

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
July 24, 2025

Case Number 242-2025

A request by Haden and Colbert (agent), on behalf of Imkara LLC (owner), for approval of M-C (Mixed Use - Corridor) zoning on a 0.89-acre parcel upon annexation into the City of Columbia. The subject site is located directly northwest of the intersection of Clark Lane and North Lakewood Drive.

MS. GEUEA JONES: As I always say on these cases, we do not vote on the annexation, we only vote on zoning should annexation be approved. May we please have a staff report?

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends denial of the M-C zoning map amendment.

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

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public would like to speak, please come forward. Oh. We'll get to -- come on, Caleb. We'll get to you next, ma'am.

MR. COLBERT: In the secret room, if you could pull my slides up, I would appreciate it.

MR. KUNZ: You have to select it on the computer and they'll put it on the big screen.

MS. GEUEA JONES: Yeah. Perfect.

MR. COLBERT: All right. Madam Chair, members of the Commission, again Caleb Colbert, at East 27 -- or 827 East Broadway, Columbia, here tonight on behalf of the applicant asking for your support for rezoning to the M-C district. We thought it would be helpful to show sort of the existing zoning and really dial into this particular location. I know we talked earlier this evening about a site further to the east. But I think what makes this property different than that application is this site is located directly on the roundabout at the intersection. If this was a four-way intersection, we'd call this a commercial node. When you look at the -- the zoning districts located around the roundabout, you see that they're all commercial uses of some sort. This property is the outlier and being zoned multi-family residential. And so then when you look at what actually exists on the site, taking into consideration that, again, M-C is intended to be a high visibility, automotive oriented commercial district, if you're standing on this lot and you look to the east, you see the BP gas station, again, with the driveway directly across the driveway from this site. When you look to the southeast, you see the Sonic Drive-in restaurant with self-storage units behind it. When you look to the southwest, you see the McDonald's sign there. That's Club Car Wash, and then behind that is the Schnuck's grocery store. And then when you look directly to the west,

you have the Lakeview Mall. So clearly when you're looking around this intersection, you're looking at uses that are automotive oriented. The Lakeview Mall building itself, kind of based on a rough estimation on the assessor's site is about a 40,000 square foot building, so that's a substantial mall located north of St. Charles Road. David touched on the distance between the nearest residential property. That section that is located sort of north of the gravel and next to the HOA lake, that is encumbered by easements. It's effectively not buildable, so we came up with, you know, somewhere in the ballpark of 130 feet of a buffer between what we would be able to build on this site, and the residential property to the north. Again, when we start talking about a buffer, that is a substantial buffer. It's -- it would be rear yard to rear yard, and again, we're going to be facing to the south and there will be Level 3 screening between any use on our property and the neighbors to the north, and, again, we have the full common lot that separates us from the adjacent residential properties. We also pulled up the traffic count for the roundabout, and when you see the trips per day coming through that roundabout, you see that is substantial traffic. It is a heavily used corridor which, in our view, really meets the definition of the M-C zoning district. Again, I know we talked about the property to the east, but I would ask the Commission to consider that this property itself is located at the intersection and is not further away by several lots. I also have Jay Gebhardt and John John here with me this evening, and they can talk a little bit more about the history of the property and some of the design constraints on the site if you would like to, but we would be happy to answer any questions.

MS. GEUEA JONES: Are there any questions? Commissioner Stanton?

MR. STANTON: Caleb?

MR. COLBERT: Yes, sir.

MR. STANTON: I'm just going to ask right off the bat.

MR. COLBERT: Yeah.

MR. STANTON: Just M-N or do you want us to vote ride or die on the proposal at hand?

MR. COLBERT: Respectfully, we're going to ask for an up or down vote on the M-C zoning, because this is coupled with an annexation request. And so, ultimately, if the Commission votes not to approve the M-C zoning and we get the same result at City Council, we would just have to develop in the County.

MR. STANTON: Thank you, sir.

MS. GEUEA JONES: Any other questions for this -- Commissioner Brodsky?

MR. BRODSKY: Can you talk a little bit about the easements that are on that north side and that tree buffer that prevents you from -- from developing that part?

MR. COLBERT: Sure. Yeah. And I'll invite Jay Gebhardt up to talk a little bit about those, but they're utility easements and there would be effectively drainage easements that I believe would connect that concrete ditch there along Lakewood to the homeowner's association lake.

MR. BRODSKY: Yeah. That's what I thought you were referring to when I saw that -- that concrete off the road there, that that might be a stormwater.

MS. GEUEA JONES: Any other questions? Seeing none. Oh, sorry.

MR. COLBERT: I would -- I would offer one more comment.

MS. GEUEA JONES: Please.

MR. COLBERT: I know the staff suggested that a Conditional Use Permit would be sort of an acceptable alternative, but from our view, from a property owner's perspective, the Conditional Use Permit has a lot of the same drawbacks as a planned district because you're going through a process that's uncertain. There's a risk associated with it. There's time associated with it. And it creates effectively a one-off permit for that property. And so it's a unique permit that applies only to that property, based on the criteria, so it looks a lot and functions a lot like a planned district from our view. All right. Thank you.

MS. GEUEA JONES: Thank you, Caleb. Jay, I'm going to let this nice lady behind you go first because she raised her hand. Yes.

MS. LIANG: My name is Huichan Liang, and live just behind there in 15725 Lakewood Drive. I have two concerns. Number 1, I've lived in this neighborhood for nine years. I love this neighborhood because it is very peaceful and tranquil. And so if we have this commercial zone on this location, and because it is commercial, and it is an intersection, I'm concerned about whether the interruption to the tranquility of the neighborhood. This is the first concern. Second concern is that from the image that you show me here, especially the image before this one, it seems that the borderline of this planned commercial zone goes beyond the tree line, and according to my knowledge, the lawn behind the tree line belong to the association of Lakewood Estate, and we pay money each month to have the association to hire people to maintain and mow the land. And I would like to ask you to know -- of to show us clearly whether these zoned, this new structure will build right beyond the tree line, and if, yes, I think that should discuss it with the neighborhood and the association. Thank you very much. Do you have any questions?

MS. GEUEA JONES: Thank you. Thank you very much.

MS. LIANG: You're welcome.

MS. GEUEA JONES: Any questions for this speaker? I do think that there is a restriction because there's an easement, so while their property goes up to the lake, they can't build on that green area, the area that your homeowner's association is maintaining, they can't build there because there's an easement on it. So you can see -- well, you can't see in that. In the zoning graphic that is part of the packet, you can see there's -- yeah, this one. You see how there's kind of a dotted line right where that small two is?

MS. LIANG: What is the yellow line about?

MS. GEUEA JONES: So the yellow line is where their property is, but you see down the middle -- down the middle of that driveway, there's a little dotted line and a tiny number two? Can you see that -- where the arrow is going back and forth? That's as far as they can build. Everything past that, there's an easement.

MS. LIANG: Thank you. My -- I -- thank you for clarifying that. The other question is, what is this yellow on the -- on the side of Lakewood, this yellow shade, what is this?

MS. GEUEA JONES: That is technically where their property goes to, but your homeowner's association has permission to use everything up to where the driveway is. So they can't use anything past the driveway, even though they technically own it.

MS. LIANG: Yes. My concern, yes. This also are my concerns if they -- if they build something over there and do not assess from -- they will access from the lot to -- to Lakewood whether they use the other exit.

MS. GEUEA JONES: Yeah.

MS. LIANG: Thank you.

MS. GEUEA JONES: Thank you very much. I'm going to let Jay go next, and then you, ma'am, if that's -- okay. Please come forward.

MS. HENDERSON: My name is Grovane Henderson, and I live at 15703 Lakewood Drive. I've lived there since 1980, and when I moved there, that was a closed subdivision, only one way in and one way out. Somewhere along the line, that got changed, so there's much traffic on Lakewood Drive. So my concern is if there's access from this development on Lakewood Drive, it is already difficult enough, as was pointed out with the high traffic that it's very difficult to get out onto the roundabout. If there is something else built there, a drive-through, then there's going to be even more traffic, and I don't understand how that is going to be anything positive.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Thank you very much for being here tonight. Who wants to go next? Come on forward.

MS. SHORE: Hi, there. My name is Deb Shore, my address is 5821 West Van Horn Tavern Road. I'm a property owner though of one of the units of a four-plex condominium on Pinehurst, which you go Lakeview -- Lakewood and then the first left is onto Pinehurst. And that condominium is on the lake. It's very nice because the screening that you guys have talked about with other things behind the Lakewood Mall is wonderful because you really don't hear very much right there on Pinehurst. But I agree with the concern if it -- if it's a drive-through, you guys have seen drive-throughs where there's cars waiting to get in, and that there is a very small area. It's -- I mean, you've got the roundabout and then you've got the road and, you know, there's just no space -- where would the cars wait at, you know what I'm saying? If they pull in, are they going to idle there before they can turn it, or are they going to come from Pinehurst Lane, which is parking on both sides, and you don't -- you can go one way. If there's another car coming the other way, you have to pull over or they have to pull over to move. There's cars both directions on Pinehurst, and if they come in from the Clark Lane, you know, it's the same situation. Are they going to be idling on Lakeview or Lakewood, whatever that name is, to get in. So it's really, really, really a super bad idea.

MS. GEUEA JONES: Thank you.

MS. SHORE: I do have one question for staff.

MS. GEUEA JONES: Uh-huh.

MS. SHORE: On this thing, it says notified neighborhood associations. In the public notification, you did say City recognized neighborhood associations were notified, but then it says none registered, so I was just curious about why that -- it didn't make sense to me.

MR. KUNZ: Yeah. Are you registered with the County rather than the City, perhaps?

MS. SHORE: Oh, okay. That would be it. Okay.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none.
Thank you for being here tonight.

MS. SHORE: Thank you.

MS. GEUEA JONES: Next speaker?

MR. GEBHARDT: Good evening. Jay Gebhardt, offices at 3401 Broadway Business Park, with A Civil Group. A couple of things I'd like to point out on this is, yes, there's easements in that area north of the driveway that would prevent that from being built. It's also pretty steep, so it would take a -- it would take a big retaining wall or something like that, and that's just not, you know, feasible, in my opinion. David talked about the County zoning and how it works, but this is shown as R-MF, but it's -- it's misleading in the sense, because we're -- this property is in limbo between the review plan and the final plan at the County. You could file a final plan with this. They complied with the review plan, and then it would be then zoned CGP like the property to the west of this. So it is commercial. Staff is recommending this be commercial. The -- the thing that I think that stands out is this -- there is a gas station, a convenience store right across Lakewood on this, with a driveway onto Lakewood. And this proposal would have a driveway that would line up with that, and I think I'd like to ask you to have some faith in your -- in your Code in the sense that a traffic impact study, if a drive-through were to go in here, you don't need a conditional use permit to -- to have further study of that, because a traffic impact study could be required, which probably would be required, and that would have to prove out how that drive-through works, how it functions through the site, and how it impacts the roundabout. So I -- I don't think it's necessary and I think it's -- for me, when you come right off the interstate, you kind of expect a car intensive commercial right there. And there -- as Caleb pointed out, there's a lot more buffer on this property to the residents to the north than there is with the convenience store next door.

MS. GEUEA JONES: Okay.

MR. GEBHARDT: Does anyone have any questions for me?

MS. GEUEA JONES: Thank you. Any questions for Mr. Gebhardt? Seeing none.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Thank you. Thank you very much. Next speaker on this case, please come forward.

MR. JOHN: My name is John John, with offices at 1000 West Nifong Boulevard. Frankly, they've covered most of my points. Back in 2001, this was zoned CGP. G is the equivalent to the old C-3 in the City, which is equivalent to the M-C. It was a planned district because, as in the City, the County didn't

have the ways of doing the controlling of buffering and setbacks. Just to go back to the stacking for a drive-through, the UDC has the nice pictures and drawings and all sorts of controls and stacking for the drive-through, and what you have to do. That's why they spent years developing it, or how many years, five years it took you from first getting it approved, four? Three? And I think it was more like four or five. It seems like five or six, but --

MR. ZENNER: Yeah. But we got an amendment since for drive-throughs.

MR. JOHN: But, you know, the -- they -- and, you know, the distance between the amount of buffering that has to be, all of that was not available back then in either the County or the City. The reason we're going to the City is because nobody wants to go through the process of maybe we'll get it, and maybe we won't. We've been 20 years on the market, and, you know, maybe we'll get you the zoning, and maybe we won't get you the zoning. The City came to the commercial real estate agents two years ago, and said what we can do to increase jobs and retail services in the northeast part of Columbia. This is in the northeast part of Columbia. This could create jobs and retail services, and that's what -- you know, that's what started the process of me talking to these clients of mine to come forward and get the planned districts off so people could feel comfortable buying a piece of property and saying, hey, I'm willing to now spend money on engineers because I know I can do what I want to do, and -- and get it done, and build something here. So that's all I've got, and if you've got any questions, I would be happy to answer them.

MS. GEUEA JONES: Any questions for this speaker? Seeing none. Thank you for being here.

MR. JOHN: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Seeing none. We'll close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments? Commissioner Stanton?

MR. STANTON: At the end of presentations, I was -- I was M-C at first until I really started looking at the -- the entrance to the neighborhoods in the back. And the M-N creates that general transition, you know, between where Jake's is at and the gas station over there. And, you know, they brought up a good point with the driveway at the gas station. I use that driveway -- I use that gas station often. My offices are out that side of town. I've rarely used that drive that goes onto Lakewood. You know, I always end up hitting Clark -- whatever that is, what's that that goes across St. Charles? I don't know. I think -- I think M-N is a better choice, but as the applicant said, they're going to ride or die for what's on the books, so --

MS. GEUEA JONES: Anyone else? Commissioner Darr?

MR. DARR: I -- I would be supportive of M-C. I don't have that much concerns with the impact on the neighbors in the back. There's a lot of buffer, there's a lot of screening. It seems like it's going to be fine with M-C uses. It's a small lot, so I'm supportive of it.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: I was initially a little bit on the fence about this one, but I think I'm going to land in support of this. There's two uses that I -- I'm still struggling with, one use that would be allowed in M-C that is not allowed in M-N is a bar or a nightclub. And then the other one is the heavy commercial services that -- that staff mentioned, so those -- those are really my only two big hang-ups. You know, I hear what you're saying, Commissioner Stanton, you know, creating traffic there, but that -- that entrance, whether or not it's M-N or M-C, is probably going to have a similar amount of traffic going out onto Lakewood Drive. You know, there's -- the drive-through issue is certainly one that would -- would probably make -- create more traffic, but as Mr. Gebhardt mentioned, you know, there would -- that would likely trigger a traffic study. So -- so I think I'm going to support this, and, like I said, I'm -- those two uses, that heavy commercial services and a bar or nightclub, are probably my biggest concern in terms of the difference between M-C and M-N. And I think -- the other reason that I -- I am in support of this is there is a -- the screening and the buffering in those trees is substantial. I -- I highly doubt that the folks in those residential neighborhoods are even going to be able to see this development.

MS. GEUEA JONES: Anyone else? Commissioner Stanton?

MR. STANTON: All good points, my fellow Commissioners, but has anybody been out there, like, recently?

MR. DARR: I just went out there: So, just this morning.

MR. STANTON: One thing that I like about that is that, like, you see this sea of commercial. Right? And then you see this, like, oasis of like, oh, I didn't know there was, like, cribs back there, like, you know -- and cribs mean homes. I'm sorry for my Ebonics, but a crib is a home. Okay? So -- but M-N creates that gentle transition to that neighborhood that goes back there, and I feel like you -- I don't -- there's a bigger point than that. We've got two PDs there, and we have to think not of today, but of 20 to 50 years ahead. So we have to be careful of what we -- number one, we always have to defend the buffer between commercial and residential, sacred, sacred position, and we have to look at first -- future use. So we have a PD -- we have two PDs there. So once you trigger this M-C, that's going to give everybody else the opportunity to say, oh, we can go M-C, too. Now what happens if we go PD back here, and that becomes an M-C? Now you're deep inside the neighborhood. See it right there, sir? So we have to always kind of think about in a chess game what the next couple moves are going to make. So I just think -- I just want you to consider that as you think about your -- your vote on this thing. Mind you, the applicant said he wants to ride or die on what's on the table.

MS. GEUEA JONES: My two cents, for whatever it's worth, which is exactly two cents, is north of Clark and St. Charles is the buffer between the commercial and the residential. North of Clark and St. Charles is M-N. South of Clark and St. Charles is M-C. And the reason that we call them buffering zones and the reason that we have gradations in our commercial zoning is so that we can step up and step down. Yeah, there's a non-conforming gas station there. It's also County zoned. Right? So I'd be supportive of M-N, but I'm not going to be supportive of M-C north of Clark. Anyone else? Commissioner Gray?

DR. GRAY: Yeah. I think I tend to agree with you. I'm thinking about the other case. I know there are some distinguishing features of this landscape, and some arguments that are made in the visual economy of look -- if you look this way, you see commercial, if you look this way. I want to see what the residents see when they look every which-way -- sorry for my Ebonics. But I'm not entirely convinced of maintaining the integrity or the character of a commercial neighborhood versus, like, maintaining and protecting a residential neighborhood and having that transition area as we have advocated for in other cases.

MS. GEUEA JONES: Any other comments? Commissioner Ortiz?

MS. ORTIZ: I completely agree with Dr. Gray, and Madam Chair, but I also want to add staff is recommending denial. The neighbors are here and saying they have concerns. To me, this is a no-brainer. I'm not going to support it.

MS. GEUEA JONES: Very good. Would anyone like to make a comment or a motion?
Commissioner Stanton?

MR. STANTON: I'm sure I'd like to entertain a motion if my colleagues are done with the discussion.

MS. GEUEA JONES: Please do.

MR. STANTON: As it relates to Case 242-2025, I move to deny the request for a permanent --

MS. GEUEA JONES: No. We have to make it in the affirmative.

MR. STANTON: Affirmative. Affirmative. Okay. Well, I was just going off of what staff recommends here.

MS. GEUEA JONES: I know.

MR. STANTON: Okay. I move to approve the request for a permanent rezoning site to City M-C.

MS. GEUEA JONES: Very good. Is there a second?

DR. GRAY: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton, seconded by Commissioner Gray.
Is there any discussion on the motion?

MR. BRODSKY: Is that motion, I'm assuming, to M-C subject to annexation?

MS. GEUEA HONES: Yes. Well, yes. Yeah.

MR. STANTON: Should I have said that or --

MS. GEUEA JONES: No, it's okay.

MR. STANTON: Okay.

MR. CRAIG: I think the motion is fine as is.

MS. GEUEA JONES: Any further discussion on the motion? Seeing none. Commissioner Brodsky, when you're ready, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Darr,
Mr. Brodsky, Mr. Walters, Voting No: Ms. Ortiz, Mr. Stanton, Ms. Geuea Jones, Ms. Wilson, Dr.**

Gray. The motion fails 3 to 5.

MR. BRODSKY: The motion fails 3 to 5.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.