



City of Columbia, Missouri

Meeting Minutes

Planning and Zoning Commission

Thursday, May 20, 2021
7:00 PM

Regular Meeting

Council Chambers
Columbia City Hall
701 E. Broadway

I. CALL TO ORDER

MS. LOE: We're going to call the May 20th, 2021 Planning and Zoning Commission meeting to order.

MS. LOE: Mr. Toohey, may we have roll call, please.

MR. TOOHEY: Yes. We have a quorum.

MS. LOE: Thank you.

Present: 8 - Tootie Burns, Sara Loe, Joy Rushing, Lee Russell, Anthony Stanton, Brian Toohey, Michael MacMann and Sharon Geuea Jones

Excused: 1 - Valerie Carroll

II. INTRODUCTIONS

III. APPROVAL OF AGENDA

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

MR. TOOHEY: Oh. Hold on one second. Mr. MacMann, I missed you.

MR. MACMANN: Present.

MR. TOOHEY: Thank you. We still have quorum.

MS. LOE: Yeah. We have eight now, a bigger quorum. Mr. Zenner, any additions or adjustments to the agenda?

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

MS. LOE: Thank you.

Approved Agenda.

IV. APPROVAL OF MINUTES

May 6, 2021 Regular Meeting

MS. LOE: We did not approve the work session minutes, so we're going to start with that.

Ms. Russell?

MS. RUSSELL: I move to approve the work session minutes from the last work session.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. I'll take a thumbs up approval on that. It looks unanimous.

MS. GEUEA JONES: Abstention.

(Seven vote for approval; one abstention.)

MS. LOE: Except for one abstention. All right. Then we have the minutes from the May 6, 2021 meeting.

MR. MACMANN: Move to approve.

MS. RUSSELL: Second.

MS. LOE: Second by Ms. Russell. I'll take a thumbs up approval on the meeting minutes.

(Seven vote for approval; one abstention.)

MS. LOE: Unanimous with -- or all -- seven, yes; one abstention. Okay. Before we get into the case, I just want to pass along the word that we have new laptops that if you don't move the mouse, it will go to sleep on you. So move your mouse around during the meeting.

Approved Minutes.

V. SUBDIVISIONS

Case # 134-2021

A request by Central Missouri Professional Services (agent), on behalf of Eastland Hills Development, LLC (owner), for a one-lot final plat of approximately 0.8-acres of property to be known as "Eastland Hills Plat XIII". The property is zoned Mixed-Use Commercial (MC) and is located on the east side of the T-intersection of I-70 Drive SE and Upland Creek Road.

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 "Eastland Hills Plat XIII" subject to minor technical corrections.

MS. LOE: Thank you, Ms. Bacon. Before we move on to questions for staff, I would like to ask any Commissioner who has had any ex parte related to this case to please disclose that now so all Commissioners have benefit of the same information 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. Planner Smith, can you help me? I'm having a little trouble seeing this. What's the minimum width approximately of the M-N zoning on the south section of the property?

MS. SMITH: Sure.

MR. MACMANN: I read the --

MS. SMITH: About 11 feet.

MR. MACMANN: About -- okay. That's kind of what I thought it was. A follow-up question: When this is built out, if we have -- can we have a structure across that mixed-use zoning line, and when would we have -- could we run into a problem? Mr. Zenner is nodding his head yes -- if we were to have that issue with a particular structure, which zoning would dominate?

MS. SMITH: I think, in this instance, you're looking at setback, so it probably wouldn't come up.

MR. MACMANN: It would probably be behind it.

MS. SMITH: Yeah, in this instance. However, we do have other pieces of property in the City that have split zoning and much more unfavorable configurations.

MR. MACMANN: Well, I'm wondering towards the west end of the property where it widens out like 25 feet or something, yes, it might have a building corner in two different zoning categories, and that -- that's my concern, the same concern staff has with split zoning. It just -- it can create difficulties.

MS. SMITH: Yeah. We did bring that up during the review process. At this point, the only real issue would be if you have a use that's in -- permitted in the M-C zone, but not permitted in the M-N zoning.

MR. MACMANN: And that's exactly where I'm going.

MS. SMITH: Uh-huh. Right. And I -- I don't really think it's going to be an issue here, but we have crossed that bridge in other instances. We have a lot of property that's split zoned R-2/R-1 --

MR. MACMANN: Uh-huh.

MS. SMITH: -- and it gets a little bit interesting, and often the director has to get pulled in and there's a staff pow-wow, and it gets a little bit interesting.

MR. MACMANN: Would this be a director's discretion issue if we did cross the -- with a structure?

MR. ZENNER: I --

MR. MACMANN: Or do they have to come back here? And I'm wanting for the future applicant; you know what I'm saying? Do they have to go back and rezone or replat or --

MR. ZENNER: The determination of the zoning boundary lines is the discretionary call as it relates to the director's authority --

MR. MACMANN: Uh-huh.

MR. ZENNER: -- so we would have to evaluate the historical documents associated with where that zoning line was, most likely having to remap pursuant to the ordinances that created the split situation on the property. And it's possible at that point

that the mapping that's displayed on our system may not be --

MR. MACMANN: Precise.

MR. ZENNER: -- precise and that is where the director does have the authority. If it is precise or accurate, it would result in the need to either adjust the building's location to make sure that the use is entirely within the appropriate district, or seek the rezoning to clean up the -- the piece that's M-N.

MR. MACMANN: All right. Would that be a map amendment then?

MR. ZENNER: It would be a standard -- a standard map amendment just like any other rezoning.

MR. MACMANN: All right. I'm kind of getting this on the record for, you know, 15 years from now, we got it on the line and someone crosses that line. All right. Thank you very much, staff and Madam Chair.

MS. LOE: Any additional questions for Ms. Smith? Seeing none. We will open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: If anyone has any public comment that they would like to make on the project, please come forward to the podium and give your name and address for the record. We do restrict comment to three minutes, six minutes if you're speaking for a group.

MR. SAMSON: Hi, Madam Chair. My name is Paul Samson, Central Missouri Professional Services, 2500 East McCarty Street, Jefferson City, Missouri, and we are a consultant for the owner of the existing owner of the property. As Ms. Smith stated, the current owners are creating this subdivision plat in order to make this a buildable lot. They currently have a contract for the sale of the property. The future owners of the property, which we have been told, will be a church. Again, we don't have any -- you know, once we sell the property, we don't have any -- there's nothing in writing that says that, but that is what we believe the intent is. Any future development, once it is sold, would obviously have to go through the -- the City planning process and any rezoning at that point would be -- be done by the future owners of the property. If there's any specific questions to the plat, I'd be happy to answer any questions.

MS. LOE: Any questions for Mr. Samson? I see none. Thank you.

MR. SAMSON: Thank you very much.

MS. LOE: Any additional speakers on this case? If there aren't any, we'll close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner comment? Ms. Russell?

MS. RUSSELL: Since there are no comments, I'm going to make a motion. In the case of 134-2021, I move to approve the Eastland Hills Plat XIII project.

MR. MACMANN: Second.

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

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

MR. TOOHEY: Motion passes with eight affirmative.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City council. That brings us to our next case for the evening.

In the case of 134-2021, move to approve the Eastland Hills Plat XIII project.

Yes: 8 - Burns, Loe, Rushing, Russell, Stanton, Toohey, MacMann and Geuea Jones

Excused: 1 - Carroll

Case # 142-2021

A request by A Civil Group (agent), on behalf of Plumrose USA, Inc. (owner), for a one-lot final minor plat consisting of two parcels. The 80.77-acre site is zoned IG (Industrial), located on the east frontage of Paris Road approximately 1-mile northeast of the Paris Road and US 63 interchange, and commonly addressed 5008 Paris Road.

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the requested final minor plat of Plumrose USA, Inc., subject to technical corrections (i.e. corner truncation and technical surveying matters).

MS. LOE: Thank you, Mr. Kelley. Before we move to ex parte, are there any Commissioners who would like to recuse themselves from this case? Mr. Stanton?

MR. STANTON: Madam Chair, I'm going to recuse myself. I think we're -- the company I work for is bidding for this work, so I'm going to step out.

MS. LOE: Thank you. Anybody else? Seeing none. If any Commissioners have had any ex parte related to this case, I would like to ask them to share that with the Commission 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 Mr. Kelley? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Kelley, could you -- and maybe legal will have to help us here. The sewer line --

MR. KELLEY: Uh-huh.

MR. MACMANN: -- it's not set in stone, but we're asking to approve it. Is that -- will that shape the nature and the verbiage of our motion?

MR. KELLEY: No, I don't believe so. There's a separate agreement between the City and Swift Foods. It's Ordinance or Bill 9721 that says that the sewer line that has to be substantially in this location --

MR. MACMANN: Uh-huh.

MR. KELLEY: -- and they've agreed to it, so it shouldn't affect the motion.

MR. MACMANN: Well, this may be a question that's outside of our bounds here, but maybe Mr. Zenner can answer this question. Is their CO dependent upon that sewer going where we need it to go?

MR. ZENNER: Not to my knowledge. And this sewer that is proposed is actually not the sewer that is serving the site, so there is sewer connection to the property today.

MR. MACMANN: Uh-huh.

MR. ZENNER: So given the nature of the separate agreement that has already been brokered between Swift and the City, we would be confident in that agreement trumping any CO issuance with the approval of the plat, so --

MR. MACMANN: I feel the need to answer this -- ask these questions because these folks will be generating a tremendous amount of usage on our sewer system.

MR. KELLEY: Yeah. And I want to correct Pat here because I -- this actually would serve the site. In the future, I think due to the peak usage on this area, it would serve the site and then also greater usage for the area kind of on this industrial corridor.

MR. MACMANN: So Plumrose plus, so to speak?

MR. KELLEY: Yes.

MR. MACMANN: All right. I'm just -- I'm just a little uneasy with that not being laid out before us to this point, but maybe we can address that as we go forward. Thank you.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: I -- yeah. I'm wondering this -- I guess it's just the two technical corrections that seem a lot more than technical. What assurance do we have, if we approve this tonight, that the final plat will look substantially similar to this, other than just they said it would. I mean, sewer -- sewer easement seems like a very big deal to say approve this now and we'll put it in later.

MR. KELLEY: Sure. The -- the sewer line is not one of the technical corrections, to be clear. The technical corrections are just for the corner truncation, so this small bit of right-of-way, it's probably smaller than what I even have noted here, just to give a radial bit out of right-of-way for the major collector on Paris Road. The other technical correction is

just survey notations, like how large the font is, for example.

MS. GEUEA JONES: Right. And that's what we normally think of as technical?

MR. KELLEY: Yes. Yeah.

MS. GEUEA JONES: So the sewer is not a technical correction, and there will be nothing in our motion and recommendation to Council that indicates the sewer easement issue needs to be addressed; is that correct?

MR. KELLEY: Correct.

MS. GEUEA JONES: Okay. I'm not comfortable with that, but I'll save that for discussion. Thank you.

MR. ZENNER: And I think, just for a point of clarity associated with this, when Mr. Kelley brought to me and brought to my attention the separate sanitary arrangement that currently exists between Swift and the City, and his desire to have this included within the report, it did cross my mind that this type of discussion may occur. It is not uncommon that we do have easements dedicated by separate document. And if I am not incorrect, the sewer does exist on this property and therefore, this discussion is only being brought forward for the purposes of information. The existing agreement that is in place is what's governing the future dedication of this sewer easement and its likely construction by the City. So just to say that we often take utility easements by separate document unbeknownst to the Commission as it relates to platted property. And so this is not an oddity. We -- we felt that it was important to at least acknowledge the fact that this easement would be here within this particular area, but covered under a different agreement.

MS. LOE: Ms. Geuea Jones, do you have a follow-up question?

MS. GEUEA JONES: Yeah. So now I've -- I've heard two things. Is this easement to service this property or not?

MR. KELLEY: Yes, partially.

MS. GEUEA JONES: Okay. Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: Just a point of information for Manager Zenner. Yeah, I'm aware of that, Mr. Zenner. Given the example we currently have, Oscar Mayer, they use lots of water, they use lots of sewer. We've given these folks a lot of money. It's -- it's a due diligence thing here, something we wouldn't normally, you know, if this was 15 acres and eight homes or whatever, it wouldn't be as much of an issue. They're going to have a high demand for sewage usage, and we need to be responsible stewards. That's why I'm bringing this up.

MS. LOE: Any additional questions for staff? Seeing none. We will open up the

floor to public comments.

PUBLIC HEARING OPENED

MS. LOE: If anyone has any comments they would like to make, please give your name and address for the record.

MR. MURPHY: Madam Chair and Commission members, my name is Kevin Murphy, A Civil Group, 3401 Broadway Business Park Court. To kind of clarify, I guess, a little bit, if I can, the sewer is required for this property. This project could not happen without that sewer. They have in a separate agreement already by ordinance with the City Council that they will provide this easement. It's just a timing issue. The City isn't prepared to define this line at -- quite at this time, but they are prepared to start construction, hopefully, you know, under the good faith that the City does get this designed and done. So actually they're taking a big chance with doing this, so they definitely will dedicate this easement. They're obligated to by their -- their agreement. The truncation, again, the right-of-way on the south end, this discussion about that, and it was a late comment -- a bit of a late comment to address, and the truncation was just a missed object, which is already cleared. I had trouble, I would have had it -- had trouble getting it printed off and to get it signed today, so we'll get it turned in tomorrow. That's all I have. Have any questions, if you have any?

MS. LOE: Any additional questions for Mr. Murphy? I see none. Thank you.

MR. MURPHY: Thank you.

MS. LOE: Any additional speakers on this case? If there aren't any, we will close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner comment? Ms. Russell?

MS. RUSSELL: I'll just make a motion. In the Case of 142-2021, I move to approve the requested final minor plat of Plumrose USA, Inc., subject to technical corrections.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. We have a motion on the floor. Any discussion on that motion? Ms. Geuea Jones?

MS. GEUEA JONES: I -- I don't know exactly how to put what I want to say into words, but it -- it feels like this was brought perhaps prematurely or -- or something, but I -- I -- I like the project. I don't have a problem with the final plat. I am uncomfortable, I think, with -- it feels a little cart before the horse, but maybe that's my inexperience. At any rate, unless my fellow Commissioners would correct me on this, I -- it feels odd to have something this major left to other action and put an amendment on the plat later, but that -- that's all. It just feels weird.

MS. LOE: Any additional comments? Seeing none. Mr. Toohey, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. MacMann. Motion carries 7-0; one abstention.

MR. TOOHEY: The motion passes seven-zero.

MS. LOE: Recommendation for approval will be forwarded to City Council. That brings us to our public hearings for the evening.

In the Case of 142-2021, move to approve the requested final minor plat of Plumrose USA, Inc., subject to technical corrections.

Yes: 7 - Burns, Loe, Rushing, Russell, Toohey, MacMann and Geuea Jones

Excused: 1 - Carroll

Abstain: 1 - Stanton

VI. PUBLIC HEARINGS

Case # 136-2021

A request by the City of Columbia to amend Chapter 29, Sections 29-1.11 [Definitions]; 29-3.2 [Permitted Use Table]; and 29-3.3 [Use-Specific Standards] related to the Retail, General; Personal Services; Office; Physical Fitness Center; and Artisan Industry uses; revisions also include a new use to be called "Accessory Commercial Kitchen".

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

Staff report was given by Ms. Rachael Smith and Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the recommended text amendments to the UDC.

MS. LOE: Any questions for staff? Mr. MacMann?

MR. MACMANN: A comment, mostly. I'd like to thank Manager Zenner for not giving us 15 of these. And I would also like to thank Planner Kelley and Planner Smith. You guys -- you went down the rabbit hole on this. There's a lot of arcana that you pulled up and you've looked at a lot of possibilities. That doesn't mean it's perfect, but I appreciate the work that you guys have done, and I know it's been a lot. Thank you very much.

MS. LOE: That was an easy question. Any other questions for staff? If not, we will open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: Anyone who has comments on these proposed amendments, please give your name and address for the record.

MS. GARTNER: Wonderful. It's Carrie Gartner; I'm the executive director of the Business Loop CID, at 601 Business Loop 70 West, 65203. I'm here to speak on the artisan industry amendments. This was something that came out of a grant we received from the EDA where we had the Smart Growth of America come and do a six-month planning process for artisan industries and small-scale manufacturing. It did include a substantial amount of public input and comment. We spoke to close to 250 makers and artisans and manufacturers. We asked them how they worked, how they set up their shops. They asked -- we asked them what they needed, and that's how we drafted this. So it -- it came together and our economic development plan, approved by our board, submitted to both this body and to the City Council. So there's been a lot of work done on this, and -- and most definitely, staff has been super helpful. We are very supportive of this. We do think this is the way forward to really help create a hub for makers and manufacturers and food producers on the Business Loop as a way to revitalize the area and create jobs and new businesses. We do have three shared spaces on the street right now; a shared commercial kitchen, Vidwest has a public video recording and pod-casting studio, and coming online soon is the MACC Lab, Moberly Area Community College's Makerspace. It is our hope that these spaces can incubate small businesses that can then find space on the street, and -- and the revisions of this will allow them to find a place on the street and grow in place without having to upend all of their operations the minute they get successful enough to need a little bit more space. We also appreciate the conditional-use guidelines in this that helps create a framework for that discussion about conditional use. Again, it's very hard to upend your business when -- when you are successful enough to grow and we just don't want to see that happen. So we are very supportive of this, and if you have any questions, I'd be happy to answer them now, but I think staff has done an excellent job explaining everything.

MS. LOE: Thank you, Ms. Gartner. Are there any questions for this speaker? I see none. Thank you.

MS. GARTNER: Thank you.

MS. LOE: So since we haven't categorized comments, I just wanted, for the group, that was in support of A2. All right. We're just taking comments globally since it looks like a relatively contained audience. Any other public comments? A very contained audience. All right. If there's no more comments, we'll close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner comment? Ms. Burns?

MS. BURNS: I just wanted to share for the public that we did spend work sessions on this, and we did have a thorough discussion, so please don't take our lack of

questions or comments or whatever for not a lack of knowledge or -- but the staff has been incredibly thorough both here and previously. And so I'm very comfortable with what's being presented tonight.

MS. LOE: Mr. MacMann?

MR. MACMANN: That said -- thank you, Commissioner. If there are no more questions on item A1, I would like to make a motion. In the matter of Case 136-2021, A1, create accessory commercial kitchen and create use specific standards, I move to approve said zoning text amendment.

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Any discussion on this motion? I see none. Mr. Toohey, may we have roll call, please.

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

Stanton,

Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr.

MacMann. Motion carries 8-0.

MR. TOOHEY: The motion carries with eight votes yes.

MS. LOE: Thank you. Three more to go, guys.

MS. RUSSELL: I think Ms. Burns should do the artisan industry.

MS. LOE: All right. Ms. Burns?

MS. BURNS: In the case of 136-2021, a request by the City of Columbia to amend Chapter 29, Sections 29-1.11, 29-3.2, 29-3.3 related to retail general, personal services, office, physical fitness center, and artisan industry uses, Amendment 2, I move to approve.

MR. STANTON: Second.

MR. MACMANN: Second.

MS. LOE: Okay. We have a second by Mr. Stanton. Just a clarification. This one is just on the artisan industry?

MS. BURNS: Yes.

MR. STANTON: Amendment 2.

MS. LOE: Amendment 2A -- or A2. A2. All right. We have a motion on the floor. Any discussion on the motion? Seeing none, Mr. Toohey.

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

Stanton,

Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr.

MacMann. Motion carries 8-0.

MR. TOOHEY: Another eight-zero in approval.

MR. ZENNER: Ms. Loe?

MS. LOE: Yes.

MR. ZENNER: Can you -- can you indicate who made the second on that motion, please?

MS. LOE: Mr. Stanton.

MR. ZENNER: Thank you.

MS. LOE: Only two more chances left, Ms. Lee.

MS. RUSSELL: Of course, I have to make a motion.

MR. MACMANN: Please -- please, Ms. Russell. Make a motion.

MS. LOE: Let's let her do the last one. So Mr. MacMann and then --

MR. MACMANN: All right. As a matter of -- it would be an honor A3, so that Commissioner Russell, on her last meeting, can do A4. In the matter of 136-2021, A3, to -- to amend the zoning code -- to provide a zoning code amendment to permit small scale personal services and mixed-use office without a conditional use and modernize personal services, office space, physical fitness, and their use definitions, I move to approve.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion? Seeing none, Mr. Toohey.

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

Stanton,

Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr.

MacMann. Motion carries 8-0.

MR. TOOHEY: Three for three. Eight-zero.

MS. LOE: All right. Ms. Lee?

MS. RUSSELL: Okay. In the case 136-2021, Amendment A4, revised use specific standards AA for retail and general, I move to approve.

MR. MACMANN: Second.

MS. LOE: Mr. MacMann. We have a motion on the floor. Any discussion on that motion. Seeing none, Mr. Toohey.

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

Stanton,

Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr.

MacMann. Motion carries 8-0.

MR. TOOHEY: The motion passes eight-zero.

MS. LOE: Recommendation to approve the amendments will be forwarded to City Council.

Amendment A1 - Move to approve amendment to create accessory commercial

kitchen and create use specific standards. VOTING YES: Mr. Stanton, Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. MacMann. VOTING NO: None. Motion carries 8-0

Amendment A2 - Move to approve amendments to Sections 29-1.11, 29-3.2, 29-3.3 related to retail general, personal services, office, physical fitness center, and artisan industry uses. VOTING YES: Mr. Stanton, Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. MacMann. VOTING NO: None. Motion carries 8-0

Amendment A3 - Move to approve amendment to permit small scale personal services within mixed-use office district without a conditional use and modernize personal services, office space, physical fitness, and their use definitions. VOTING YES: Mr. Stanton, Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. MacMann. VOTING NO: None. Motion carries 8-0

Amendment A4 - Move to approve revised use specific standards AA for retail, general. VOTING YES: Mr. Stanton, Ms. Geuea Jones, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. MacMann. VOTING NO: None. Motion carries 8-0

Yes: 8 - Burns, Loe, Rushing, Russell, Stanton, Toohey, MacMann and Geuea Jones

Excused: 1 - Carroll

VII. PUBLIC COMMENTS

MS. LOE: That brings us to the end of our meeting. Any public comments? Seeing none. Any staff comments?

VIII. STAFF COMMENTS

MR. ZENNER: You say that with such great trepidation. Well, our two departing Commissioners may appreciate that this may be their last entertainment activity for a Planning Commission meeting. Yes, we do have comments. We never will forbid them not to be given. Your next meeting is the 10th of June, and it will be a wing-dinger of a meeting, let me tell you. But before we have that meeting, we will be going ahead and having a work session at 5:30. Hopefully, you enjoyed your buffet style this evening because we will continue with the party as we are able to entertain different food choices moving forward. We also will discuss probably topics that we did not get to this evening, such as the communications to City Council regarding upcoming potential text changes and a request for authorization to proceed forward, as well as we may have additional information to provide you as it relates to other relevant topics that we're currently working on. We do have several items on the upcoming agenda, and several is maybe an understatement. If you want to go to the next slide, that is your agenda, and I apologize - I'm sadistic, but we had to do this. So I don't think we have seen an agenda like this since I requested you all to come in at the end of December. And we've got a number that are actually -- we've had two-fers before, but now I think this is the first that we've a

three-fer, and that is actually the public hearings and subdivision section, 107 through 105, and you may say why is it in reverse order. Well, they build upon each other. But you do have one subdivision action for the 10th. Then we will have the three-fer, which are all out at Old Hawthorn, which has a rezoning request, which allows for connectivity to be created to a potential permanent zoning site which has an annexation component associated with it, and then you will have a preliminary plat showing how all of that to be annexed property may be able to be developed. And then we go into our regular public hearings. Tis the season for conditional use approvals. As you can see, we have two of them in that batch, and then we have two major PD plan revisions, as well as a rezoning request out of Planned District to the O zoning district. If we advance to the next slide, we'll show you some of the -- some of the highlights. Here is our 1005 Cherry Street, a final plat with a design adjustment. As you many of you may or may not be aware, this is a proposed future hotel site right now. The building has been removed from the site, as shown in this aerial, and we are looking at conferring legal lot status on the property pursuant to the platting action. And then, due to the fact that this is in the MDT, it is our standard utility easement vacation request, which, now that I say that --

MS. SMITH: Design adjustment.

MR. ZENNER: Pardon me?

MS. SMITH: Design adjustment. And now that I say that, that will be a topic that will be in your next batch of text changes.

MR. ZENNER: So I hopefully beat Mr. MacMann to the point. If we advance to the next slide, this is your three-fer, all out at Old Hawthorn. On your far left-hand slide, that is a rezoning of common lots between two different planned district properties. There are, if I'm not incorrect, three parcels engaged there, and the property immediately to the north of the red line is actually acreage that is proposed to be permanently zoned, which is in the center slide, and then that same acreage is proposed to be preliminarily platted into a residential subdivision of mixed lot sizes. Advance to the next slide. This is the rezoning request for Old Hawthorn, its current amenity center, if I am not incorrect, is the slide.

MS. SMITH: No. No. No.

MR. ZENNER: Which one am I looking at.

MS. SMITH: No. This is the Arbor Falls Major PD amendment.

MR. ZENNER: I'm sorry. Arbor Falls. It looked familiar. The shape -- I'm not seeing the picture in my mind. This is Arbor Falls; this is a PD -- it is PD, major PD revision to reallocate the western half of the existing property that's currently improved with duplexes and what's referred to as "The Big House" out at Old Hawthorn into individual single-family

lots along with some in-common parking structures that will be dividing the two developments. So this is a PD plan revision. There is a corresponding easement vacation for utilities that is not processed by the Commission, but is going through City Council. So we are in the process of preparing that right now. And then our two projects at Old Hawthorn amenities. This is currently planned zoned property proposed to be rezoned to O -- open space, and the conditional use associated with this is to allow for outdoor recreation, which is currently what the property is generally utilized for the tennis courts, the pool. They are looking at doing expansion of the amenity center over time, and the application of the PD zoning on it, given the variability to how those facilities may be constructed given the needs of the residents within Old Hawthorn is somewhat of an impediment in being able to allow that to happen more fluidly as the neighborhood demands particular facilities to be added. So the zoning to O is an appropriate accommodation for what they would like to do with it, recreation -- private recreation is one of the purposes for O. The conditional use allows for outdoor recreation, and that conditional use has the opportunity for the Planning Commission to consider particular aspects of what the PD plan currently provides in the way of adjoining property protections, screening, buffering, lighting, and other things should the Commission desire to apply supplemental conditions beyond what our current code would generally require. So you will have the opportunity to consider the impacts that an open zoned amenity facility in the middle of the neighborhood may create. And then moving on to the next set of slides, we have CUP, and our second CUP on the agenda is for an ADU at 504 Parkside Drive -- or Parkade Boulevard -- I apologize. And then our final rezoning request is down at Discovery, and you will probably be pleasantly surprised when you see this plan. It actually does have a mixture of product uses on the property that range from a hotel to a 90,000 square foot office building, which has got an opportunity to accommodate a significant player within our overall community. I would like to point out to you that you will see within the next month on the opposite corner to the south a -- a new plan that we will be bringing in, which is designed more so for amenities as it relates to this particular area, and be prepared to see a little bit of something different than what we have traditionally seen out here in the past. We also are working on a couple of other amendments that you'll be seeing also to relate with some other development that is out at the Discovery project, as well. Those are your projects for the June 10th meeting. It should be a long meeting, so we will not feed you heavy foods for that night, and we will have coffee. With that being said, this evening is somewhat bittersweet for some of us that have had an opportunity to work with the two Commissioners that are sitting on the dais closest to staff, Mr. Toohey and Ms. Russell. It is their last meeting. I would like to

inform the Commission that we have had two appointments made at Monday night's meeting to replace Mr. Toohey and Ms. Russell, Peggy Placier and Robbin Kimbell are our replacements, and they have been welcomed to the Commission through my standard e-mail, and we are looking forward to having them in attendance on the 10th. We'll do a little bit of probably training and some other introductions as we normally do as part of our work session to bring them into the fold and, hopefully, have them become productive Commissioners. But with that being said, it is with my greatest appreciation to Mr. Toohey, as well as Ms. Russell, for having served with you for the years that you have been here, your faithful service to come to us even during Covid and a variety of other instances. You guys have carried the water on a number of great projects that we have brought forward, the UDC being one of them. You were troopers through that process and have provided us invaluable knowledge as it relates to the real estate industry, as well. And for that I am greatly appreciative, and we wish you the best of luck as you move forward into bringing an open schedule on Thursday nights every other week. Thank you very much.

IX. COMMISSIONER COMMENTS

MS. LOE: It is with heartfelt gratitude for your friendship and years of dedication to this group that we part ways with Lee Russell and Brian Toohey. We will miss your astute insights, and we wish you all the best. Motion making won't be the same without you, Lee. Any other Commissioner comments? Mr. Stanton?

MR. STANTON: Mr. Toohey and Ms. Russell, I will miss you. Mr. Toohey, man, I won't have anybody else to go toe-to-toe with. In work sessions, you have been a wonderful antagonist, and I have learned a lot from you, and I hope you've learned a lot from me. So wish you good luck in your future endeavors, and hope you see you in the street somewhere, building houses somewhere. If not, we can make it happen. Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: I'd like to reserve the last of our Council -- or Commission comments for our two departing Commissioners. I have two things -- business related, real quick, if we can get them out of the way. Pat, who is the agent on the Ogle's property, do you know?

MR. ZENNER: Was it Crockett's office?

MS. SMITH: I think it's been Anderson and Crockett, intermittently these days, so it could be either one, depending on which one it is.

MR. ZENNER: Which project?

MR. MACMANN: That one. The hotel.

MR. ZENNER: The hotel. The downtown -- the hotel, that is -- that's Crockett's office.

MS. SMITH: Oh, that's Crockett.

MR. MACMANN: That's Crockett. All right.

MR. ZENNER: And, actually, Crockett's office is also the one that is working on the newest Discovery project.

MR. MACMANN: All right. Just as a heads up, Mr. Stevenson called me at work today, and we had a joyous conversation about Brownfield development and infill, and I know Lee is going to miss this. I didn't give him any specific information on any particular cases. Just to give you guys a heads up, he and Mr. Nadier and some other folks -- and to you, Pat, also, they -- he expressed his concerns to me, and we had a good philosophical discussion, and I suggested that he speak to some of his fellow developers and property owners, and -- and then come and see us with his concerns. The same -- some of the same problems that we have addressed. You know, the lot is not 60 feet wide or 80 feet wide or -- you know, these kinds of issues, but we talked for about a half hour. I just wanted to let you guys know that Mark reached out to me. Now, I'm done.

MS. LOE: Any other comments?

MS. RUSSELL: First of all, Mr. Zenner, your staff is phenomenal. They have come prepared. They give us great information. It really is easy for us to have work sessions and speak up here and know what we're doing, and it's because you and your staff -- Mr. Teddy, they are a phenomenal group, so I want to thank you very much for seven years of terrific information. To my fellow Commissioners, I want to thank you for coming prepared, for giving us all great insight. We had differing views, but thank you. Those of us that went through the UDO code, special place in my heart for that. I think I can look back on it and laugh now, but that's been -- 2:00 in the morning was really different here. So I just want to leave you with one thought, and it's may you all -- may all of your decisions end up as a win-win.

MR. TOOHEY: So, Pat, I hope you keep returning my phone calls when I am no longer a Commissioner, so -- but I do want to thank the staff. You guys have always been very helpful, good at answering questions, especially in those late nights when you had to be with us, especially going through the UDO. I don't think I ever was sicker in my entire life than after one of those marathon sessions the next day, so glad that's over. To all of you, it's great to get to meet all of you. I'll miss seeing you every other Thursday night. Lee and I plan to go to dinner every once in a while together.

MS. RUSSELL: On Thursday nights.

MR. TOOHEY: On Thursday nights while you guys are here, so we'll still have our

own little P & Z meeting. Thank God, we're not going to be at that next one, so thanks, and I will see you guys all around and maybe some time I'll be out there making public comments on some of the things you'll be debating. So thanks again.

MS. LOE: Thank you. Seriously, thank you. We will miss you.

MR. MACMANN: Ms. Russell, I think you should lead us out.

MS. RUSSELL: Okay.

X. NEXT MEETING DATE - June 10, 2021 @ 7 pm (tentative)

XI. ADJOURNMENT

MS. RUSSELL: My last time. I move to adjourn.

MS. BURNS: Do it, Anthony.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We're adjourned.

(Off the record.)

(The meeting was adjourned at 8:23 p.m.)

Approved Adjournment.