon Geuea Jones, Robbin Kimbell and Peggy Placier

#### II. INTRODUCTIONS

#### III. APPROVAL OF AGENDA

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

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

MS. LOE: Thank you.

MS. GEUEA JONES: Move to approve.

MR. STANTON: Second.

MR. MACMANN: Second.

MS. LOE: Moved by Ms. Geuea Jones, seconded by Mr. Stanton. I'll take a thumbs up approval on the agenda.

(Unanimous vote for approval.)

MS. LOE: It looks unanimous. Thank you, everybody.

**Move to approve**

#### IV. APPROVAL OF MINUTES

##### June 24, 2021 Regular Meeting

MS. LOE: Everyone should have received a copy of the June 24th regular meeting minutes. Were there any additions or adjustments to those meeting minutes?

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. LOE: Moved by Mr. MacMann, seconded by Mr. Stanton. I'll take a thumbs up approval on the minutes. It looks unanimous. Thank you, again.

**Move to approve**

**V. TABLING REQUESTS****Case # 140-2021**

A request by A Civil Group (agent), on behalf of Boone Development, Inc. (owner), for a major revision to the Arbor Falls PD (Planned Development) to be known as "Arbor Falls PD No. 4". The new PD Plan includes a revised site layout, and a revised statement of intent (SOI) reflecting a change in use from multi-family units to one-family detached dwelling units, as well as revised design parameters. The proposed PD also revises the on-site amenities previously approved under the Arbor Falls PD including, but not limited to, removing the previously shown clubhouse and pool, and providing detached garage units for residents of the proposed development. The property is zoned PD (Planned Development) and is generally located north of Highway WW and south of Pergola Drive addressed as 5730 Pergola Drive. **(This item was tabled at the June 10, 2021 Planning Commission meeting. The applicant requests tabling to the August 19, 2021 Planning Commission meeting).**

MS. LOE: Any staff comments on the tabling request?

MR. ZENNER: Staff is supportive of that request. It is allowing the applicant to do some additional public outreach with the adjoining property owners to the east. Just for the purposes of letting you all know that our staff did notify the adjoining property owners of the request for tabling to the August 19th. They sent out 33 letters on July 1st to the adjoining property owners with the revised date. We have also sent e-mails to the 11 individuals that contacted Ms. Smith regarding the project's content via e-mail. So the affected parties that were interested in this project have been notified, as well as those that would be notified standard. This is a project that because of its length of tabling will require readvertising. It is also likely that the readvertised case will also include a slightly revised title that will be read because it will have some changes to it, so we will be updating the request as -- which is going to be based upon the public input that has been received during this period of time that it has been tabled. But with that, the applicant and the applicant's agent is here tonight if there are additional questions. This was an advertised hearing, so if there are any concerned residents that came tonight, they would have the opportunity to speak as it regards to the tabling request.

MS. LOE: Thank you, Mr. Zenner. Before we move to questions for staff, I -- since this was advertised, I'll -- going to ask if there is an ex parte related to this case, or because -- I'm going to go ahead, and we'll do the whole thing. Any ex parte related to this case, to please share that with us now so the whole Commission has the benefit of all information. I see none. Are there any questions for staff? Seeing none. Since this

was publicly advertised, we will open up the floor to public comment.

**PUBLIC HEARING OPENED**

MS. LOE: If there is anyone here who would like to comment on the tabling of this case to the August 19th meeting? Seeing no public comment, we'll close public comment.

**PUBLIC HEARING CLOSED**

MS. LOE: Staff comment? Mr. MacMann?

MR. MACMANN: You said staff comment. Did you want staff comment again?

MS. LOE: Oh, sorry. Commissioner comment.

MR. MACMANN: If my fellow Commissioners have no questions or concerns, in the matter of Case 140-2121 -- 2021, excuse me -- I move to table to date certain 19 August 2021, 19 August 2021.

MR. STANTON: Second.

MS. LOE: Seconded by Mr. Mac-- Mr. Stanton. Sorry. It's that big dinner we were served tonight. My -- everything is not quite working right. Anyway, we have a motion on the floor. Any discussion on that motion? Seeing none, Ms. Carroll, may we please have roll call.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe. Motion carries 9-0.**

MS. CARROLL: Nine votes to approve; the motion carries.

MS. LOE: Thank you.

**Move to table to date certain 19 August 2021, 19 August 2021**

**Yes:** 9 - Burns, Loe, Rushing, Stanton, MacMann, Carroll, Geuea Jones, Kimbell and Placier

## VI. SUBDIVISIONS

### Case # 186-2021

A request by Crockett Engineering Consultants, LLC (agent), on behalf of CJCA Development, Inc. (owner), to replat six lots and parts of two lots identified as parcel #17-115-00-03-016.00 to be known as "Eastwood Hills, Plat No. 2". The 3.29-acre site is located on the southeast corner of the intersection of Business Loop 70 and Eastland Circle and is commonly addressed 2518 E Business Loop 70.

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 the requested final minor plat of Eastwood Hills, Plat No. 2, subject to minor technical corrections.

MS. LOE: Thank you, Mr. Kelley. Before we move on to Commissioner questions, I would like to ask any Commissioner who has had any ex parte prior to the 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. Seeing none. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. I'm going to ask this of Mr. Crockett, too. Does the southeast corner of this flood?

MR. KELLEY: I am not aware of it flooding. I just know that this generally floods to the southeast. I believe Hinkson Creek is -- oh, what did I say in staff report -- 600 feet, something like -- pretty short distance.

MR. MACMANN: Some of those houses have a lot of water in their backyards, so that's kind of why I'm wondering. It drops off. I'll ask Mr. Crockett. Thanks.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: With the significant trees on the property, does that mean that they'll have to be a preservation plan before they can start demolish and construction?

MR. KELLEY: I know that they will go tree preservation with the building permit, and they'll have to comply with the regulations there. So it would be -- depending on what they want to do, I haven't seen that part yet, but they will have to go through and comply with -- you know, go with the recommendations of the arborist in terms of what that they're going to get rid of, and then how those would need to be replaced.

MS. GEUEA JONES: Great. Thank you.

MS. LOE: Ms. Rushing?

MS. RUSHING: I have basically the same concerns about this development and then the other one that's on our agenda in that they both abut single-family residential. In this particular situation, it's pretty -- I would say environmentally sensitive. And I was curious what restrictions might apply to protect the property to the south of this development when it's developed?

MR. KELLEY: Are you talking about the property, let's say, to the southwest that's kind of between the main part of the property and the puzzle piece? You're talking about that -- that property?

MS. RUSHING: Well, if -- if you drive down in that residential area on -- on both sides, both of those streets, it's heavily wooded and I saw, like, deer actually in people's front yards. And -- and so, if this is a development that's going to have a lot of traffic coming off of that one street or development that is going to -- I don't know -- be negatively -- impact the southern portion of that property, I was curious what restrictions there might be to protect that area?

MR. KELLEY: Got you. Yeah. So to begin with, generally, there would be the screening and landscaping provisions, so depending on what the development is, I believe. So it's MC, so commercial property will depend on -- the height of it will kind of depend on where it lies on what screening provisions they'll be needing to provide. In addition to that, this property is MC, and these adjacent properties are R-1, so the neighborhood protection standards would apply in terms of screening, step-downs, things of that nature.

MS. LOE: Any additional questions for staff? Seeing none, we will open the floor to public comment.

**PUBLIC HEARING OPENED**

MS. LOE: If you have any comment, please give your name and address for the record. We do limit you to three minutes if you're speaking for yourself, and six minutes if you're speaking for a group.

MR. CROCKETT: Okay. Thank you, Madam Chair. Members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Again, this is a consolidation plat of six lots and partial of lots, and so we're going to try to get into conformity with a legal lot status for the City of Columbia for redevelopment on this property. And to answer some of your questions, Mr. MacMann, with regard to flooding, I don't believe the property itself floods. There may be some downstream water concerns and issues, but all those are addressed in the stormwater management plan that would come forward as the site redevelops. Those standards don't apply to the site as it currently sits, given its current status, but any redevelopment would conform to the current stormwater regulations, so that would help mitigate those items. With regards to the significant trees on the property, we can demo the site without needing any issue with the significant trees. We can't remove any of the trees without filing a land disturbance permit or land disturbance plan with the City. My client is very cognizant of those trees. We have to develop the site. We have to lose a few. They are extremely -- how do I want to put it -- given me, you know, very clear direction to save as many of those as possible, not just the minimum, but as many as possible. And they see the benefit, not just for the area themselves, but for this piece of property. This development, my client is the -- the owner the owner of New Horizons, which has various properties in town, and so what they're looking for is kind of an interim location for a residential facility. So what they have is they provide 24-hour care at a lot of their facilities, and what they are experiencing is that they're preparing them to get back into normal lifestyle, however, that middle step is missing. And so that's what they want to prepare and that's what they would like to have this site for. So they have a specific use in mind and so that's what they're looking for.

Ms. Rushing, with regards to your comments, the UDC is very clear with regards to a MC zoned property that abuts a residential zoned property such as this, with regards to buffers, with regards to setbacks, how wide those setbacks are, how wide those buffers are, how tall those buffers are, and then how far buildings need to be back off of that given the various heights of the building. And so all that is very clear in the UDC, and very set up for the specific reason just like this. And so that is something that the old zoning code didn't have, but the new UDC -- I call it new -- the current UDC has that we didn't have before was for specific situations like this. And so I think that the UDC covers that very well. Again, I believe it's a fairly straightforward request, and I'm happy to answer any other questions that the Commission may have.

MS. LOE: Any questions for Mr. Crockett?

MS. RUSHING: Are they -- do you know whether they're planning on demo-ing those existing buildings?

MR. CROCKETT: They are. They would like to build new. They're in rough shape.

MS. RUSHING: They are. I noticed --

MR. CROCKETT: But they -- yeah. I mean, when they -- when they originally -- originally bought the property, the intent was to keep them and try to rehab them, but I think after further review and gone through with architectural review, they -- it just wasn't really worth -- they couldn't salvage them. It was too far gone.

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, will this be one of these federally licensed facilities? Is it a hospital?

MR. CROCKETT: No, it's not a hospital.

MR. MACMANN: So it's not like the Landmark facility on the old highway?

MR. CROCKETT: No. No.

MS. RUSHING: Transitional housing; is that --

MR. CROCKETT: I don't want to speak out of turn exactly what it is, but it's my understanding is what they have now is they have several -- they have several of these facilities throughout, and they provide 24-hour care in these facilities. And they -- and they prepare individuals to get back to be able to take care of themselves and, you know, watch their medication and all of that all by themselves, and they introduce them back into -- into regular housing. However, what they see is they see those individuals are coming back through the process again because they don't have someone to call or someone -- you know, that intermediate need. They don't need 24-hour supervision or 24-hour care, but they do need some services in case in they need some help, they have a concern, have a problem, they need, you know, somebody close by that they can rely

on, but they don't need the 24-hour services. And so I believe that's -- it's my understanding that's what -- what this facility will -- will fill.

MS. LOE: Any additional questions for this speaker? I see none. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: Any additional speakers on this case? Seeing none. We'll close public comment.

**PUBLIC HEARING CLOSED.**

MS. LOE: Commission comment? Ms. Burns?

MS. BURNS: This might be a question for staff. So if we continue with the replat, would this come back before us in a development plan?

MR. KELLEY: No, I don't believe so. It's open zoned, so they would just need the land disturbance and building permit on the staff side.

MS. BURNS: Okay. Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: Madam Chair, thank you. This is for Mr. Kelley, and I guess for all of us. It would seem that, you know, we've all expressed concerns about the flooding -- this area has some floodings, south of it, it certainly does. That's why I asked the question. We have the trees; we have the natural aspect of it, as well. If they can preserve the trees, and I know they're not obligated to be as forthcoming as they can be on that, and they are going to focus on the protections that are afforded by the UDC -- UDC, particularly the storm aspect of it, and keeping the trees should make -- actually better than it is. It should make the property a better neighbor to that neighborhood than what's currently there. Am I -- do you guys think I'm missing something by making that assessment, because it does -- the water does run off like crazy to the south. I just didn't know if it pooled up. I mean, what are your all's thoughts? I mean, I think it's -- it's better than Eastwood. I admire you guys from thinking that you could do something with that building, but I have been in it.

MS. LOE: We've received a letter in support of developing the property from an adjacent neighbor.

MR. MACMANN: Yeah. I have some friends who live all the way down --

MS. LOE: More than ready to have that property developed. I -- my understanding is this is the support -- is representative of what the neighborhood would like. So I'm just following up on your comments, Mr. MacMann.

MR. MACMANN: I have received that indirectly, once that property was abandoned. It has chronic temporary occupants, and it's -- it is somewhat problematic, so that I -- and

most folks down there would be positive -- view it positively.

MS. LOE: And to add to your list is Ms. Rushing's concern, and I agree the UDC now includes neighborhood protections which, given that these are single-family properties, would be --

MR. MACMANN: They'll have the maximum buffer.

MS. LOE: Yeah. Right. Would be awarded the maximum level three buffer.

MR. KELLEY: I think it may depend on how tall it is, if it's, like, one to three stories, I think, in the screening table.

MS. LOE: Okay.

MR. KELLEY: But, yeah, potentially.

MS. LOE: Right. But depending on how it is developed --

MR. KELLEY: Yes.

MS. LOE: Right. So if it is more residential care and a lower development that is more compatible with the residential, then as -- maximum buffering may not be necessary. Correct? All right. Any additional discussion? Mr. MacMann?

MR. MACMANN: If my fellow Commissioners have no other comments or questions, in the matter of Case 186-2021, a request by Crockett Engineering on behalf of CJCA Development to replat all of six and part of two lots into one lot, into a development called Eastwood Hills Plat No. 2, I move to approve.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. 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: Mr. Stanton, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe. Motion carries 9-0.**

MS. CARROLL: Nine votes to approve; the motion carries.

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

**In the matter of Case 186-2021, a request by Crockett Engineering on behalf of CJCA Development to replat all of six and part of two lots into one lot, into a development called Eastwood Hills Plat No. 2, move to approve.**

**Yes:** 9 - Burns, Loe, Rushing, Stanton, MacMann, Carroll, Geuea Jones, Kimbell and Placier



**VII. PUBLIC HEARINGS****Case # 193-2021**

A request by Crockett Engineering (agent), on behalf of JAJ, LLC (owners), seeking rezoning of 2.78-acre property located at 5530 Bull Run Drive. The applicants are requesting to rezone the property from PD (Planned Development) to MC (Mixed-Use Corridor) to facilitate development of the property with mixed commercial and office uses.

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

MR. PALMER: Thanks, Madam Chair. Real quick, I have actually combined the staff reports, so if you would go ahead and read the second case as well, that would be great.

MS. LOE: Gladly.

**Case Number 194-2021**

**A request by Crockett Engineering (agent), on behalf of JAJ, LLC (owners), seeking rezoning of 4.73-acres from PD (Planned Development) to MN (Mixed-Use Neighborhood) to facilitate development of the property with a multi-use event space defined as a "Assembly or Lodge Hall". The subject property is located at 705 Port Way.**

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning from C-P (now PD) to M-C, and approval of the requested rezoning from PD to M-N.

MS. LOE: Thank you, Mr. Palmer. Before we move to Commission questions, I would like to ask any Commissioners who have had any ex parte related to this case to please disclose that now so all Commissioners have the benefit of the same information on the case in front of us. Seeing none, are there any questions for staff? Ms. Placier?

MS. PLACIER: Thank you, Madam Chair. Yes. On the issue of assembly or lodge hall, which sounded a little, you know, old-fashioned to me or I was having a little trouble envisioning it, but you also mentioned the term event center.

MR. PALMER: Uh-huh.

MS. PLACIER: How do you decide under what category this potential building would --

MR. PALMER: So, yeah. So, basically, it's based on the definitions we have in our Code. The two options that kind of jumped out in the beginning of the review process were the assembly and lodge hall and indoor entertainment or recreation is the other kind

of option in our use categories, our uses in the use table, if you will. The definition of indoor entertainment and recreation leans more towards, you know, indoor tennis courts or rock climbing, things where you're actually involved in a -- in an event or an activity. The assembly or lodge hall is kind of an antiquated name for what is essentially an event center. Like I said, it'll be an indoor open space that would allow for gatherings, you know. So it -- I imagine the intent would be to rent it to, you know, weddings or corporate events or anything of that nature where you'll have a number of people that will come together.

MS. RUSHING: Well, just to follow up on that, that -- it puzzled me if it were an event center, why the limited amount of parking for it.

MR. PALMER: Well, yeah. And that would be based on the -- on the size of the building, the square footage, so -- and, again, they -- that site is, while it's planned for development, I think it is not quite to the planning phase that the other property is at this point, and so they've indicated some parking there, it may be more, it may be less, just depending on the size of the building.

MS. RUSHING: Maybe that's a question better addressed to the --

MR. PALMER: Sure.

MS. LOE: Mr. MacMann?

MR. MACMANN: Just real quick. Thank you, Madam Chair, and thank you, Mr. Palmer, for suggesting the split in M-C and M-N. Maybe a -- maybe a correction, maybe not. Can you return to page one of your discussion? I think there's an addition error, and it may not make any difference. Where you talked about the size of the lots.

MR. PALMER: That one there?

MR. MACMANN: Correct. Bullet point one, those numbers don't add up. Does that make a different?

MR. PALMER: Yeah. No. They're separate.

MR. MACMANN: So we don't -- we --

MR. PALMER: I do know the 2.78 and the 4.73 are correct.

MR. MACMANN: I understand. As long as we don't have to --

MR. PALMER: I'm not sure where that --

MR. MACMANN: I'm just concerned about making a motion to make sure everything is correct when they are approved.

MR. PALMER: Yeah. Just ignore the seven -- the overall number, the 763.

MR. MACMANN: Okay. And I will ignore it. I just wanted to make sure that we're in

--

MR. PALMER: I'm assuming it was a typo, but, yeah. Thank you.

MR. MACMANN: Thank you very much. Thank you, Madam Chair.

MS. LOE: Any additional questions for staff? Ms. Geuea Jones?

MS. GEUEA JONES: This may also be something for the applicant. I know that we often don't like single developments being split zoned this way. I understand that there may be, with the single-family housing and everything, and the extra buffers, there may be a reason to do this. But is this being developed as a single site, or is it being developed as two sites, just with an overall area plan in mind?

MR. PALMER: Yeah. It is two distinct lots, two legal lots, so while it is a common scheme of development, so to speak, it will be -- I mean, it's considered two lots, two sites.

MS. GEUEA JONES: This isn't going to be a precursor to a replat or anything where we try to combine them?

MR. PALMER: No. The properties are prime for development in terms of legal lot status, so it'll just be -- that's what the zoning districts are based on is the lot -- existing lots.

MS. GEUEA JONES: Wanted to make sure we weren't creating a situation that we'll hate down the road. Thank you.

MS. LOE: Any additional questions or comments? I just wanted to echo Mr. MacMann's commendation for proposing the two zoning, because I do -- I do, as you know, have issues with the MC up against the residential, especially R-1. So with that, we will open the floor to public comment.

#### **PUBLIC HEARING OPENED**

MS. LOE: If you can give your name and address for the record.

MR. CROCKETT: Members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Yes. That is -- as Mr. Palmer stated, this is a two-lot development. We are asking for different zonings for each individual lot. The project started out, and we did go into the Planning Department asking what their thought was on the zoning of this piece of property, and this is what they came back with was the recommendation was this split zoning. We did ask, you know, may we do all MC, and they recommended keeping the M-N next to the neighborhood with a conditional use permit, given the fact that we knew what we wanted to do with the event center to the south. And so we -- you know, that's fine with us. We know what we want to do, and we -- we, you know, concur with that's probably the best route to go. I will state of the M-N, of Lot 102-C, which contains 4.73 acres, the majority of that is, indeed, already used for stormwater management. There is a detention basin and two bio-retention cells on that property. So really the amount of piece -- the amount of that piece of property that can be developed is

-- is rather limited, so I don't want to paint the picture we're going to be developing that entire piece of property, but we're going to leave most of it alone as -- as it's currently functioning. We do want to enhance it a little bit. You've been around town, you've seen these bio-retention cells, you've seen retention basins, and some of them are fairly attractive and others are not. And what they want to do here is they want to make it an amenity to the event center. They want to have a lawn area behind the event center in which this -- these bio-retention cells can be plantings. They can be -- you know, they use the Shelter Garden as an example. I mean, I don't -- you know, it may not be to that scale, but something very nice, something very pleasing, something that we can put walkways and pathways through that can help, you know -- help with that event center and make it very nice. And so that's their desire for that. Rusty, if you would, go back to our sketch that you have, the -- there we go. And if you recall what the original C-P looked like for each -- the original C-P plan looked like for Lot 102-E, it was a large -- I think it was roughly 23,000, 24,000 square foot, basically, a strip center building. What we want to do is we want to do four smaller buildings. And the configuration at this location, one thing that Mr. Palmer didn't indicate is, we really want the outdoor space between those four buildings as a prime-use area. What we're looking for is we have a lot of interest from smaller -- you know, smaller kitchens, smaller restaurants, you know, folks who want to maybe have a service window, and really have an outdoor element, really have an area where you can come out, you can -- you know, you can get a burger at one place, you can get a drink at another place, you get ice cream at another place, really kind of an outdoor seating area and use. And so really while we have four different distinct smaller buildings, we also want to really enhance the use of the outdoor element, as well. It's very unique. I think it's going to go more toward, you know, smaller businesses and more localized businesses. And so that was one element that we wanted to talk about a little bit. My clients did have the neighborhood meetings with the neighbors to the south. They had two different neighborhood meetings with the two HOAs. I don't believe there was much of a concern with the -- the consensus at that time was the majority of the people really, you know, liked the idea, not only for neighbors, but also for businesses that they can utilize, and they really liked that type of idea as being proposed, so we didn't have any issues from either of those two meetings. As Mr. Palmer indicated, the uses that we're proposing are going to be lighter than what's currently allowed under the current C-P plan. Again, we talked about the stormwater facilities. We want to make sure that's an enhancement for the area. And -- and, Ms. Placier, this is going in with your comment just a little bit. And we also have a lot of the business support. We have support from the hotel, we have support from Equipment

Share. While this is an event center, I mean, again, we call it an assembly and lodge, that's just because that's what in the Code, but it is a small event center. And what -- you know, the hotel is really looking for places like that. They have folks that call them and say do you have meeting space that we can utilize. They don't have large spaces that they can utilize in the hotel. So the hotel is excited about a situation like this. Equipment Share is excited about a situation like this because they can utilize our facility as well. And while we are looking for, you know, having some larger events out there, potentially, we also can't negate the smaller ones, and that's something that we don't have in the market right now are the smaller event places. What we don't want to do is go out here and overpark the situation. We don't want to park for our absolute maximum capacity. So what we're doing there is we're working with shared parking arrangements with Equipment Share, with the hotel, as well as our own commercial development to the north so that we can have shared parking arrangements for the larger situations. That way, we don't have a large parking lot next to a residential neighborhood that goes completely vacant the vast majority of the time. And so that's the reason why it's a little bit smaller, because it's going to curtail to the smaller events, no problem. The larger events will have overflow parking across the street and nearby. And so that's kind of the reason for that, and the reason why our parking is how we are wanting to structure it. Again, with that, I'm happy to answer any questions. The owners are here to talk about -- you know, answer any question that you may have with regards to what they envision or what they see taking place out there, but again, we think it's going to be good for the area and happy to answer any questions.

MS. LOE: Thank you, Mr. Crockett. Ms. Rushing?

MS. RUSHING: I was wondering whether you had any plans for any internal sidewalks. I know you mentioned walkways --

MR. CROCKETT: Uh-huh.

MS. RUSHING: -- but I'm looking. The lower lot along the north side, are there any plans for any --

MR. CROCKETT: Yes. We're going to have -- we're going to have walkways that connect the event center that ties it to the -- the commercial area.

MS. RUSHING: Okay.

MR. CROCKETT: Yes. We will have pedestrian walkways, absolutely, as well as along the streets, as well, that are there. But we will have internal walkways, as well. Absolutely.

MS. LOE: Additional questions for this speaker? I see none. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: Any additional speakers on this case? Seeing none, we will close public comment.

**PUBLIC HEARING CLOSED**

MS. LOE: Commission comments? Mr. MacMann?

MR. MACMANN: This is a commendation to the owners, and to Mr. Crockett, and to staff on this one. Oftentimes -- I know this area is not really built out yet, but oftentimes when we're up against this, and I know Commissioner Loe has seen this, it is a struggle to get the things that came to us ready-made. Ms. Burns also knows this. We often will -- you know, sidewalks, trees, stormwater and, like, okay, this is what you guys want. I appreciate that, guys. Thank you very much. And staff, we didn't have to pull out the two different zonings and stuff, so I just want to make that comment because it makes our life easier and I think it will make the City a better place and this and more functional development going forward. Hopefully profitable, guys.

MS. LOE: Mr. Zenner often says he knows his Commission, and I feel like, yes.

MR. ZENNER: Trust me. We packaged this one just for you.

MS. CARROLL: I also appreciate the communication with the adjacent neighborhoods. It seems like you have a good idea of what the neighbors are looking for and what they expect to encounter. It seems like a well thought out plan.

MS. LOE: Ms. Burns?

MS. BURNS: And so, Mr. Palmer, you want two motions on this?

MR. PALMER: Yeah. Just as they're laid out there on the screen for you.

MS. BURNS: So, let's see. I'm going to start with the Case 193-2021, a request by Crockett Engineering on behalf of JAJ, LLC, seeking rezoning of 2.78-acre property located at 5530 Bull Run Drive. The applicants are requesting to rezone the property from PD to M-C to facilitate the development of a property with mixed commercial and office use. I recommend approval.

MR. MACMANN: Second.

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

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe. Motion carries 9-0.**

MS. CARROLL: Nine votes; the motion carries.

MS. LOE: Thank you. Ms. Burns?

MS. BURNS: Oh, why not. In the matter of Case Number 194-2021, a request by Crockett Engineering on behalf of JAJ, LLC, seeking rezoning of 4.73 acres from PD to M-N to facilitate development of the property with a multi-use event space defined as assembly or lodge hall, I recommend approval.

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: Mr. Stanton, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe. Motion carries 9-0.**

MS. CARROLL: Nine votes to approve; the motion carries.

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

**In the matter of Case 193-2021, a request by Crockett Engineering on behalf of JAJ, LLC, seeking rezoning of 2.78-acre property located at 5530 Bull Run Drive from PD to M-C to facilitate the development of a property with mixed commercial and office use recommend approval.**

**Yes:** 9 - Burns, Loe, Rushing, Stanton, MacMann, Carroll, Geuea Jones, Kimbell and Placier

**Case # 194-2021**

A request by Crockett Engineering (agent), on behalf of JAJ, LLC (owners), seeking rezoning of 4.73-acres from PD (Planned Development) to MN (Mixed-Use Neighborhood) to facilitate development of the property with a multi-use event space defined as a "Assembly or Lodge Hall". The subject property is located at 705 Port Way.

**SEE MINUTES FROM CASE # 193-2021**

**In the matter of Case Number 194-2021, a request by Crockett Engineering on behalf of JAJ, LLC, seeking rezoning of 4.73 acres from PD to M-N to facilitate development of the property with a multi-use event space defined as assembly or lodge hall, recommend approval.**

**Yes:** 9 - Burns, Loe, Rushing, Stanton, MacMann, Carroll, Geuea Jones, Kimbell and Placier

**VIII. PUBLIC COMMENTS**

MS. LOE: Any additional public comments? Seeing none. Staff comments?

**IX. STAFF COMMENTS**

MR. ZENNER: Your next meeting will be July 22nd, as we mentioned in the work session. We do have a number of items that will be covered on that agenda, five to be exact. So your upcoming cases are as follows: Four subdivision actions, which is an anomaly. We haven't had that in a while. So we have a rezoning or a subdivision request to establish legal lot status at 107 North William Street. This is a former nursing home facility used right now as an apartment building that is looking to be redeveloped -- the site to be redeveloped. And in order to establish legal lot status, the platting action is required, so this is one of these that's a technical requirement. The property has not been platted previously, and therefore, is coming before you. We have a request off of Ballenger Lane. This is the site of Victory Christian Church. This is a preliminary plat, if I'm not incorrect, showing four potential lots, one of the larger lots being the church itself. There are required improvements along Ballenger. The platting action as a preliminary plat allows for those public improvements to be allocated out amongst the lots within the development. The church, as many of you may be aware, is there. It is functional and has been, if I'm not incorrect, for a little bit more than a year to two years, and we've previously had discussion with the applicant before as it related to this property. If I'm not incorrect, the recommendation came through this Planning Commission seeking a sidewalk waiver, which did not materialize at Council. So it should be an interesting case. We may have a design adjustment or two that goes along with this at this point, but we're still in the review cycle, so I can't give you all the details. We have another project which was an annexation -- the subject of an annexation and permanent zoning request at 200 West Old Plank. That, again, is another technical related issue. This is a non-legal lot, previously unplatted, and is coming before the Commission. It has frontage directly on Old Plank Road and has access to utilities. It will have the standard required public improvements that will be necessary to make the lot legally developable, sidewalks and roadway dedication requirements, if my recollection serves me correctly. This is not one that will require any design adjustments either. And then Roxy Pointe, what a sexy name -- well, whatever --

MR. MACMANN: Is that for the record, Pat?

MR. ZENNER: Yes. So -- and this is -- it is an unaddressed parcel, so that is why I had to refer to it by its subdivision name. It is off of Sinclair Road. This is just immediately to the north of the access to the Lake Arrowhead development almost directly across from The Cascades. This is a piece of the MU property on its very southern end that is proposed to be a single one-lot final plat. There are some infrastructure-related issues with this, as well. This is a parcel that was actually



transferred to the current property owner through the exemption that the University has at its discretion because it's a State entity, so normally we wouldn't allow subdivision activity to occur without going through a platting process. However, the property was transferred from the University to the current owner without that required plat, and this platting action will actually establish legal lot status on it so the owner can obtain a building permit. And then the last item that you will have on the agenda is the conditional use that we just talked about for 705 Port Way, so we will discuss the assembly lodge or the assembly lodge hall definition probably in greater detail as to how we arrived at this. Mr. Palmer and I did discuss after the concept review what was the most appropriate, and given the explanation that you heard this evening, we have identified that assembly lodge hall meets the criteria for what they're wanting to do. As a conditional use, as we have discussed previously and maybe for the new Commissioners, you -- I don't think we've done a conditional use with you at this point. The conditional-use process allows the Commission to make a recommendation to City Council to apply particular conditions to the use that's being sought, and those conditions often have to have a rational nexus to the potential impacts that that use may have on its adjoining neighbors. And so as we evaluate the scale of the proposed structure and any other development that would be associated with this -- the proposed use, we're probably going to also come out -- we may come out with suggested standards that may need to be applied that may go beyond what the UDC typically would require. In some instances, however, we may believe after doing the analysis no additional conditions are necessary because we are -- we believe that the UDC would apply the right conditions to regulate the site effectively. Neighborhood protection standards, which was mentioned here this evening, is a grouping of standards that did not exist in the old Code, and it will further mitigate some of the impacts that an event-type activity area would create from light spillage and a variety of other factors. The 50-foot -- the 50-foot buffer also provides some significant and enhanced protections that just generally you don't find. So there are a lot of things that are going for that site as it relates to this, but the idea of this conditional use and why it is here is because with this type of activity, you may get excessive traffic, and therefore, we want to consider those types of things. How does ingress-egress work, how does pedestrian circulation work, things of that nature. And the conditional use has the ability for you to attach those conditions. For example, the construction of the sidewalk along the northern portion of this lot, that can become a part of it, because that will allow them safe pedestrian travel between maybe the overflow parking and the subject site. So those are the types of things that we'll be thinking about and bringing to you with the request itself. These are the five items, and we are slowly but surely, as I'm looking at our

calendar, moving forward. Our agendas are starting to level out. We are starting to see probably about three to five cases per agenda. Our volumes are not slowing down. We do have a number of significant -- significantly sized projects that are in the pipeline at this point that we are waiting to see received, so as we continue to move through the remaining portion of this fiscal year, which ends at the end of October -- or, I'm sorry -- ends at the end of September -- I would suggest to you that it is very possible we will see some pretty significant projects as we move forward. We're -- we've got some real technical issues that we're working out on many of them, and that is one reason why they've been a little bit more slow. I would like to just update you as it relates to the actions at Old Hawthorne North, which we discussed two meetings ago. That was an item that was discussed at Council's meeting, the public hearing on the annexation was held on Tuesday night. At that meeting, the remaining ordinances that were to be processed for introduction on the July 19th meeting were asked to be indefinitely tabled, so it is our understanding at this point that we will not be producing any introductory ordinances for permanent zoning for the rezoning of the common lots in Old Hawthorne, or the preliminary plat at this point until we are further notified by the applicant. I don't know what that means. I know that we are still awaiting some technical changes to the preliminary plat, aside from the denial of the design adjustments that the Commission made. So that project right now is in a holding pattern, so if you're watching Council's agendas and wondering where it is, that's what's happening with it. We also have several projects that are on -- that are to the -- one project to the north and east of Old Hawthorne North off of Richland, and then one property further out to the east at the intersection of Route Z and Richland Road that are potential pending projects, as well. So that corridor appears to be priming for development, which is not something that we would not have expected as it relates to our lack of availability of infrastructure, sanitary infrastructure in the southwest portions of the City, which is where we have historically seen most of our development growth. So we are starting to potentially see a shift in focus, which this evening's meeting in work session talking about our capital projects for the coming fiscal year, many of the questions that were asked by Mr. MacMann as it relates to how are we prepared for east area growth are appropriate.

MR. MACMANN: Oh. I meant to say west. Apologies.

MR. ZENNER: Well, our east area growth is probably where we anticipate seeing in the short term some significant opportunities. The west area plan, just so we are all aware, the west area plan is -- is still in a holding pattern at this point. We are desirous to ensure that we can have more public engagement as we move into the process, more traditional public engagement. We are also waiting probably a project that may stimulate

the discussion to engage in the west area plan in a more expeditious manner, and we have not received that yet, either. The utilities folks talked about extensions of Strawn -- of utilities in the Strawn Road area, which is an annexation that we had taken in several years ago. It was donated by Mr. Potterfield, and that is an area that also has the extension of Scott Boulevard that runs through it, so the utility improvements would correspond to a previously approved plat. That is going to have an impact as it relates to the project that we are waiting on, so there is a correlation, I believe, there. However, the parcel that is seeking potential annexation is actually -- has access to City sewer and is currently served by other utilities by our partner agencies. So we have to wait on that, but that is -- that is one the -- I think the projects that may stimulate further discussion. We have a number of other items, however, on the Commissioner's agenda. Council is aware of that, and they have not pushed significantly for us to engage in the west area plan at this point. However, if we are asked and -- to do so, you'll be informed, because we will need to reengage with the County's Planning Commission at that point. The other thing I would like to talk -- or mention, as well, is that at Tuesday night's Council meeting, the report as it related to the lot density or our lot area and density study that you asked us to produce, that was acknowledged by Council and the authorization was to move forward with that. We will probably bring something back to the Council as a status report, if not a proposed -- proposed revisions within probably six months, so we will roll that into some of the upcoming regulatory discussions that we will be having with regulatory changes. Mr. Smith will most likely be presenting at the beginning of August a tentative list of proposed UDC amendments that we will bringing forward in what we refer to as Phase 3 in my absence. So you will expect to probably have a presentation by other staff for that evening. I will be out of town, enjoying myself for a needed vacation. With that, that's all we have to offer for this evening. Thank you very much for your attention, and we look forward to having a discussion at the July 22nd meeting as it relates to your CIP memo.

MS. LOE: Thank you, Mr. Zenner.

## **X. COMMISSIONER COMEMENTS**

MS. LOE: Mr. MacMann?

MR. MACMANN: I have a quick comment for both staff, which maybe they can communicate that, and the Commission, particularly Commission members who are new, and then I have a motion, if no one else has a comment. In regarding the potential -- some of you guys may remember this -- sidewalk conflict on Ballenger Road. Just a reminder. The sidewalks at the northeast portion of this City have been pushed because of a series of deaths along the roads where there are no sidewalks. So you might pass that along that that ditch is just as deep as it was before.

## **XI. NEXT MEETING DATE - July 22, 2021 @ 7 pm (tentative)**

**XII. ADJOURNMENT**

MS. LOE: Motion?

MR. MACMANN: And my motion is as follows: I move to adjourn.

MS. KIMBELL: Second.

MS. LOE: Second by Ms. Kimbell. We are adjourned. Thank you.

(The meeting adjourned at 8:26 p.m.)

(Off the record.)

**Move to adjourn**