

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
August 24, 2023

Case Number 219-2023

A request by Crockett Engineering Company (agent), on behalf of Keene Court, LLC (owner), seeking approval to rezone property from M-N (Mixed-use Neighborhood) to PD (Planned Development) with an associated Statement of Intent (SOI), and development plan known as the "Keene Court Hotel". Approval would authorize the redevelopment of the vacant site, following a concurrent right of way vacation and replat of the property, with a five-story hotel having a maximum height of 55 feet. The associated SOI would permit additional M-N uses upon the property compliant with the M-N dimensional standards (35-foot maximum height) subject to a revised development plan. The approximately 2.82-acre subject site is located at the western end of Keene Court and includes the address 3100-3109 Keene Court.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning to PD with the associated SOI and development plan to be known as the "Keene Street Hotel" subject to minor technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with any parties to this case outside of this meeting, please disclose so now. Seeing none. Any questions for staff? Commissioner Carroll?

MS. CARROLL: You mentioned there's a five-story building directly adjacent. Is that the medical building?

MR. ZENNER: Yes. That is -- that is -- we understand that to be -- and it is -- there is a significant grade change between these properties. So the five-story building is the darker black building here that you see in the aerial with a -- if I'm not incorrect, this is an at grade along the U.S. 63 frontage, but I believe it has a lower level in the green top building.

MS. CARROLL: And the Solstice Senior Home to the south?

MR. ZENNER: That is correct. This here.

MS. CARROLL: How many stories is that?

MR. ZENNER: That is four stories, as we understand it.

MS. CARROLL: Do you have -- do you know the approximate height?

MR. ZENNER: The applicant's engineer may have that more readily available. I do not.

MS. CARROLL: Okay. What kind of criteria would you recommend for considering a design adjustment for 55 feet?

MR. ZENNER: So what we would typically do, if I go back -- let me go back to the drawing. So typically what we would end up doing with the Board of Adjustment, this drawing would be provided to us. We would normally have a cut section on this building as a part of the application, which was not submitted with this. I do not have that. And the height maximum would be tied specifically to that section in this layout. And that is typically how we would approach this with the Board of Adjustment. When you're looking at, you know, the conditions for a Board of Adjustment approval are is there a hardship, what are the other factors, so there are generally five factors for the Board of Adjustment, and they are normally -- land-based hardships are generally what are more common. In this particular instance, it would likely be that the land-use hardship here, the property can accommodate something else, so is the -- is the hardship really land driven? And I would tell you that our assessment would have been that, no, it is not a land-driven hardship for a variance in height. The issue with this particular property is is that the zoning classification it is in along a corridor -- a highway corridor does not necessarily permit a hotel when we have hotels further to the north and we have other buildings of similar height on adjoining properties. The Board has the opportunity to give consideration to variances based on facts that are presented to them, and I don't know what the facts would be if we were before the Board for the applicant to present what their issue is. But when you look at the built environment, we have a hospital, a former hospital just up the street, we have four or five hotels that are out towards the interstate, the interchange itself. This area is generally one that we would feel is appropriate. It may have been considered miscoded as M-N, but the majority of this area when this -- when the Code was adopted, has been M -- it was probably C-1 initially, and then when we recoded, it went to M-N, even though we have C-3 and other C-Ps further towards the interchange. This is a corridor where we've got a mix -- an eclectic mix of uses, the more intense medical office building uses. We've got the Solstice Retirement Community, we've got our Columbia Orthopedic, if I'm not incorrect, is down towards Keene and -- Keene and Broadway. We have MEM for the insurance company. All of these are down there. This would not be an inconsistent land use from our perspective in this location. It just happens to be that the zoning classification, the M-N, because it is typically utilized at the entrances or edges of neighborhoods, doesn't include a hotel, and that's actually the issue. If it included a hotel at 35 feet, we would probably have said you can go to the Board of Adjustment and seek to have a height variance. And instead the only options they had available to them was to either rezone to M-C, which we believe is not appropriate here because of all of the other uses, or to seek the PD, or to not seek a hotel, and they have an active user for a hotel in this particular location.

MS. GEUEA JONES: Any other questions, Commissioner Carroll?

MS. CARROLL: No. Thank you.

MS. GEUEA JONES: Any other questions for staff from the other Commissioners? Seeing none. I'll open the floor to public comment.

PUBLIC HEARING OPENED

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. With me tonight is Todd Bolin, who is the architect for this particular project with H Design Group, and also with us tonight is Brad Gebhardt, who is the -- who is the hotel developer for this site. A quick overview, as Mr. Zenner said, 2.82 parcel, previously mainly had R-2 development and construction on the project had some single-family homes, some duplexes, built back in the 1960s and '70s. This piece of property, the 2.82, contains about seven individual lots and the right-of-way that's associated with that. What we are recommending to do is bring those all back together, vacate the existing right-of-way, remove a portion of the street, and then combine it back into one lot for redevelopment for the hotel. In the location across the street is the Conley Road development, large scale, big-box stores, Walmart, Lowe's, Hy-Vee. Again, as Mr. Zenner indicated, directly to the north of us, we have the large -- a medical office building directly to our northeast of our site, and then, of course, the two-story on one side, one story up against 63, and across to the northwest of our property. Directly to the south, we have Solstice Residential Care facility. It is a four-story that backs up to 63. It is a relatively taller building that has some larger -- when you asked about the building height specifically for that, it's kind of hard to tell because it has some -- some -- you know -- some, you know, amenities that stick up quite a bit taller than the rest. You can kind of see one of those here in this -- in this particular case. It also has pitched roofs that extend that height up quite a bit, as well. And then, of course, we have a dental office that's right in front of -- of the hotel up along Keene Street, as well. So the purpose of the rezoning, I think Mr. Zenner hit on that pretty well, you know. Obviously, we can't do a hotel in the M-N zoning, and so the choices that we have are to rezone it to M-C, which opened up opportunities for gas stations, car washes, lumber yards, and heavy commercial services, which is not appropriate for this area. We don't want to do that. Or go the PD zoning route. And so while I understand that the UDC really discourages PD, and I completely understand that and I agree with that, and I like that idea, there are instances and there are times when the PD route is the best option to go with, and I think this is one of those -- one of those instances because it allows us to develop the site under the current M-N zoning, but it allows us that one use that we have that one user for this specific site, in this case, the hotel for the site. Along with this is going to come -- and I don't think Mr. Zenner talked about this too much, but there's going to be some offsite improvements that need to be done with this site. We're going to completely rebuild Keene Court. They go back to the site. Normally, we just vacate the whole thing and be done with it, but there's two lots that we don't own and that are along Keene Street that we need to be -- that we need to recognize and make sure that we don't take those out of -- out of play. We're going to construct the cul-de-sac at the end of Keene Court. Right now, there is no cul-de-sac in that public right-of-way. It is a public street. It has no cul-de-sac; it has no turn-around. This would provide that. And, of course, we're also going to add sidewalks along Keene Court. Here's a picture of Keene Court. Eighteen feet wide, public street, no curb and gutters, no sidewalks, not improved, again 18 feet wide. Doesn't really meet the fire code very well at all, but leads out to Keene Street, which is an improved street. It has

bike lanes on both sides, it has sidewalks on both sides, and it's improved with curb and gutter. We're going to improve our street. We're going to improve that to the -- to the commercial standard for the City of Columbia. So we think that's a big benefit for this area, and it's going to help this area, as well. This is a cut -- a preliminary cut of the hotel, what we're looking for, four stories, the parapets that extend above the building a little bit that's going to hide our RTUs -- our rooftop units. So it's going to be very attractive, it's going to hide everything, it's going to meet the UDC requirements as stated, so, you know, we want to be cognizant of that. And so varying degree of building materials and the insets that's required. With that, I'm happy to answer any questions that the Commission may have.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. I did have one.

MR. CROCKETT: Yes, ma'am.

MS. GEUEA JONES: Sorry. I'm -- you might have said it. The surrounding buildings, do you know what their height is? I know you said stories, but do you know feet?

MR. CROCKETT: Yeah. I don't -- I don't know what those -- what those -- there we go. Obviously, the -- the dental clinic, the dental office is -- is relatively shorter, obviously. It's a single-story building. The four-story Solstice facility, I don't know the building height on that, which picture taken here, that's from the front. That's the three-story up against Keene. the backside is actually has another story to it. It appears much taller than that. I would guess that that's probably pushing 50-plus feet, especially with the -- with the protrusion in the middle that goes up taller than the rest of the building. I would have guessed that that's probably pushing 50-plus feet. The medical office, obviously, the two stories, not 50 feet or running along those lines. I'd say that's probably 35-foot realm.

MS. GEUEA JONES: For the taller bit?

MR. CROCKETT: No, I'm sorry. The two-story.

MS. GEUEA JONES: Or for the shorter bit? Sorry, yes.

MR. CROCKETT: The taller one, I would say that's probably pushing 50 feet, as well, given -- given -- that may be even, actually, given that's five stories -- I believe it's five-story, it would probably be, probably pushing 60 feet, to be quite honest with you.

MS. GEUEA JONES: Thank you. Any questions? Thank you very much.

MR. CROCKETT: Thank you. I appreciate it.

MS. GEUEA JONES: Next member of the public to speak? Again, name and address for the record and three minutes if you're an individual, six if you're a group.

MS. LYLE: I'm Shelly Lyle, and my address here is 3111 Keene Court. I recently own a home on 1001 Larail Drive, Columbia, Missouri. I am retiring and moving. I'm maintaining ownership of my two lots and my building. I -- since I bought the lots back in '97, the street has been in the wrong place, and it has greatly affected my ability to construct the building that I wanted and the parking. So what I am here to say is I am very happy that something is going to be corrected, and I am willing to be very open to collaboration and discussion. So I'm -- I'm a very willing party.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you. Next member of the public to speak on this case? Oh.

MR. VOGT: (Inaudible).

MS. GEUEA JONES: Please wait till you get -- we do have -- we have people who listen online, so if you're not in the microphone, they can't hear you.

MR. VOGT: My name is Douglas Vogt. I own the property just right across the street from the proposed hotel. It's 204 North Keene. I've got a medical office there, and there's also a Thompson Center there, and I just had questions about what we're going to do -- well, you talked about widening the street, how that's going to work. Are we going to widen the street, or are we just going to keep it like it is? Are they going to have to put a turn lane in? Is that going to encroach upon our building? You know, we've got an easement there and things, so I just had questions about that.

MS. GEUEA JONES: Sure. I'm not sure if the applicant or staff would have those questions -- or have those answers. I know definitely Mr. Crockett would be available to speak to you afterwards about exactly what the -- the plan is for that.

MR. VOGT: Okay. That's the main thing. Thank you.

MS. GEUEA JONES: Thank you. Anyone -- or sorry. Any questions? Anyone else to speak on this case? Seeing none. I'm closing public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comment? Commissioner MacMann?

MR. MACMANN: I understand the Chair's aversion to PDs. Two things. Number one, I'm with Mr. Crockett here. It's hard to do modern commercial under 12 feet. That five story is probably 60. It's right at it. Keene is a mismatch, but it's pretty commercial. I don't have a problem with this and particularly because we're going to improve the road. So I'm down.

MS. GEUEA JONES: Any other Commissioner comment? Commissioner Stanton?

MR. STANTON: I like this project. I think it's very much needed. I think the height is okay. If you've been on that street, it kind of goes uphill. I think it'll fit in just fine.

MS. GEUEA JONES: Any other Commissioner comment?

MS. CARROLL: Yeah.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: You know, my only hesitation is really the height. I'm not usually a fan of using PD plans to achieve something that couldn't be done under straight zoning otherwise unless it's somehow unique. It seems like the only -- the only feature here that forces a PD plan is the height. I do see the commercial uses. I also see a residential use directly adjacent. That is a large building. I don't know how high. There is also a grade change, so that the portion directly next to the hotel sits down quite a bit. Yeah. I -- I do see the use, the need for hotels and more development of hotels. That's a good amenity for the city of Columbia. Yeah. There's some pros and cons to balance on this one.

MS. GEUEA JONES: Any other Commissioner comments? Seeing none. Would someone like

to make a motion? Commissioner Stanton?

MR. STANTON: Is that the right number on the PowerPoint?

MS. GEUEA JONES: I believe so, yes. And we only need one vote, we don't need one for design and one for --

MS. THOMPSON: That's correct because the design exception is not a design adjustment. You just need one vote and that will be included with the PD plan.

MS. GEUEA JONES: Thank you for that clarification. Commissioner Stanton?

MR. STANTON: As it relates to Case Number 219-2023, 3100 to 3109 Keene Street, rezoning and PD plan, I move to -- I move for the rezoning from M-N to PD with the associated statement of intent, and PD plan with design exception to allow a hotel with a minimum -- maximum height of 55 feet.

MR. MACMANN: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner MacMann. Is there any discussion on the motion? Seeing none. Commissioner Carroll, when you're ready, can we have a roll call, please?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Mr. Ford, Ms. Wilson, Mr. Stanton, Mr. MacMann, Ms. Carroll.

MS. CARROLL: I will put Placier as abstained. We have six to approve, and one abstention.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. Commissioner Placier has had a family emergency but seeing as we do still have six Commissioners present, we will continue with the meeting.

MR. ZENNER: Prior to you continuing, if we may confirm with law if we need to count Ms. Placier as an abstention or if we just need to do a regular vote as now six members of the Commission?

MS. GEUEA JONES: She left in the middle of the case.

MS. THOMPSON: I would do six votes.

MS. GEUEA JONES: Okay.

MS. CARROLL: Okay. Six votes.

MS. GEUEA JONES: Very good. The record will be changed accordingly, and this recommendation will be forwarded to City Council.

MR. ZENNER: I wasn't meaning for that vote. I was meaning for moving forward. But that's okay.

MS. GEUEA JONES: Moving on to our next case.