

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
January 5, 2023

Case Number 08-2023

A request by Crockett Engineering Consultants (agent), on behalf of Black Dog Consulting and Development, LLC (Owner), seeking approval of a rezoning from R-1 (One-family dwelling) to R-2 (Two-family Dwelling) with the intent to develop the site with cottage-style lots. The 3.3-acre site is located on the eastern frontage of Oakland Gravel Road, approximately 500 feet north of Blue Ridge Road and is commonly addressed 3612 Oakland Gravel Road. (This request was previously tabled at the December 8, 2022 public hearing.)

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the rezoning to R-2.

MS. GEUEA JONES: Thank you very much. Before we direct questions to staff, have any Commissioners had communication from the public or parties and, if so, would you please disclose it now so that we can all benefit from the same information. Seeing none. Questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Zenner, could you refresh me on the notification requirements for a BOA action?

MR. ZENNER: BOA requirements are similar to those for the Planning and Zoning Commission, 100 -- all property owners within 185 feet are notified, as well as all neighborhood associations or registered homeowners associations within 1,000 feet.

MR. MACMANN: To that end, is Ms. Donelson on that list, the person who generated this?

MR. ZENNER: It is my understanding that she was. I'd have to confirm that. We did post property, so with every rezoning request before this body, or public hearing request before this body, we have the larger public notice sign that is placed on the property. With our Board of Adjustment, we have a much smaller sign, so we rely more heavily for the Board of Adjustment on mail notification.

MR. MACMANN: As a request, whether or not Ms. Donelson is on the list --

MR. ZENNER: I would be happy --

MR. MACMANN: -- could you add her to the list?

MR. ZENNER: I will be more than happy to do so.

MR. MACMANN: And I'll save the other comment to the end. I'm sorry.

MS. GEUEA JONES: Okay. Thank you. Any other questions for staff? Seeing none. We will move on to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward. State your name and address for the record. Six minutes if you're with a group, three if you're an individual.

MR. CROCKETT: Good evening, Commissioners. Tim Crockett, Crockett Engineering, office at 1000 West Nifong. With me tonight is Adam Rau, who is the applicant tonight with Black Dog Properties. And, again, we're looking at 3.3 acres that's currently zoned R-1. We're asking for it to be zoned to R-2 for the cottage standard. Now, again, as Mr. Zenner indicated, we have to go to the Board of Adjustment to acquire those -- those standards, to be approved for those standards, so we have to -- it's kind of a chicken or egg, we've got to do one thing at a time. The first thing we have to do is come to this Commission and the Council to get our R-2 zoning. Then we need to go to the Board of Adjustment to get the cottage standard approval, and then if we obtain that, then we need to come back to this Commission and ultimately Council with a preliminary plat for the property. So just to make sure we're -- we understand the process. We will be back if it -- if it proceeds and we get approvals as we go, we will be back before this Commission with the preliminary plat showing the layout and the street, the standard plat that you typically see. And there is some -- some -- again, it's zoned -- we have to go R-2. That does allow for duplexes. It's not my client's intent to do duplexes. He does not want to do duplexes on this site, he wants to do the single-family, you know, single-family units. If there's another way to do it, certainly that's the way we would go, however, this is the route that the UDC indicates. Again, you've seen the location map. You know where we're located. Again, you've seen the concept plan, you know. I'm not going to plagiarize. I'll just straight up say I stole this from the staff report because it's much better than the layout that I do. So you can see the -- the multiple zoning districts that are around the subject property, and we're looking at a density on our property about 5.5 units per acre. The duplexes across the street are about 7.7, up the street is 8.5 and 10. The duplexes further north are 4.5, and the PUD was, like, 6.5. So we're right in line on the lower side of the density of -- of the other multi-family in the area, but, again, we're looking for single family. And so what's the purpose, you know, why are we doing that. Well, we're -- we want to provide affordable small-lot infill cottage-style development. We want to develop in conjunction with the surrounding area and use a UDC to develop the tract to the best possible use. We are located within walking distance of Blue Ridge Elementary. Not too many times do we have new developments come forward that we're within walking distance. And not only elementary school, but also the middle school, which is about 950 feet away. We're also about a third of a mile to the MU Healthcare facility up on Smiley Lane. We're also about a third of a mile away from the future 30-mile loop that Parks and Recreation is planning around the city. It talked to Parks yesterday about that, and they have high hopes that that will progress in the near future, so I'm really excited about that, trying to get that loop completed, but they are -- have some -- they do have some plans for this area, and we'll be pretty close to it. Now we're also just about a quarter of a mile, just right down the street from Albert

Oakland Park. I actually met Parks and Rec at that site for some improvements that they want to do, so Albert Oakland Park, you know, if you're not familiar with it, it's a 75-acre park has a lot of amenities basically across the street. Again here's our site right in the middle. What's yellow are the three elementary -- or, excuse me -- three schools, one elementary and two middle schools, Lang and Oakland, as well as Blue Ridge. We add in the health care, and then we add in the park facilities, the trail, and then the Oakland Albert -- Albert Oakland Park in green located there. Again, I think Mr. Zenner talked about it being an infill development. We don't need to talk about this too much. We're right down the street from Fire Station 4. No more police is needed. Solid waste already serves the area, so, you know, we don't have to change routes or anything along those lines. Of course, adequate utilities for the area, as well. Columbia Imagined supports a plan like this for various reasons, and then, so, basically, in conclusion, we believe it's appropriate for the area. It's infill development. You know, it's going to meet all the City standards. It's going to be a little bit of a process. It's a little bit different than we've taken before in the past, but -- so we come to you, you know, respectfully requesting approval. City staff has approved it, and we think it's a good plan. So with that, I'm happy to answer any questions that this Commission may have.

MS. GEUEA JONES: Any questions for this speaker? Okay. Commissioner Burns?

MS. BURNS: Thank you. So a couple of questions, Mr. Crockett. So these would all be individually owned?

MR. CROCKETT: Yes. It is our intent is to sell them. They'll have a smaller unit. Right now on the market, we have so many three-bedroom, four bedroom, you know, two and a half bath. You know, we would like to have something smaller here. I mean, we're -- we're seeing a change, if you will. People are asking for -- I mean, we're doing this in some other subdivisions and larger subdivisions, looking for a two-bedroom unit, maybe a two-bedroom, two bath, two-bedroom, one bath, a single car garage. We're kind of getting away from the larger homes and into the smaller. So the intent here is, absolutely, my client's intent is to sell these units for individual home ownership.

MS. BURNS: Oh, as far as a concept, do you have a price point on these units?

MR. CROCKETT: I would love to tell you. Right now, price points are, you know, probably low 200's, but that fluctuates monthly, weekly, daily based on construction material costs. Lumber is coming way down. Interest rates is coming up a little bit. So, you know, the idea there is to try to get in the low 200's right now.

MS. BURNS: Thank you. And then the last question is you didn't mention communication with neighborhoods or homeowners associations.

MR. CROCKETT: Sure.

MS. BURNS: Could you share a little bit about that.

MR. CROCKETT: You know, my client can speak on this. He went door to door one Saturday in December. Went to all the adjacent property owners. He spoke to a couple of property owners, and if he didn't catch anybody there, he left them a note, left them a prewritten letter basically telling who he is,

what his plans are, what he wants to do, and then gave his -- his cell phone number and said please reach out to me if you have any questions, concerns, love to talk to you about the project.

MS. BURNS: Okay. Thank you.

MS. GEUEA JONES: Anyone else? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, I would like to thank you and the individual who hired you there for doing this, because, as you know, and I hope you will learn, this fits our desires and we do hope to get those text changes so this is not such an arduous process because this is -- this is what we want to do. If this is built as advertised, or it can be built as advertised, this fits so many needs. I will bring up something and this is a note of caution. I'm all for this. This is great.

MR. CROCKETT: Sure.

MR. MACMANN: We had another cottage-style development come up, but I'm not going to mention any names, and we got sold a bill of goods, and it was a pig in a poke, and they had all the right words, and they got what they wanted. That made us angry.

MR. CROCKETT: I understand that, and my client is here tonight to hear that. And so I think words are duly noted.

MR. MACMANN: Because this -- this is what we want for these lots.

MR. CROCKETT: Yeah. And to address the one letter that you did get, if I may, there was one letter that was submitted to -- to the Planning Department, and I believe the lady, I believe, she should be on the list. She lives right across the street, but her concern was mainly -- or concerns -- you can read the letter, you know what her concerns were, but she mentions apartments, and that's certainly not the case here. I -- obviously, we've addressed that, so, you know, we would like to reach out and assure her we're not doing apartments, we're doing single family.

MR. MACMANN: Yeah. A conversation with Ms. Donelson would be beneficial.

MR. CROCKETT: Sure.

MR. MACMANN: And I do appreciate the tack that you all followed in the going door to door and stuff like that. That minimizes concerns and perhaps forestalls snowballing poor communication.

MR. CROCKETT: Right. Correct. And if you -- if you recall, this was tabled at the last meeting. There was a miscommunication, and the reason for that tabling was that we hadn't had that time to get that communication out. So instead of doing that communication, or ignoring it, we decided to table and do that and then come before this Commission.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Well, Mr. Crockett, I wanted a fight, but you didn't give me one. You asked -- you did it. You said everything we wanted to hear. I hope the owner is genuine and authentic. If it is what you're selling us right now, this is the exact kind of project we want. So the only fight I have is if your owner isn't from the Show-Me State and shows us something else, but, yeah. Good job.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Anyone else? I just had one question. Let's say this goes through tonight,

we say yes. Great. Yeah. Board of Adjustment, they say no. What's your backup plan, or have you even thought that far ahead yet?

MR. CROCKETT: We haven't really thought that far. Well, I shouldn't say that. We have thought that far. We don't want to kind of put too much -- we don't want to try go down that rabbit hole too much because we're really hoping that we get the cottage standard. I think if we get denied, I think we have to go back and look at some kind of an R-1 development of some kind. It's not our intent to do R-2. We don't want to do duplexes. There's duplexes across the street. They're already filling a need. They are there, we don't want to put more duplexes in this area. We'd rather have single family. So I'm not saying that we don't have a different type of plan -- something, we don't know exactly what, but we're really hoping for the cottage standard. That's what we really want. And, you know, I really would -- I'm going to be a big supporter of getting the Code changed. Obviously, we like the Code, the UDC works well. There's a few things that need to be ironed out, and we're working through that, and that's normal for a new Code. Right? But the idea here is is the reason why I was nervous about doing the R-2 is because I come before you, I go to Council, I get R-2, and then we want to make sure that we have -- there's not the perception that we're doing duplexes. You know, then we turn around and say don't go to the Board of Adjustment, now that we've got R-2, we can do duplexes. That's not our intent, and we don't want to do that. So I believe having a change in the Code, we talked with the Planning Department about this numerous times, and they agree, is going to give a lot of relief to that especially with the neighbors when we try to tell them, yes, I want duplex zoning, but I'm not going to do duplexes, you know. So we're going to be the big supporters and work with staff to try to get that worked out.

MS. GEUEA JONES: I think you'll have a lot of people on this side of the dais, as well, who would like to see that worked out.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Thank you very much.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Next speaker on this case? Name and address?

MS. DOKKEN: Dee Dokken, 804 Again Street. And I'm just joining everyone else in saying this seems like a really good idea and I hope it goes through. We definitely need appropriate infill development and more central density in the City, and more efficient use of resources. It sounds good.

MS. GEUEA JONES: Any questions? Thank you very much. Anyone else to speak on this case? No? Oh, sorry. Yes?

MS. BURNS: I was hoping that the applicants could speak. I was interested in your communications with the neighbors that you spoke with.

MS. GEUEA JONES: I tried to let you come up without getting called out.

MR. RAU: I'm forced to. Adam Rau, 1312 Willowcreek Lane, and I'm the owner of the property.

MS. GEUEA JONES: Okay. Questions for this speaker? Commissioner Burns?

MS. BURNS: Thank you. Could you share the communications you had positive, negative

questions. What was the response to the neighbors?

MR. RAU: I went around on -- I tried to think of the best time to not be a creepy guy knocking on people's doors. It gets dark at 4:30, you know. I went on Saturday, about 11:00 a.m., right during the World Cup final, so I did watch a little bit of that with a couple there at the end. Behind the door -- behind the property, they had lived there 50 years. Maybe the homeowner just had some general questions about, you know, what if I don't want it, you know, what were his wishes, so on and so forth. I said, you know, if it's not something you're interested in, you've got an opportunity to speak on it, go down there. I don't -- I don't think that they showed up to do that. I don't see them here tonight. So -- another neighbor who was directly adjacent behind it didn't want people looking in her back window. She felt that the property was elevated above hers, and she didn't like that idea. I shared with her, you know, there -- it's very deep lots, so the properties will be, you know, a little further forward. If we need to, we'll plant some trees in the back, but, you know, the goal is to make it an economical appealing property, and if we're just staring in other people's back windows, they can do that anywhere else. So, you know, my goal is not to make something that's not enjoyable for either the new homeowners or the existing neighbors.

MS. BURNS: Thank you.

MS. GEUEA JONES: Mr. Stanton?

MR. STANTON: I want to hear out of your mouth. What are your intentions with this property if you get R-2?

MR. RAU: Yes. My goal is cottage-style single-family homes. That's what we will do.

MS. GEUEA JONES: Anyone else? I did have a question. The property that -- or the building that is currently on the property, it looks like it might be a 1950s, 1960s?

MR. RAU: It is available for rent if you would like to stay in there until this process is over.

MS. GEUEA JONES: But it's not -- it's not a heritage home or over 100 years old, or any of those?

MR. RAU: It is not. It's a -- craziest floor plan you've ever seen in your life, and it's a 19-something. 1951.

MS. GEUEA JONES: 1951.

MR. RAU: Yeah.

MS. GEUEA JONES: Thank you very much. Last call? Thank you very much for being here tonight.

MR. RAU: Thank you for the opportunity.

MS. GEUEA JONES: Thank you for coming forward. Anyone else? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: We'll move on to Commissioner comments on this case. Any Commissioner want to comment, or do we want to go into motions and --

MS. BURNS: I'll comment.

MS. GEUEA JONES: Commissioner Burns?

MS. BURNS: Yeah. You know, I'm surprised because this is so heavily surrounded by R-1 that we haven't seen anyone coming to comment on this pro or con. Since there aren't people who are opposed to this, I -- I, with others, am very supportive of -- of what's attempted to be done here. I just -- I do have concerns about the heavily R-1 surrounded, existing R-1 lot being moved to R-2.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Just a thing to reiterate again, we will -- we will eventually get to more of a by right with the cottage thing. I think that will alleviate some of these concerns. And as far as the neighbors, Mr. -- is Rau? Okay. Mr. Rau mentioned in a BOA, a replat, we have some buffering, and there will be some buffering to the -- and that will allow people to see that more clearly. I'm concerned about Ms. Donelson's response, because I -- you know, I don't know her, I just have what she's saying here. But this seems to fit and is a primo property. If you want to sell that to anyone, that would be a great deal. I think we should approve this and pay very close attention to it, and I'll refer back to the other project where we got sold a bill of goods, and I still have a bitter taste in my mouth about that. But I plan to -- I do plan to support this, and to follow it closely.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Yeah. I have very similar feelings to what has already been stated. I think this is a great project. I do support the cottage-style development, and I hope that this moves through with Board of Adjustments, as well. In -- In particular, I look forward to the opportunity to see a cottage-style development go through with straight zoning, with R-2 zoning, as opposed to a PD plan, so I'm actually glad that that's a route that you're taking because I'd like to see that part of our Code work and get used. So thanks for using it, and I hope that it gets used well and that it's -- receives support from the community. I also appreciate the community outreach that you did, and that level of personal outreach is definitely appreciated by the community and by the Commissioners here. So best of luck.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: The proposed project on Northridge, the PD project, there was quite a few neighborhood comments on that proposal. And it wasn't necessarily in favor of the more -- the smaller lots, but we still supported it because we saw it as an appropriate fit and an appropriate use. The fact that we're not receiving many neighborhood comments, and I appreciate Ms. Donelson's antipathy to having construction across the street, but unfortunately, that simply occurs from time to time, especially when you have an infant. But that strikes me that Oakland Gravel does have more of a mixed density along it and that the neighborhood is -- does see that this is a better fit along that with the duplexes across the street and the other densities up the street. So given we saw this as an appropriate density nearby, I do support this as a density at this location, as well.

MS. GEUEA JONES: Any further comment?

MR. MACMANN: If my fellow Commissioners have no other questions or concerns, I'd like to make a motion. In the matter of Case 08-2023, rezone from R-1 to R-2, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none, Commissioner Carroll, may we have a roll call.

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

Motion carries 8-0.

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

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