

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
January 23, 2025

CASE NUMBER 64-2025

A request by A Civil Group (agent), on behalf of Garry and Brenda Lewis (owners), seeking to rezone 3.73-acres of a 5.38-acre parcel, from M-N (Mixed-Use Neighborhood) to R-MF (Multi-Family Dwelling). The subject site is located at 4804 John Garry Drive.

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the request to rezone 3.73 acres from M-N (Mixed-Use Neighborhood) to R-MF (Multi-Family Dwelling), pursuant 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 parties to this case outside of the public hearing, please disclose so now. Seeing none. Questions for staff? Commissioner Brodsky?

MR. BRODSKY: And this is probably just a little bit born from my own unfamiliarity with the new zoning code, but what's really gained by down-zoning, because they could do multi-family in M-N; am I correct about that?

MR. PALMER: It's -- I mean, the simple answer a lot of times is that it's a tax benefit. If you have a commercial lot, you're being taxed at a different rate than if it's a residential use. I don't know if that's their reason. That's pure speculation, just, you know, that's usually what it is, but --

MR. BRODSKY: It looks like Pat has some info.

MR. ZENNER: Yeah. A little bit of the back history on this. Before Mr. Palmer was assigned the case, along with the admin plat, the applicant contacted our offices based on a building permit related issue. So split zoning -- a split-zoned parcel has got to be looked at in its parts. And so the multi-family construction that is being proposed on this property is about 18 inches greater in height than is allowed in the M-N zoning district, which maxes out at 35 feet. And so the admin plat is to align the property line so the side-yard setback meets the increased side yard to get to the 45 feet allowed in the R-MF zoning district, and the only way you can get the 45 feet is is you have to rezone the 3.73 acres to R-MF, and then comply with the required enhanced side yard. And that is how they are then being able to move forward with the current construction plans that they have for the multi-family, which is similar to the multi-family that Mr. Lewis has developed elsewhere within this area. And so that's really the underpinning issue. Tax -- tax implications or not, which is probably a correct statement, as well, you may be taxed a little bit less if you're a residential versus the commercial, but that is the skinny of why this is really the

impetus behind this. They were trying to resolve the zoning -- the multiple zoning classifications. And this is why we don't recommend split-zoned parcels, because you have to look at them in the parts as they exist.

MR. BRODSKY: Perfect. Thank you for that background.

MS. GEUEA JONES: Thank you. Any other questions for staff? Seeing none. We'll open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public to speak on this case, please come forward. Mr. Murphy, you know the drill.

MR. MURPHY: Madam Chair, Commissioners, Kevin Murphy again, 3401 -- with A Civil Group -- 3401 Broadway Business Park Court. I think Mr. Zenner's staff has cleared up the situation at least somewhat if not, but, yes. And this gives me a chance to say why -- or to blame it on the architect. Engineers love to do that, so this is what we get to do. Yes, we do. We had a split zoning and the buildings fell into that split-zoning area and so this is kind of why we're going that foot and a half. It seems like it was pointed out to the architect with 35 foot, but anyways, that's where we're at. And, again, it fits in with the -- the development, the neighborhood, the adjoining parcel, and that whole center block is owned by the same owners and developers, and we currently have construction plans in review which brought this up and that's where we're at. So -- so what we see is what we're going to get, and if you have any questions, I'm happy to answer them.

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

MR. MURPHY: Thank you.

MS. GEUEA JONES: Any other members of the public to speak on this case, please come forward. Seeing none. We will close public hearing and go to Commissioner comments.

PUBLIC HEARING CLOSED.

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

MR. STANTON: If my colleagues don't have any further questions, I would like to entertain a motion, Madam Chair.

MS. GEUEA JONES: Please.

MR. STANTON: As it relates to Case 64-2024 [sic], I move to approve the request to rezone 3.73 acres from M-N to R-MF pursuant to minor technical corrections.

MS. LOE: Second.

MS. GEUEA JONES: Motion made by Commissioner Stanton; seconded by Commissioner Loe. Is there any discussion on the motion? Seeing none. Commissioner Stanton, when you're ready.

MR. STANTON: Staff, can you just leave that slide up just a little bit longer so I can write it down, but just leave it there for a second. Okay.

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

Ms. Loe, Ms. Geuea Jones, Mr. Stanton, Ms. Placier, Ms. Ortiz, Mr. Brodsky. Motion carries 7-0.

MR. STANTON: It's unanimous, Madam Chair.

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