City of Columbia, Missouri

Meeting Minutes

Planning and Zoning Commission

Thursday, June 24, 2021 7:00 PM	Regular Meeting	Council Chambers Columbia City Hall 701 E. Broadway

I. CALL TO ORDER

MS. LOE: I'm going to call the June 24th, 2021 Planning and Zoning meeting to order.

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

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

Present: 8 - Tootie Burns, Sara Loe, Joy Rushing, Anthony Stanton, Michael MacMann, Valerie Carroll, Robbin Kimbell and Peggy Placier

Excused: 1 - Sharon Geuea Jones

II. INTRODUCTIONS

III. APPROVAL OF AGENDA

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

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

MR. MACMANN: Move to approve.

MS. CARROLL: Second.

MS. LOE: Second by Ms. Carroll. I'll take a thumbs up approval on the agenda.

(Unanimous vote for approval.)

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

IV. APPROVAL OF MINUTES

June 10, 2021 Regular Meeting

MS. LOE: Everyone should have received a copy of the June 10th, 2021 regular meeting minutes. Were there any additions or adjustments to those minutes? Seeing none, can I get a motion to approve?

MR. MACMANN: Move to approve.

MS. KIMBELL: I'll second it.

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

(Unanimous vote for approval.)

MS. LOE: It looks unanimous. That you.

Move to approve

V. SUBDIVISIONS

Case #180-2021

A request by Allstate Consultants (agent), on behalf of the Crossing- EPC of Columbia (owner), for a one-lot replat to be known as "The Crossing-EPC Plat 6", a replat and consolidation of The Crossing- EPC Plat 5, and two unplatted lots located to the southwest. The property is 27.80 acres and is zoned A (Agriculture). The property has frontage on Grindstone Parkway, Rock Quarry Road, and Southland Drive and is addressed 3615 Southland Drive.

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 "Crossing EPC-Plat 6".

MS. LOE: Thank you, Ms. Smith. Before we move on to questions for staff, I'd like to ask any Commissioners who have had any ex parte related to this case to please share that 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? Mr. MacMann?

MR. MACMANN: Just a quick point of information, but I might as well ask this question now. This may be a Mr. Zenner or a Mr. Teddy question. When will we resume public information meetings, do we know?

MR. ZENNER: At this point, we are not sure, and the process that we are utilizing now is what we refer to as early postcard notification --

MR. MACMANN: Uh-huh.

MR. ZENNER: -- which is actually sent out the same week that the projects are generally received to property owners within 185 feet and homeowners' associations within 1,000 feet, leaving -- providing that out as early notice to alleviate the need at this point to hold in-person early notification meetings after hours here in City Hall. And that is something that we implemented at the beginning of the Covid process. We have found that it has not posed any issue with comments or questions being asked, which is really part of the purpose for why we did the early notification meetings. However, it has also reduced the building having to be open after business hours, which was a concern and, I believe, still is a concern of the City Manager, as well as it has reduced the necessity for us to have staff here over the 5:00 hour to potentially only receive maybe the applicant and no one else to show up. So we -- we haven't felt that we have extinguished the ability for an individual that may be interested to provide comments or ask questions. We've actually extended an opportunity because not only do we do it a week after or a week -- the week of the project coming in, for any public hearing item, we are also providing then

the follow-up postcard and the follow-up notice. So I would suggest to you that, at this point, when we initially initiated not having meetings, we had initiated that with the objective of potentially not resuming them post-pandemic. I would suggest that while we are out of emergency declaration at this point, we could, and we can take up with the City Manager, if you would like us to have the building left open after 5:30.

MR. MACMANN: My concern is as follows. I'm sorry to take your time here, but we need to make this point at some juncture. My concern is as follows. Exemplar, the one and 20 issues that come before us, Green Meadows Circle, something like that that we're going to have that. I've taken up enough time. You answered my question. Thank you very much. Thank you, Madam Chair, for your indulgence.

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

PUBLIC HEARING OPENED

MS. LOE: This is a subdivision, but if there are any public comments, we will entertain those. Seeing none, we'll --

MS. CARROLL: Do we need to note that Mr. Stanton arrived?

MS. LOE: We can acknowledge Mr. Stanton has arrived at the meeting, so we now have eight in attendance. Correct?

MS. CARROLL: Yes.

MS. LOE: Good to see you, Mr. Stanton. All right. Closing public comment on the subdivision.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann?

MR. MACMANN: If my fellow Commissioners do not have any questions or concerns that they wish to raise? Seeing none. In the matter of The Crossing-EPC Plat 6, Final Plat, Case Number 180-2021, approval of The Crossing-EPC Plat, Final Plat, I move to approve.

MR. STANTON: Second.

MS. LOE: Seconded by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? I see none. Ms. Carroll, may we have roll call, please.

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

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

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

In the matter of The Crossing-EPC Plat 6, Final Plat, Case Number 180-2021,

approval of The Crossing-EPC Plat, Final Plat, move to approve.

Yes: 8 - Burns, Loe, Rushing, Stanton, MacMann, Carroll, Kimbell and Placier

Excused: 1 - Geuea Jones

VI. PUBLIC HEARINGS

Case # 162-2021

A request by Crockett Engineering Consultants (agent), on behalf of P1316 LLC (owners), for approval of a rezoning of 1.64 acres of M-C (Mixed Use-Corridor) to PD (Planned Development), a 3-lot, 10.62-acre PD development plan and accompanying statement of intent for an office and retail development to be known as *"Discovery Center"*, and a design exception to exceed 200% of allowed parking. The request also includes the abrogation of an existing PD plan known as *"Aria Boulevard Phase 2"*, which currently conflicts with the location of the proposed PD plan. The property is located on the northeast corner of Nocona Parkway and Endeavor Avenue. (**This case was tabled at the June 10, 2021 Planning Commission meeting)**.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the rezoning of property from M-C to PD, the Discovery Center PD Plan with the design exception pertaining to exceeding 200% minimum parking, the associated Statement of Intent, and the PD plan abrogation.

MS. LOE: Thank you, Mr. Zenner. Before we move on to questions for staff, are there any recusals on this case? Mr. Stanton?

MR. STANTON: Madam Chair, I'm going to recuse myself from both 162 and 182.

MS. LOE: Thank you.

MR. STANTON: Okay.

MS. LOE: Any additional Commissioners? Seeing none. I would like to ask any Commissioners who have any ex parte to please disclose that now 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: Mr. Zenner, how many motions will this be? The abrogation should be stand-alone, shouldn't it?

MR. ZENNER: Abrogation would be stand-alone. You have a -- the design exception. In essence, if you make a -- if you make a motion to approve the PD plan, because the design exception is on the PD plan, that is incorporated into that motion. So you have three --

MR. MACMANN: So the PD plan and exempt -- those four are all together. Right?

MR. ZENNER: Yeah. The PD plan, the design exception, and the statement of intent would all be one. You would have a rezoning motion, M-C to PD, and then you would have the abrogation, so there's three motions here that I see.

MR. MACMANN: All right. Just want to make sure that it's clean enough and comprehensible when it's kicked upstairs. Thank you very much.

MS. LOE: Additional questions for staff? Seeing none, we'll open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: Please give your name and address for the record.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I'm here tonight. I can -- I have my presentation. You've seen that material before. It was two weeks ago. Very similar in nature. I believe Mr. Zenner has covered all the bases, so I'm not going to bore you with -- with my very similar duplicate presentation. But as -- as Mr. Zenner did indicate, we've worked with City staff to come up with a more workable plan, a better location that -- that suits this site better, and we believe that's before you tonight. And I think that additional time that -- that we agreed to, the Commission requested of us was in good use, and I think that it's a more superior plan that's before you tonight. I would indicate that it is about 26,400 square feet of green space, and that's comparable, roughly, to the size of the footprint of the building itself. And so we believe that that's -- that's fairly comparable. And, again, it's 5 percent over the limit of the -- or, excuse me -- the requirement for the green space, and we believe that that would compensate for the additional spaces. So again, if there's any questions, I'm happy to answer them, and with that, I'll sit down.

MS. LOE: Thank you, Mr. Crockett? Any questions for Mr. Crockett? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, can the folks you represent tell us anything more that they couldn't share last time?

MR. CROCKETT: A -- the individuals that I represent -- the company that I represent would very much like to come forward and say who the tenant of the building is. The tenant of the building is not allowing them to do that at this time. So it has not been confirmed to me who that is. I do not know. I would very much like to come before you and say who that is, but due to contractual purposes, they're not allowed to.

MR. MACMANN: And that's fine.

MR. CROCKETT: Sure. Yeah.

MR. MACMANN: I was just wondering if there's anything else that had seeped

out.

MR. CROCKETT: I think it would be very -- it would be a much easier sale if I could tell you who it is, if I knew who it was, but I don't, and they would very much like to say, but they can't, so -- unfortunately so.

MR. MACMANN: All right. Fine. I have no more questions for Mr. Crockett.

MS. LOE: Regardless of who the tenant is, I think the plan appears to be much more of an amenity as was described, and I do appreciate the accessible route connecting. I think it's also -- it appears it will be more useful -- used by the tenants just in the change in orientation, so I appreciate that.

MR. CROCKETT: Sure. And we agree with that. We agree with that assessment very much. And, again, as much as we would like to take credit for it, staff was -- played a big part in that, too. So while I'll stand here and take the credit for you, Mr. Zenner and Mr. Smith did a lot of it, as well, so we appreciate their help on that.

MS. LOE: You're very generous.

MR. ZENNER: Once we're --

MR. CROCKETT: Pat -- that's all you get, Pat.

MR. ZENNER: Thank you very much, Mr. Crockett.

MS. LOE: Any additional questions for Mr. Crockett? Ms. Placier?

MS. PLACIER: Thank you, Madam Chair. Yeah. Just a comment, also, about that green space, because I know I had questioned the strip that was over by the edge before, and I thought it was very awkward, and this is very much more elegant and useful.

MS. LOE: Seeing no more questions, thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: Any additional public comments on this case? If there are none, we're going to close public comment.

PUBLIC HEARING CLOSED.

MS. LOE: Commission comments? Mr. MacMann? Before we go diving right into that, Mr. Zenner -- I'd like to ask Mr. Zenner to put a particular screen up. It may help us discuss things. Mr. Zenner, could you put up the screen with the list of the five things, towards the end of your presentation. There --

MR. ZENNER: This one?

MR. MACMANN: No. The one that's bullet pointed out that has the abrogation -- right there. There we go.

MS. RUSHING: It was the one --

MR. MACMANN: There we go. Thank you, sir. I think this is much more useful to this. I'm just, if I may, just right into my commentary. This is much more useful. I

understand the concerns that everyone had last time. I guess my question to you all is do you still have those concerns? It's a -- it's a lot of parking.

MS. LOE: Ms. Carroll?

MS. CARROLL: I do still have those concerns. I agree this is a vast improvement over what we saw last time. I don't approve of exceeding the 200 percent minimum parking requirement. I -- I have concerns due to the amount of parking. I have concerns due to the size of the development. In the past, these haven't been questioned so much because there don't seem to be a lot of neighbors, but we've seen in recent history with the Gans Creek that there are a lot of interested parties not far away from this development node. I -- I think it warrants a look at the Council level at a minimum because this area has been growing rapidly. We have a lot of projects out here, and they're growing in size, they're growing in parking and impermeable surfaces. It's just too much for me.

MS. LOE: Additional comments? Mr. MacMann?

MR. MACMANN: I have a brief comment, and then I'm going to start making motions, if that's okay with folks. To Commissioner Carroll's point, we requested of Mr. Crockett, and we addressed this in the UDC when they kicked up so high over 150 and moved to 25 percent. Something that concerns me, which is -- and you mentioned this with the permeable and impermeable surfaces -- storm water. And we may wish to address this when we're doing -- you know, when we get so much concrete. Maybe an engineer can tell us more about that. All of that said, I'm prepared to make motions. The very first motion I'm going to make is the abrogation, so we don't technically have any point in time where we have two ordinances ruling any given property. In the matter of Discovery Center, Case 162-2021, abrogating the Aria Boulevard Phase 2 PD, I move to abrogate.

MS. RUSHING: Second.

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

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Placier, Ms. Kimbell, Ms. Carroll. Motion carries 7-0-1.

MS. CARROLL: We have eight -- seven to approve, and one abstention. Motion carries.

MR. MACMANN: Moving on. Rezoning next. In the matter of Case 162-2021, rezoning of 1.64 acres of Discovery -- Discovery Center acres from M-C to PD, I move to approve.

MS. RUSHING: Second.

MS. LOE: Seconded by Ms. Rushing. 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, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Placier, Ms. Kimbell. Voting No: Ms. Carroll. Motion carries 6-1-1.

MS. CARROLL: We have six to approve, one no, one abstention. The motion carries.

MR. MACMANN: Last, but not least. In the matter of Discovery Center PD plan, statement of intent, and design exemption -- I don't need to explicate those anymore, do I? That should be sufficient.

MR. ZENNER: That's fine.

MR. MACMANN: I move to approve.

MS. KIMBALL: I'll second that.

MS. LOE: Thank you. Second by Ms. Kimbell. We have a motion on the floor. Any discussion on this motion? I'd just like to comment in response to Ms. Carroll's concerns that, while I share the concerns, I do feel that the giving of the green space in this situation in excess of what is required does mitigate, to some extent, some concerns of the pervious pavement. I also feel as if the need for parking has been identified as a specific need and is not a speculative need. Therefore, it's suiting a specific purpose again. So I do plan to support this. Any additional comments? Seeing none. May we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Placier, Ms. Kimbell. Voting No: Ms. Carroll. Motion carries 6-1-1.

MS. CARROLL: We have six to approve. The motion carries.

MS. LOE: One vote no and one abstention.

MS. CARROLL: One vote no and one abstention.

MS. LOE: Thank you. So recommendation for approval on all motions on Case 162-2021.

MR. ZENNER: That's correct.

MS. RUSHING: I have just a short question. So since we don't have seven votes in favor for two of the motions. Right?

MS. LOE: Uh-huh.

MS. RUSHING: Then they won't be -- those two wouldn't be on the consent agenda. Would all three come off of the consent agenda? Am I confused?

MR. MACMANN: That's a percentage expression, is it not?

MR. ZENNER: It's a -- it's 75 percent. Seventy-five percent of the members --

MR. MACMANN: Voting.

MR. ZENNER: -- voting, so the abstention --

MS. RUSHING: Oh, okay.

MR. ZENNER: -- the abstention would not count. Given the question, though, and I think the point that Ms. Carroll raised, it is the Commission's prerogative, should you want the items under old business, you can ask. I mean, we -- we can do that. Technically, right now, they are scheduled to go directly to the consent agenda, given that they have met the 75 percent. However, if it is of concern of the Commission as a whole that there be additional discussion, that is something that you could ask -- at the Council level, that is something that you can also request us to do.

MS. LOE: Mr. MacMann?

MR. MACMANN: Neither of the things that Commissioner Carroll voted for reached the 75 percent threshold. Commissioner Carroll, are you happy with -- 75 percent would be --

MS. CARROLL: For it to be off the consent -- consent agenda. But they did have the 75 percent.

MR. MACMANN: We have met that. Yeah.

MS. CARROLL: So we could request for it to go --

MR. MACMANN: Well, I went -- I was going in the other direction. My apologies.

MS. CARROLL: -- to the new business. Do we need a vote on that though? I presumed that's what this was for.

MS. RUSHING: Would that request require a vote or just --

MR. ZENNER: It would. I would prefer that because the standard practice is 75 percent in favor automatically results.

MS. RUSHING: Right.

MR. ZENNER: And at that point, it at least alerts the applicant to be aware that they may need to have presence at the Council meeting. The minutes of this are transcribed, of course, being sent in full. If it is the belief of the Commission that the comments that Ms. Carroll made would be reaching Council in that venue with the minutes, there may not be need. I just put that out there as an option that is available to the Commission should you run into this situation in the future incident, as well.

MS. LOE: Mr. MacMann?

MR. MACMANN: I have a question for Commissioner Carroll. If we were to request that Council put this in old business, would it be both the second and third motions, or

just one of them, or how would you want to do that?

MS. CARROLL: I -- that's a great question.

MR. MACMANN: The second motion is the rezone, and the third gives them the design exemption.

MS. CARROLL: The third would be fine with me, the motion with the design exception. My concern with M-C to PD, because those go together to a certain extent, to me, and the creation of more PDs if it's not going to be used -

MR. MACMANN: I just was trying to make it simple as possible for them for bringing --

MS. CARROLL: Yeah. So third -- third is the motion that I would think that Council should see if the Commission agrees with that and would like to, we could have a vote for it.

MR. MACMANN: Commissioner Carroll, I have a suggestion, and this is maybe one for the Chair. Would you like to make a motion to that effect?

MS. LOE: I think it's up to you to decide if you're going to make a motion.

MS. CARROLL: I will make a motion then.

MS. LOE: All right.

MS. CARROLL: I would like to make a motion to bring this off the consent agenda for the PD plan and design exception.

MR. ZENNER: If I may, Ms. Carroll. It would probably be more advantageous just from a process perspective before Council, since all three items are related, all three are on old business.

MS. CARROLL: All right. Then I would like to make a motion to bring all three off the consent agenda.

MS. LOE: We have a motion on -- oh. We have a motion. Is there a second for that motion?

MS. PLACIER: I'll second.

MS. LOE: We have a second by Ms. Placier. We have a motion on the floor. Any discussion on this motion? I see none. May we have roll call, please, Ms. Carroll. So this is a vote to approve removing this case from the consent agenda.

MS. RUSHING: That -- would that be -- are we just asking them to do it?

MR. ZENNER: No. The direction -- we are -- this motion and the vote on this motion is to direct staff. Staff can -- staff, in any other situation, controls the consent agenda placement or old business.

MS. KIMBELL: So this removes it off of the consent calendar and moves it to what?

MR. ZENNER: Old business on Council's -- for Council's second reading.

MS. KIMBELL: Okay.

MR. ZENNER: So I'm going to back up here. As Ms. Smith pointed out this evening, maybe a little bit of education in order here. At the Council level, Council bills are introduced, and they have two readings for an ordinance. All of the items that you just discussed this evening are all to be approved by ordinance. First reading is just a reading of the ordinance title. There generally is no discussion. However, on the Council's agenda, there is a designation associated with bill numbers that do have potential for showing up either on the consent agenda of City Council, which is a defined process, or under old business. This particular item would be identified with the symbolization that it would be an old business item for second reading, at which point it does provide an opportunity for the applicant or for any other citizen that may be interested in addressing the Council in relationship to that bill's content to provide public comment. Otherwise, if an item stays on the consent agenda, it is read twice, if I recall correctly. The bills are called, they're all read, they're called again, and then Council votes as bulk item. There is no discussion. And it is a means by which to expedite the Council agenda as it relates to the volume of cases that they have on their docket. The provisions -- there are provisions that do exist within the Code, however, in the City Code that will allow either a Council member or a citizen to request that an item be withdrawn from the agenda -- from the consent agenda. You basically are just, because you are in a role of a recommending body that is hearing an item and may identify a public concern, you have the opportunity to direct staff to put it onto the consent agenda, not necessarily onto -- or onto the regular agenda, old business, versus the consent. And that's what we're doing here. This is more of a procedural matter in order to just make sure that, one, the applicant is aware of what's going on and what the intent is because you would like Council to be aware, not that our staff report that we provide to them won't identify this as a discussion topic. We will. The minutes will cover it, as well. So, I mean, this is just an additional safety step that Council takes a pause, thinks about it, and then makes their motions. And if anybody wants to speak, as Ms. Carroll, I think, has identified, there's a people in this area that may be concerned about this, but just aren't here this evening. For what reason, I can't speak to. We've posted it, we've done property notification -- newspaper, as well as identified at least the property owners that are with 185 feet. But the property is required to be posted because it was rezoned with a sign, and -- and that was done in advance of the original hearing, and then we were noticing property owners. Property notice in this instance because of the scale of the adjoining properties really doesn't hit a lot of adjacent owners, and that, I think, is where Ms. Carroll's concern comes from is there may be other owners out there that may be

adjoining, but didn't get notice, and they may hear about this hearing and want to have an opportunity to speak.

MS. CARROLL: Thank you.

MS. LOE: Any additional comments on the motion?

MS. CARROLL: I mean, that is --

MS. LOE: Ms. Carroll?

MS. CARROLL: Sorry. Yes. That is exactly my concern. There's neighbors that don't get postcards because they're not directly adjoining because of the size of the properties out here, and there's interest in the region.

MS. LOE: Given that we tabled this once already within P & Z, I don't plan on supporting moving this off the consent agenda. Ms. Burns?

MS. BURNS: And I want to say I respect my fellow Commissioner's desire to pull this off. I -- I feel like because of our uncertainty about the entire project, I think our vote should speak first, the seven to one, but I won't -- don't plan on supporting it, either. But I appreciate you taking the time to do this thoroughly. Thank you.

MS. LOE: Any additional comments? May we have roll call, please, Ms. Carroll.

MS. CARROLL: Okay.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann,

Ms. Placier, Ms. Kimbell, Ms. Carroll. Voting No: Ms. Loe, Ms. Burns, Ms. Rushing. Motion carries 4-3-1.

MS. CARROLL: We have four to approve, we have three no votes, and one abstention. The motion carries.

MS. LOE: The motion -- recommendation -- or it's not a recommendation -- directive to move off the consent agenda. Mr. MacMann?

MR. MACMANN: Just -- Mr. Zenner did a wonderful job of -- of summarizing that, but just maybe for Ms. Kimbell or Ms. Placier, if you haven't seen it. Any citizen now -- any citizen, as long as it's the Thursday before, can request of the City Clerk to have a bill pulled. So just -- just FYI. This is kind of a -- yeah.

MS. LOE: It doesn't take the Commission.

MR. MACMANN: All right. Thank you very much for the time.

Motion #1 - In the matter of Discovery Center, Case 162-2021, abrogating the Aria Boulevard Phase 2 PD, move to abrogate. VOTING YES: Loe, Burns, Rushing, MacMann, Placier, Kimbell, Carroll. VOTING NO: None. Abstain: Stanton (Motion carries 7-0-1)

Motion #2 - In the matter of Case 162-2021, rezoning of 1.64 acres from M-C to PD, move to approve. VOTING YES: Loe, Burns, Rushing, MacMann, Placier, Kimbell. VOTING NO: Carroll. Abstain: Stanton (Motion carries 6-1-1)

Motion #3 - In the matter of Discovery Center PD plan, statement of intent, and design exemption, move to approve. VOTING YES: Loe, Burns, Rushing, MacMann, Placier, Kimbell. VOTING NO: Carroll. Abstain: Stanton (Motion carries 6-1-1)

Motion #4 - Motion to bring all three related case actions off the Council's consent agenda. VOTING YES: MacMann, Placier, Kimbell, Carroll. VOTING NO: Loe, Burns, Rushing. Abstain: Stanton (Motion carries 4-3-1)

Case # 182-2021

A request by Anderson Engineering (agent), on behalf of Discovery Park Apartments, LLC (owner), for approval of a PD Plan (Planned Development) amendment to the Discovery Park Subdivision Plat 4 PD Plan, most recently revised on July 20, 2020, that proposes to add pickleball courts as an amenity to the project plan. The 12.92-acre property is located on the west side of Nocona Parkway, approximately 1,500 feet south of Ponderosa Street.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested major amendment to the Discovery Park Subdivision Plat 4 PD plan.

MS. LOE: Thank you, Mr. Zenner. Before we move on to staff questions, I would like to ask any Commissioner who has had ex parte related to this case to please disclose that now so all Commissioners have the benefit from the same information related to the case in front of us. Seeing none. Any questions for staff? Seeing none. I'm going to open up the floor to public comment.

PUBLIC HEARING OPENED

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

MR. WOOTEN: Good evening. Tom Wooten with Anderson Engineering, 4240 Phillips Farm Road, Columbia. I don't have anything to add to Mr. Zenner's presentation. I can answer any questions.

MS. LOE: How popular is pickleball?

MR. WOOTEN: I've never played it.

MS. LOE: Me either.

MR. WOOTEN: But I hear about it all the time.

MS. LOE: I do too. Any other questions? Ms. Carroll?

MS. CARROLL: This might be too broad of a question. Why -- why pickleball? I guess I'm a little bit surprised that you're doing a whole PD planned amendment for a pickleball court. I think it's great to provide that amenity. I'm curious.

MR. WOOTEN: Why the amendment or --

MS. LOE: Staff are requiring it?

MR. WOOTEN: Yeah. I mean, that's the short answer. I can't answer to the owner's desire to add this. It was something that came up after the original project was prepared, so what they wanted to do, and we advised them that it would require a major amendment to the plan, and they said let's -- let's do it.

MS. LOE: And here we are.

MR. WOOTEN: And here we are.

MS. LOE: And Ms. Burns?

MS. BURNS: I just -- Commissioner Carroll, I, too, have been surprised about the explosion of pickleball around the city, but courts have been added at Albert Oakland. The city has, I think, three pickleball leagues. I think that there is a tournament coming here or was here this summer, so I think it's great that they're recognizing a popular activity and providing an opportunity for more people to play.

MS. LOE: Ms. Rushing?

MS. RUSHING: Mr. Zenner indicated that you would tell us the nature of the development. Are those townhouses?

MR. WOOTEN: Yes. Well, apartments, three-story, I believe. It's been a while. They are nearing completion as we speak. Two of the buildings will be, I understand, open in a couple of months if construction materials arrive, which is a challenge, but all four are under construction to some degree.

MS. LOE: Additional questions for Mr. Wooten? I see none. Thank you.

MR. WOOTEN: Thank you.

MS. LOE: Ms. Dokken, any comments? No. Okay. We're going to close public comment.

PUBLIC HEARING CLOSED.

MS. LOE: Commission comment? Mr. MacMann?

MR. MACMANN: If my fellow Commissioners have no further commentary, the matter of Case 182-2021, a major amendment to the PD Plan -- Plat 4 PD Plan, Park Subdivision, I move to approve. I mumbled that. Did everyone get that? Sorry.

MS. LOE: Move to approve. Is there a second?

MS. BURNS: Second.

MS. LOE: Ms. Burns beat you to it. Ms. Burns seconded. Any discussion on the motion on the floor? Seeing none. May we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.)

Voting Yes: Ms. Loe, Ms. Burns, Ms. Rushing, Mr. MacMann, Ms. Placier, Ms. Kimbell, Ms. Carroll. Motion carries 7-0-1.

MS. CARROLL: We have seven to approve and one abstention. The motion carries.

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

In the matter of Case 182-2021, a major amendment to the PD Plan -- Plat 4 PD Plan, Discovery Park Subdivision, move to approve.

VII. PUBLIC COMMENTS

MS. LOE: Any additional public comment? Seeing none.

VIII. STAFF COMMENTS

MS. LOE: Any staff comment? It's going to be a really short meeting next time. Right,

Mr. Zenner?

MR. ZENNER: No.

MS. LOE: No.

MR. ZENNER: It's never a short meeting. You should know that. Your next meeting is July 8th, though, so, hopefully, you come back with your hearing from the 4th's holiday, and maybe sunburned or relaxed more so than usual. We do have a number of items on that agenda though. If I'm not incorrect, five, to be exact. You have two subdivision final plats. And just, again, as a little bit of an educational primer, final plats normally are only presented to the Planning and Zoning Commission when they either have a design adjustment associated with them, meaning they want some relief from provision of the Unified Development Code, or they have never been previously platted as a legal lot. So when you normally see a final plat on your agenda, they come before you for the purposes of establishing legal lot status. So Ms. Smith's plan or plat that she presented to you this evening was just for that. The two additional lots that we were adding into the EPC Plat 6 were previously not platted; therefore, in order to make them legal lots, they needed to be platted and in the process of doing that, they were merging it into a previously approved platting action. Having a platted lot opens up the opportunity to have what we define as a legal lot within our City's code. A legal lot entitles you then to being able to obtain building permits to be able to do improvements to that land. So typically if you don't have a legal lot, you normally cannot make an improvement to the property. We have other exceptions, and when we get into that area of let's pull out a section of the UDC in training, we will explain to you what the nonconforming section of our Code means, or at least we believe it means. So those are the two final plats and those are the two subdivision actions that you will have, one off of the Business Loop. This is the old Eastland Motel site right there at the new bridge that comes over from Conley into the Business Loop. That is 186-21, and then 107 North William Street is a replat of an existing -- or a former nursing home facility that's now been used as a

multi-family rental property for individual rooms, but using the same footprint of the old nursing home facility. It is being proposed to be replatted into a legal lot, potentially to allow for redevelopment of the site. So the existing structure that's addressed 107 North William would be removed at a future date. The property also is built over a property line, which is another no-no under our new Code. You can't have a building built over a property line; and therefore, you often see consolidation plats for that purpose as well. And then the final three items that you will have on your agenda on July 8th are a returning item, the Arbor Falls PD plan. This is a major revision. At this point, we believe it may be tabled. I have not yet received a formal request. They were working to make revisions to the project, which, as you recall at our last meeting, there were some concerns as it related to the block length and some other associated development subdivision related matters. The applicant has worked to resolve many of those matters, but now is trying to get back through some neighborhood engagement, and that may be where there is a delay and they're -- they're wanting to make sure that when they come back to the Commission, they've had that opportunity to talk with the neighbors as it relates to the proposed changes. So we may see a request to table that for another cycle. That would be their second tabling request. The last two items are actually related to each other. They are separately addressed properties, but they are part of the same PD plan. 5530 Bull Run is a rezoning request from PD to M-C, and then 705 Port Way is a rezoning from PD to M-N. For context purposes, these are parcels that are directly across from the Equipment Share property that we recently rezoned from MCPD to MBP. So as I get to the maps here, which are next, here are your two subdivision actions, the one off of the Business Loop for the old Eastland Hotel site, and then for 107 -- 107 North William. This is Freedom House. And then our three public hearing items. The first is the tabled -- previously tabled item at Arbor Falls, which the applicant is currently working on. This is a major revision to go from 70 multi-family units in, roughly, seven or so buildings to roughly 33 single-family lots. The middle graphic represents our rezoning off of 5503 Bull Run. The -- to orient yourself here, immediately to the west of the subject site -- or, I'm sorry -- to the east of the subject site is the Jimmy John's off of Bull Run, and then the Commerce Bank is on the corner at the roundabout, and to the north is the Holiday Inn East. So that -- and then directly across off the map is where the Equipment Share property is. And then the last graphic represents the Port Way property, which is also part of the same PD plan, however, it abuts the adjoining residential neighborhood to the south, and then the building that you see in the eastern portion of the photography, that is the Equipment Share headquarters building, which was the old Ashley Furniture building. So this particular area is all part of the strip, if you

recall when Mr. Smith gave his report about Equipment Share, that was all rezoned PD back when the property was originally annexed. So the applicants at this point, and this property has laid vacant for quite some time. The applicants are seeing that the planned district restrictions associated with it may be part of -- of the reasoning for it laying vacant, creating more of an obstacle for development, and they are coming back in and proposing M-C along the Port Way -- the Bull Run frontage, which is the more commercial frontage, and M-N, more neighborhood-oriented uses along the Port Way frontage adjacent to the neighborhood. Mr. Palmer will give you give you the reports on these items, and we will have them to you for your next meeting. They are currently still on schedule as of this afternoon when we produced the PowerPoint for tonight's meeting. As we discussed today in our work session, we will be spending the month of July CIPing, so if you will all utilize the link that we provided you to the online portal for the CIP and the CIP projects to be able to sort by either ward, by project type, and identify what your observations are, and be prepared at least to ask questions of our primary partners that we normally bring in for the CIP process -- Public Works, Utilities, which includes water, sewer, and electric, and then we will be bringing Parks and Rec in, our favorites always. They get to tell us about all the great projects they'll be working on to make life more enjoyable in the city of Columbia. But we will have them doing short presentations, meal will be served, so come ready to listen and maybe ask some questions. The second meeting in July is going to be allocated, as I indicated, to basically the Commission discussing the observations that it has -- and identified through the presentations, as well as its observations related to the CIP projects themselves that maybe were not covered by our partner departments. It is also possible that I may invite our finance director to join us, to give you a little bit of an overview as to where he and our budget officer believe that we may be taking the CIP process over the next year. As I indicated in work session, there is a desire to revamp how our CIP process operates and possibly how your role in that process may be able to be possibly better integrated or made more applicable as it relates to the review of the projects, which is, as I've stated, a mandatory action of the Commission per your enabling legislation. We also will be beginning, I think, from tonight debriefing as a staff on some of the topics that we discussed as it relates to the short-term rental, how we can identify some data collection sources that may provide us some answers to questions that were raised this evening, as well as provide -- as well as begin the process of investigating some other codes nationally that we may be able to find to address particular unique characteristics that I gathered out of this evening's meeting you would want us to look at. We are still in a chicken and an egg scenario. I will not disagree with that. However, I think what we're

doing here right now is, as Ms. Loe pointed out, I think we may need to let the data inform -- we may need to let the data help inform where we want to go, but I think it's going to be a slow rollout as it relates to that of getting the data, so I don't want to stall the process significantly as a result of waiting for that collection activity to be completed. I want to continue to try to slowly make maybe progress on the lower-hanging fruit as it relates possibly to the topic. And if we can do that, I think we can then, if we have to make deviation, we'll be able to do so without a significant loss of progress. But I expect probably we will be bringing something back to you not in July, but it will probably be either our first meeting in August, more likely the second meeting in August, so -- and the only reason I say that is I am out of town the first meeting, and I will let our staff handle probably some other general text amendments to bring them forward. We're in the process of gathering that information, as well. So we've got a lot of stuff, as I said, before we -- before we ended the work session that we're working on. The topics of just text amendments, but we still have the comp plan that we're dealing with, and we have other topics that we would like to cover, as well. I appreciate your attention this evening. I appreciate your contributions to the meeting. They'll help us. And we'll look forward to seeing you after the 4th of July.

MS. LOE: Thank you, Mr. Zenner. You keep us entertained, as always.

IX. COMMISSIONER COMMENTS

MS. LOE: Ms. Burns, congratulations on being elected interim vice-chair.

MS. BURNS: It was tough. That was a close race.

MS. LOE: It was a close race. You -- you stuck in there.

MS. RUSHING: I think the Facebook page is the one that --

MR. MACMANN: Put you over the top. Yeah.

X. NEXT MEETING DATE - July 8, 2021 @ 7 pm (tentative)

XI. ADJOURNMENT

MS. LOE: Mr. MacMann?

MR. MACMANN: In the matter of PZC, I move to adjourn.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. She's stopping up already. We are adjourned.

(The meeting adjourned at 8:15 p.m.)

(Off the record.)

Move to Adjourn