

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
October 9, 2025

Case Number 301-2025

A request by Engineering Surveys and Services (agent), on behalf of J. Gordon Arbuckle Living Trust (owner), seeking approval to rezone 63.11 acres of A (Agriculture) to IG (Industrial). The subject site is located northeast of the Highway 63 and Paris Road interchange on the east side of Paris Road and is addressed 3815 Hinkson Creek Road.

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

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends approval of the requested rezoning to the IG district for 63.11-acres of the 83.66-acre subject site, subject to technical corrections to the legal description.

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. Questions for staff? Commissioner Brodsky?

MR. BRODSKY: Just for clarification, and I have no doubt that this is, you know, completely acceptable, but I notice the southern parcel, we're only rezoning half of that parcel. Just curious about the mechanics of that. Will they have to do a plat and split that parcel, or can we -- can we zone half of a parcel one thing and the other half another?

MR. KUNZ: Yeah. You can zone not the entirety of a parcel. The area that's zoned is dependent upon the legal description that's provided. Since it's not platted right now, I -- I can't speak to the intent to plat this property necessarily. I think it would be reasonable to -- to suggest that everything that's zoned with in the industrial district would be platted into one lot or perhaps a combination of lots, leaving the southern portion on perhaps an unplatted lot, but yeah.

MR. BRODSKY: All right. Thank you.

MR. KUNZ: Thank you.

MS. GEUEA JONES: Yeah. Any other questions? Commissioner Ortiz?

MS. ORTIZ: You said that in Columbia Imagined that it was -- it was neighborhood district, like, that's what it was intended to be. Why is that not the case? Like, why isn't it -- why did Columbia Imagined say that if it's not appropriate?

MR. ZENNER: Columbia Imagined was based -- the future land-use map was not based on anticipated future land uses, it was based upon what was generally existing based on zoning at the time that it was created. So that is why there is the disconnect that Mr. Kunz is referring to. If we had looked and idealized what we wanted the corridor to be, it would have been identified as IG, but using the zoning that existed in 2013 is why it is actually Ag and identified on the -- and identified as residential because

residential fit within that -- the Ag district fit within the residential category.

MS. ORTIZ: Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will go to Public Hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public who wish to speak? Just as a reminder, name and address for the record.

MR. FUEMMELER: Chad Fuemmeler, 1113 Fay Street. I'm with Engineering Surveys and Services on behalf of Gordon Arbuckle's Living Trust. I'm here to answer any questions that you guys may have of us, but just a couple of things that I wanted to allude to is we -- there will be a final plat once this is complete. That's the next phase in our -- in our development plan. And also, too, there is no planned use. This is just about the zoning map amendment. That's the other things that are going around. It's just kind of news to everybody else, so --

MS. GEUEA JONES: Thank you.

MR. FUEMMELER: I think that might be all I have. Is there any questions from you all?

MS. GEUEA JONES: I -- or if nobody else has a question. I just want to ask, and I think you probably semi-answered it just now. But you -- you say you have a plan, but you don't have, like, planned buyers or anything? You're just getting this use, getting it ready.

MR. FUEMMELER: No. No. Really, all this doing is trying to close that corridor.

MS. GEUEA JONES: Yeah. We recognize that, well, obviously, our client recognizes that there is a hole there. It really is not the best use at its current agriculture, just to fill that corridor in. And the other -- the other opportunity, though, is that because of where it's located, the -- the topography going down to Hinkson, is, as the staff has said, is going to limit the actual developable parcel of land, so -- but we wanted to stay out of that FEMA regulated flood way. And then one other point I wanted to add is that, currently, based on Plaza Commercial Realities release that they do every -- every year, we are at a vacancy of 1.5 percent for industrial land. And really what they say is a condition to demonstrate a need for more industrial would be about six percent, so everything is occupied at the moment, and it would be good to have some more just available for the community.

MS. GEUEA JONES: Any other questions for the applicant? Seeing none. Thank you for being here.

MR. FUEMMELER: Thank you.

MS. GEUEA JONES: Anyone else to speak, please come forward.

MS. ELLIS: Esther Ellis, 2309 Nelwood Drive. My first question is for places that are zoned industrial, what is the decibel level requirement? Is there one at the property line, like a maximum level outside?

MR. KUNZ: I'm not sure, off the top of my head, but it looks like Mr. Zenner is going to get the specific language.

MS. ELLIS: Okay. So, currently, my interest in the property, I submitted a letter. My husband

and I currently lease a property that is just to the southeast. It's directly east of the space that will remain agriculture, so it will be catty-corner to the industrial. Currently, my house on Nelwood Drive abuts industrial. The actual small businesses that are in those spaces have been fantastic and communicative. I really worked to build relationship with them. However, some of the people who own the properties haven't necessarily been invested as in a few years ago, there was a large vacuum that was put outside, less than 20 feet from our property line. Noise, et cetera, so I had to work with the City to get that resolved. My concerns are with industrial, there are a lot of regulations in place. I recognize that. I think they're fantastic. I recognize that, likely, this will be rezoned to industrial or homes at some point in the future, and that's necessary for the growth of Columbia. My concerns are that with whatever moves in, we have regulations, but the companies who move into those spaces don't necessarily always abide by them, and I recognize that we have things in place to remedy that. However, during the time that it takes to remedy, there's still an impact on the people and animals that are nearby, so that would be us, our animals on the property. The Alspaugh land is directly to the south of there, which is meant to prioritize the wild life nature in that space. So, in summary, I recognize that this likely would be rezoned. My concerns are that whatever moves in there, will they actually want to uphold the regulations as there's been discussion. Were you able to find that answer?

MR. ZENNER: Unfortunately, no. There is not anything specific under our heavy industrial or under our light industrial categories. In our prior Code, there were particular noise limitations as it related to a planned industrial zoning district. There are other noise-related standards within the City's municipal code that would likely be able to be evaluated and applied, which is probably what was being used with our building or site development department in addressing the other issue that you referred to. There is nothing within the zoning code that I can make reference to to assist you in answering that question.

MS. ELLIS: So that would be part of my concern. Thank you.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you for being here tonight. Anybody else to speak on this case, please come forward.

MR. GORDON: Good evening. My name is James Gordon; I live at 703 West Boulevard North. I moved to Columbia 13 years ago with my spouse, Reverend Doctor Molly Housh Gordon, who ministers the Unitarian Universalist Church of Columbia. Molly and I started our family here. We have two kids, nine and seven years old. We love the city and we have felt loved by the city, and we care deeply about the growth of this city and sustaining the community where we have made our home. I want to be up front and acknowledge that I only learned about this case a few days ago, a shout out to Mike Murphy at CoMo Buz who reported this, and I think it's a reminder that we should all be supporting local journalism and maybe, you know, throw a subscription Mike's way, yeah, if you get a chance. And I have, however, had time to speak to a lot of parties who are -- have a direct and immediate interest in this matter. And given what we know and what we do not yet know, I believe we would be wise to deny this application to rezone this property located at 3815 Hinkson Creek Road. So I'll start with what we do know. We know this property is part of a border between land on the east side, which has been farmed by multiple

generations, and land on the west side adjacent to Paris Road, Route B, which, in more recent years, has been developed for commercial and industrial use. We know that allowing industrial use of this land will move that boundary even closer to the Hinkson Creek and that floodplain. And we know that folks who live and farm on nearby land have felt and continue to experience negative impact from this encroaching industrial development. And I spoke to several people who have complaints about the -- the smell of some of the other industrial facilities nearby, and I know this is not exactly what we're talking about for this particular land use, but I think we should be -- we should be more considerate about the people who are -- who actually live in this area. Some of these folks have submitted public comments, and I hope some of them will continue to stand up and speak tonight. I also want to say that we know that the applicant, Mr. Gordon Arbuckle, who I have no relationship to, by the way, he does want to build a data center on this property. I spoke directly with Mr. Gordon Arbuckle on the phone yesterday, and he was very candid and clear about his intentions to pursue a data center development on this property, and that this project is part of a much larger initiative stretching beyond Missouri involving some big players in the tech industry. He specifically mentioned Nvidia and Oracle. It's not my place to speak to the details of Mr. Gordon Arbuckle's plans, and so this is where we start to wade into more uncertain territory, and I believe we would do well to proceed with an abundance of caution. And I do want to speak about -- this is where my vocational expertise may come in handy because, you know, I am somebody who is a technologist, who works with digital technology every day, and I believe that the possibility of a new data center in our community might sound exciting to some of us, but I would urge you to reconsider that if you believe that. There are many reports and outlets like the Financial Times and Bloomberg and the Wall Street Journal that are revealing that this nationwide trend, the data center build-out is built on the shaky economics of the generative AI industry, and it's important to understand that the -- all the, like, computationally intensive processes of generative AI, those are the things that are the primary drivers of these new data center construction projects. And these reports that are coming out every day have very clear empirical evidence that all the demand for this computing capacity is about to drop very dramatically, which I think begs the question, if we are to allow this rezoning and if this data center project ultimately is built, is anybody going to need this facility in a year? I don't pretend to know the answer to that question, and I encourage, you know, Mr. Gordon Arbuckle and his partners to provide more information about what they plan to do with this land, how they plan development, and, you know, how they plan to navigate all these economic challenges. If they do come forward and have -- with more details, we should really expect to hear some precise details about how they will mitigate environmental impact on the neighbors' land lives, and how they will mitigate the potential strain on our city utilities. For instance, are we going to be able to -- are we all going to see our electricity and water rates go up because of this new facility which is something that has been experienced by other communities that have gone forward with these sorts of developments. You know, right now, I think we don't -- don't know very much, and I think the most reliable source of information are the people who actually live close to this property, the people who live on Hinkson Creek Road, and so we should listen to them. We should listen to folks like Ms. Reece Miller,

who I know has submitted a public comment --

MS. GEUEA JONES: And, I'm sorry. I'm going to have to cut you off. That's your three minutes.

MR. GORDON: Oh, sorry. Forgive me.

MS. GEUEA JONES: It's okay. It's okay. Any questions for this speaker? Seeing none. And I just want to apologize. For some reason, I could not reply to your message. I don't know why it locked me out.

MR. GORDON: That's okay.

MS. GEUEA JONES: But I was trying to tell you to get together with the staff, but it sounds like you did.

MR. GORDON: I didn't, but I showed up anyway.

MS. GEUEA JONES: Okay. Thank you. Appreciate that. Appreciate that.

MR. GORDON: Yeah.

MS. GEUEA JONES: I didn't want you to think I was ignoring you.

MR. GORDON: That's okay.

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

MR. PATTERSON: Commissioners, my name is Josh Patterson. I am the owner of the property -- I don't know if it was intention or unintentional acknowledging at 3411 North Hinkson Creek Road. This is this little pizza slice right below the proposed property right here. I don't necessarily know that I'm for or against this particular one. I was coming to this meeting as more educational to try and understand a little bit more about this. I'm glad that some of my other neighborhood members, because we are a very small neighborhood. There's just a couple of houses. Quite frankly, I'm the only residential right there that would be directly impacted by this as they slightly mention on the topography, the water drainage area is not adequate whatsoever as it is right now from that industrial area. As it comes down the hill, it floods my property terribly. There's a little drainage ditch off the side of the pizza slice that floods into my yard and floods up to my house. I would hope that this Board would pay close attention to that. I know that Hinkson Creek is very kind of a hot topic right now with the DNR and everything going on. And the Alspaugh land, this is kind of a nature area to pay close attention to. We want to -- it's an area that we may want to preserve and not be polluted with kind of a major industrial where we already have that much over there already, but this is then going to be draining into the Hinkson and honestly directly onto my property right there to the south of that border.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Ortiz?

MS. ORTIZ: If -- if the storm water was addressed, would you have any opposition to industrial?

MR. PATTERSON: If they're trying to clean up the area and maintain and especially if they want to improve that storm-water drainage, that would be nice, because right now, when it floods too badly, and I have footage if you really want to see it, it will actually flood across the road and, like, in around my house and stuff. Honestly, it's just the house that stays; otherwise, everything else kind of goes under

water. I'm just learning this. I bought this property in December of '23 is when I -- my girlfriend and I are starting a family. And this is still residential, this is not just an industrial park. There are residences around here that is still a family area. And if there is access on that Hinkson Creek Road, they're definitely needs to be development. There's a single-lane bridge right there coming off, and there's already problems with people dumping and thinking that it's not part of the city, and they just kind of throw trash and a freezer and fryer were thrown out on that road, and I'm constantly trying to clean stuff up.

MR. CRAIG: Sir, can you -- can you get up on the mic a little bit more for our court reporter. Thank you.

MR. PATTERSON: Oh, sorry. Yeah. As I was saying, like that gravel road right there, North Hinkson Creek Road, really would need to be improved if it's -- even if it's, like, a secondary access to that industrial site. Like, I understand the growing of this, this may get approved, but something for this Body to keep in mind, the -- the neighborhood around there is going to be impacted, and I appreciate your time thinking of this.

MS. GEUEA JONES: Thank you. Any further questions for this speaker? Seeing none. Thank you very much. Next person to speak on this case, please come forward.

MR. ELLIS: My name is Isaac Ellis; I live at 2309 Nelwood Drive. I -- my wife has just been up here. I actually farm and raise cattle on the southwest of the zoned -- what will be zoned agriculture space of this if it goes to a vote here. I'm sorry -- southeast. Excuse me. So I raise cattle there on Ms. Janie Reece Miller's property. So I understand the corridor being -- and therefore industrial. I understand what Mr. Arbuckle is trying to do. I am a little bit fearful of the data center, the water requirements, the energy requirements, the possible pollutants. We already receive in the Hinkson Creek River PVC particles from the extruding of PVC up the road. Swift Meats Company, during the building of that, saw incredible amounts of garbage, trash, foam in the Hinkson Creek River floating right next to the farm. I understand that development will happen in Columbia. I understand that it will grow, but it sounds like we're just going rezone it without understanding what the property will be used for. And I would appreciate more explanation, more understanding of how the property will be used. Will it encumber the creek? Will it encumber the small neighborhoods that are around? Would it be better served to move further north or further south of Columbia rather than continuing to move in on those communities? Those are my main questions. I would hope that this -- this group would seek more information on how the property would be used.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you for being here tonight. The next person to speak on this case?

MS. DARLAND: Hello. My name is Hallene Darland; address is 558 West Crofton Hall. And I just wanted to come up here and say that I understand that rezoning this as industrial is neither here nor there in terms of a data center. Right now, we're not talking about what's going to be built there, we're talking about rezoning. But obviously the word of the data center has gotten out. The owner himself has stated. It's even in the official notes of this meeting. So I'm actually the network infrastructure specialist

with the Columbia Public Schools, so I really understand how these operations run, and I also understand that cities don't have a lot of infrastructure or regulation in place to support or kind of keep them in check. And I know that we -- they have said that, you know, that there's no -- there is no obvious intention to -- to build a data center or anything, but I'm very concerned hearing about that. Just when they went over the industrial regulations that this zone would take on if it was rezoned. The thing about data centers is they don't have a lot of lights, they don't have a lot of noise, and they don't have a lot of waste. They -- they -- they have other impacts that can really harm a community. A lot of data centers will come into an area and say that they're bringing jobs and that they're bringing growth to a community, but I can say that even as a network specialist, they wouldn't hire me at their data center. They would bring in their own staff, their own people, especially places like Nvidia and Oracle, like, they're not going to be trying to hire local Columbians to run their data center. They're going to come in and set up shop, and they're going to close their doors, and they're going to do what they do. So I am not against rezoning this parcel. I think that with the flood plain being what it is, and a lot of people attributing to there not being a lot of, like, development in the area, and also that there is just uncertainty about what exactly this land is going to be used for. I think that I would like to see a little hesitancy going into it, and I -- I mean, obviously, people have questions and concerns. So, yeah. That's all I have to say.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you for being here tonight. Next person to speak on this case, please come forward. Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment. Are there any Commissioner comments on this case? Commissioner Darr?

MR. DARR: I guess this is for staff. Is data center listed as a specific use in the UDC?

MR. KUNZ: No. It would be classified under light industry, and that's where I pulled up the use specific standards here for -- I went past it.

MR. DARR: Does staff feel like the light industrial is robust enough to handle what a data center is?

MR. KUNZ: Yeah. It would involve the -- like, I guess, it says the storage of things in, like, a large capacity is one of the explicit uses in the definition for light industry. So -- and I believe that that would be classified under that definition. I don't know. Mr. Zenner, do you have any other comments about that?

MR. ZENNER: Use is not defined specifically within the Unified Development Code. They are evaluated against similar uses found elsewhere within it, and then they are categorized appropriately. I would suggest that if we look at what other types of uses are categorized as industrial, the director at that time would conclude that light industrial is the appropriate zoning classification. This is not a heavy industrial use because it is not extracting raw materials, nor doing anything outside. The building is -- or the use would be entirely within an enclosed building, which is one of the principal differentiations

between light and heavy industrial uses. You must have 80 percent of your operation interior to be considered light industrial. So when we look at 3M, and we look at some of our other manufacturers up on the corridor, they're further to the north of this, they all fall into a light industrial categorization. I don't believe we could state that a data center, if that is what is to be built here, is any more intense than potentially the manufacturing facilities that are to the north, with the exception potentially of the utility infrastructure demands that they may draw. That would be an issue that would be discussed and determined -- it's adequacy, the adequacy of our systems would be determined before permitting would be issued. It would be something that we would have to address as a part of actual, formal consideration of a development project in permitting. We do not have any of that in front of us, so, yes. What this record shows, what the presses carried, what the owner is suggesting, has not been reviewed by staff at this point. We do not have the information specifically, and as has been discussed also, this decision is based about the appropriateness of a land use designation, not a use specifically. So light industrial is where this would likely fall, based on all of the characteristics that the use that has been being discussed would likely comport with when we look at it from a broader perspective of uses within the zoning ordinance that is defined.

MR. DARR: Thanks.

MS. GEUEA JONES: Any -- Commissioner Wilson?

MS. WILSON: Would the property owner or developer have to come back to us with any type of plans for us to understand? And I am asking this as a person who has worked in technology similar to the person who works for the school district. Data centers do not bring jobs, and I would be very concerned that we've got a large parcel of land in our community being used that's not of benefit to us.

MR. ZENNER: The only action that this Body will have brought before it is a platting action, and you will not see development plans. The development plan process for this is through our other regulatory processes that are not within the purview of this Body. And so, the zoning of this property is a decision that this Commission must make a recommendation on and Council must weigh based upon the public comment. If Council does not believe that this is an appropriate industrial parcel, that is their purview. It is yours, as well. And at that point, possibly acquiring or attracting a use that does not offer a great value to the City is something that would be addressed. If the project is otherwise compliant with our regulatory standards and is proposed by an applicant, unless they are asking for something unique, such as a Chapter 100 bond to help offset the tax costs of infrastructure or things of that nature, there may be very limited involvement of the City Council once a zoning action and a platting action has been approved. We're going to assure through the platting side of it, all of our requirements -- access and all of the other things that we would typically require -- will have been addressed and the site will be set up then for development of some nature. So that is the way that this plays out. Will the future development of this site be contributing to the City's economic value? That is yet to be seen. We don't have that information because we don't have a formal request before us on a use specific nor the circumstances by which that use may seek assistance.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: This is like planning and zoning for dummies for me because -- so if we approve the zoning and I understand what we're up against, but the public would have -- assuming they do -- someone would follow through with that data center, there would be no other public -- a point in the future where the public would have an opportunity to speak opposing that once the zoning tonight might be approved?

MR. ZENNER: Not -- not unless there is another triggering event that would require hearing and a public decision to be made by an elected body.

MR. WALTERS: Okay. That's what I thought. Thank you.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: What can this Body consider in this case? Like, what are we actually deciding on?

MR. CRAIG: Sure. As pointed out, the -- the zoning action and the data center are two discreet issues.

MS. ORTIZ: Uh-huh.

MR. CRAIG: So by state law, straight zoning requests or applications for straight zoning, this Commission can't do any conditions upon that. It's -- it's a yes or not. And the criterial for approval is very simple. It's in Chapter 29, Article 6, subsection 4 and 1, and it's simply that the zoning request conforms -- does the zoning request conform with the Comprehensive Plan, and is there adequate utilities, drainage, water, sewer, electricity, and other infrastructure to support the IG -- an IG development. That's -- that's it.

MS. ORTIZ: Thank you.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: So adequate utilities is -- is a -- it would be a consideration both for the Council to approve it at some point in the future, or at the time of approving the zoning? I mean -- I'm sorry. So consideration of adequacy of utilities would be pertinent at the point --

MR. CRAIG: For the zoning -- for the zoning application, yeah. So, I mean, it's the same criteria for this Commission and for Council moving forward.

MR. WALTERS: Okay.

MS. GEUEA JONES: For tonight. Commissioner Wilson?

MS. WILSON: If we don't know what's going in -- are we assuming adequate utilities for light industrial?

MR. CRAIG: Right.

MS. WILSON: Okay. Thank you.

MR. ZENNER: If I may, because I think where you're going here. The ability to bring adequate - - there may be inadequate utilities at this site today. It's because it is an undeveloped agricultural parcel of property. There is not an identified capacity issue with serving this property for a series -- a spectrum of uses in the IG district, which contain commercial and light industrial uses. So to conclude that because

the parcel is presently not served by high capacity services does not mean that this site is not capable of having it being served by those to support a commensurate development. We've got to be very careful about if it doesn't have any utilities, that's one thing. It has access to utilities. It has access to road, water, sewer, and electric utilities. Do they need to be potentially upgraded to support a more intense use than what currently exists? Very likely, but that is all part of the future development of the property as the zoned tract -- as the zoning is being sought. Your zoning -- your future development will control -- I should say the adequacy and the availability of upgraded infrastructure will control the uses that go on that property in that zoning district. So drawing that distinction potentially may be helpful. Does the parcel have no infrastructure seek a zoning classification that would require at least a minimum of infrastructure, or does it have the ability to get that infrastructure to be able to grow into its future use. That's what I'm suggesting may be a valuable evaluation that you go through.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: Sorry. Real quick. So this Body, you outlined what we can consider, but City Council has more discretion than this Body does. Correct?

MR. CRAIG: Not necessarily, no.

MS. ORTIZ: Oh. Okay. Okay. Thanks.

MS. GEUEA JONES: So -- oh, go ahead, Commissioner Brodsky.

MR. BRODSKY: Just want to weigh in on this one for the benefit of my fellow Commissioners. I -- I think I'm supportive of this. I mean, it -- the City, for a long time, has promoted this area as where we want industrial to go. We've increased sewer, we've increased water, we've increased electrical capacity in this area. But I -- and I'm speaking from somewhat of a place of ignorance here. I -- I do think this community needs to get out ahead of the potentiality for data centers to come to Columbia. For me, it's a pure supply-demand economics with electricity and water. And there seem to be credible reports that electrical and water can be severely affected for the surrounding community. So while I am supportive of this rezoning, I would urge City Council to get ahead of these data centers and make sure that we have the tools as a city to set proper bounds on that particular use.

MS. GEUEA JONES: Anybody else? Okay. Sorry. I don't -- I mean, I know why we do staff questions at the beginning, but we're now grilling you at the end. I apologize. Remind me, before a building permit is issued, they're going to do storm-water run-off, they're going to require improvement of the Hinkson Creek Road at the cost of the developer potentially, depending on factors?

MR. KUNZ: Yeah. That's correct. They'll have to have a storm-water prevention plan that approved by Building and Site Development before they could start building in the first place, and that will have to ensure that any of the impacts created on this -- it doesn't have greater flow off after they develop it than it did before. Regarding improvements to Hinkson Creek Road, they will have to dedicate their right-of-way for the road. If they do want to utilize it for commercial traffic, I think that that's -- it may require improvements just due to the size of potential vehicles that would be on the street, but --

MS. GEUEA JONES: But the building permit may say you have to access it from Route B?

MR. KUNZ: Or the -- the plat configuration could --

MS. GEUEA JONES: Plat. Yeah.

MR. KUNZ: -- I believe, potentially limit the access, but --

MR. ZENNER: Platting could have that impact. I think, again, at the time of building permitting, we know what we're -- what we're getting. So there is the opportunity at that point, if it does trigger a traffic -- a traffic impact assessment, it's at that point that what the traffic impact assessment specifies is necessary improvements to serve the site, those would have to be installed at the applicant's expense. Obviously, if their intention is to develop up on the corridor, the improvements are likely going to be focused on the Paris Road corridor, not on Hinkson Creek. So under standard City practices, existing substandard roadways that traverse one's property, unless they are integral to that development's improvement, dedication of right-of-way is all that is required, but the substandard nature of the travel way would be left in place until likely a future capital project would be built within that dedicated space. So platting will dictate a little bit about what happens to Hinkson Creek Road if it is left segregated, as Mr. Kunz pointed out, is possibly an unplatted agricultural land parcel, and the northern part is the northwestern portion of the property is replatted that's sought to be IG, it's -- the focus is going to be on the IG as we're dealing with improvements, not necessarily on the unplatted tract of land. Our development code does require acreages up to 80 acres owned and controlled under the same individual must be platted at once, and so I believe if when we do a more deep analysis to the platting standards, the entire acreage that is owned by the Arbuckle Trust will be required to be platted, so you're going to get an agricultural parcel. To Mr. Brodsky's question, it will be segregated based upon the legal description that is being used with the zoning request, and that would then segregate that to a lot in and of itself, so all of the flood plain and all of the environmental features would be in a lot, and the developable portion of the property, less the areas that are encumbered by stream, would be in the other one. But by platting, all of those streams and requirements would be addressed per the way that the Code is structured -- Chapter 12-A of our Code.

MS. GEUEA JONES: Well, and I think that was my next question. So any environmental impact would come at the time of platting and/or site development plans?

MR. ZENNER: Correct.

MS. GEUEA JONES: Okay. What is the -- the most intense use that could come into IG as heavy industrial?

MR. KUNZ: Which would require a conditional use permit, as well. Yeah.

MS. GEUEA JONES: Okay.

MR. KUNZ: Yeah.

MS. GEUEA JONES: So if they wanted to do something that was classified as heavy industrial, they would have to come back to us?

MR. KUNZ: That is correct.

MS. GEUEA JONES: We think, and I -- I have lots of things that I want to do with my life and

business and property and whatever. So, you know, it doesn't sound like, unless we were just boldface lied to tonight, it doesn't sound like there's a buyer lined up to do any of this. It sounds like this is all wish-list stuff. But I would be much more concerned about the impacts on Hinkson Creek of just plain water run-off, of, you know, frankly, a heavy industrial or even a larger version of Swift, I think, would have more of an impact. I'm looking at what else is around here. It doesn't show on the map in front of us, but the landfill is not far from here. We've got an auto salvage yard that is, you know, within close range of all of this. I mean, this -- this is an industrial area that is bordered by residential, and we've got a buffer between the two in that agricultural plat. So I'm leaning towards yes and trusting our Code and our site development and our use specific standards to put some safeguards in place. All that said, if City Council is listening, I agree with Commissioner Brodsky that if, in fact, not just data centers, but large computing spaces are likely to be something that we have to deal with in the future, whether it's because of, you know, large language learning models, whether it's because of generative -- whether it's because of just processing power. And I think it's worth doing some real looking at what are the requirements that we want to put around those. How much water do they actually use? How much electricity do they actually use? Do we need to think about land use for, you know, multiple acres of computers? I mean, they're heat sinks, if nothing else. Right? So I think it's worthwhile to do some research, not that we don't have enough of it on our plates, but do some research into do we need to put use specific standards around this use. That said, thank you to everyone who made us think about that. That is not what we're talking about tonight. What we're talking about tonight is what do we do on this parcel that is surrounded by IG, but is close to Hinkson Creek? And I just -- I don't see a reason to deny the zoning, especially since our IG zoning is so broad. It sounds -- but industrial could mean an auto parts yard. Like, it's so broad in our Code that I don't have a problem with the IG, especially given all the safeguards in place once they go to pull permits to actually break ground. And that's my -- thank for indulging us. Commissioner Wilson?

MS. WILSON: We have a lot of complicated ones this evening, and this one is tough, too. It's tough because I recently watched a documentary about another community that went through this exact same thing. They were told one thing and the results were different. Part of it was because they have these backup generators that are used in the development of the property, and those have diesel fuel and a lot of waste, and they were not taken away. They're continuing to be used. So although I know we're not specifically considering and talking about the data center, because that conversation has been introduced, it gives a whole different spin to this conversation to me for multiple reasons, and the largest one being that the benefit is just not there. We're not getting anything from our land being used by a large conglomerate. And again, this is -- I've worked in this industry for almost 20 years. So this is -- this is just difficult for me.

MS. GEUEA JONES: Any further Commissioner comment? Commissioner Gray?

DR. GRAY: Sorry, staff, again. I just have a question. So in terms of your support, it aligns with the Comprehensive Plan goals related to economic development. I'm curious about that there's kind of a tension between the policies around environmental management, particularly around one of their policies

that suggests, like, strategies for maintaining agricultural areas. So I guess I'm wondering is the underutilization of this land and its current zoning kind of what is the, like, weighing on this?

MR. KUNZ: The fact that it's not utilized for agricultural purposes, I would say was a consideration that we made in support of this, but I also think there is a potential it wouldn't be requesting rezoning to IG if it were being utilized for agricultural purposes. I suppose it's a little bit difficult to say exactly the extent to which, but when looking at this, it's particularly thinking about the economic development goals of getting industry nearby roads that have the capacity to move things quickly and easily without impacting neighborhoods. I understand the data center doesn't -- if that were to be what were pursued, doesn't necessarily result in a lot of vehicular traffic. However, if we're just comprehensively looking at the industrial zoning district, which may require larger commercial vehicles and increased traffic induced by that, this is a prime location for that. The applicant has made the request for it, so -- and it's not being used for agricultural purposes, as well. So, yeah. I'd say that's -- (inaudible) -- to my analysis.

DR. GRAY: Thank you.

MR. ZENNER: I think, as well, Dr. Gray, what we -- what we have to understand is, as you pointed out, there is a tension between the cap, which is a policy and aspirational document, and the adopted City Comprehensive Plan which functions as a component of regulatory administration. We have to rely on our Comprehensive Plan's goals and objectives as we evaluate requests. The CAP does not have those same considerations. And so, this is a -- this is a dilemma that as we embark on rewriting our City's Comprehensive Plan, there will be a tension chapter. And that tension chapter, based on current comprehensive planned structure is to address this exact issue. When you have two equally viable objectives, which takes precedent over the other? And so what we would have to look at, and I think as Mr. -- (inaudible) -- pointed out with the applicant's engineering firm, you have an industrial vacancy rate that is extremely low. I think if we had our representatives from REDI here, our representatives from REDI would have other perspectives to provide here for why this is an appropriate additional industrial addition to the city of Columbia. If we are going to continue to try to cultivate industrial uses, possibly not a data center, but market acreage for other industrial uses, we have to have land that is zoned or ready to accommodate that. This does provide that. I think, again, the warning and the request of Council that you all are asking that they take into consideration possibly the impacts, should we venture down the path of a data center in this community, I think that is warranted. I think it is something that we can be asked to look at if Council so chooses to do that. But right now, we have to weigh what we are obligated to look at and that is the Comprehensive Plan. That does not negate, and I do not want to upset the mayor because the mayor obviously was one of the champions behind our CAP. But it is not the regulatory basis by which we make land use decisions. That is the Comprehensive Plan. And so if we align through our new Comprehensive Plan how we strategize to evaluate both, I think we are in a much better position moving forward, but we're just not there yet.

DR. GRAY: Thank you.

MS. WILSON: There is another consideration, again, given the scenario of a data center. There is a lot of waste. With the turnover of servers, and given how quickly technology advances and turns over, that metal, those batteries, there's a lot of electronic waste, there's a lot of metal waste. That's a lot of waste and what do you do with all of that. So that's just another consideration.

MS. GEUEA JONES Commissioner Stanton?

MR. STANTON: I completely agree with all my colleagues, but the task at hand is the zoning of this parcel, which I do support, but I just want to cry out and put on the record so that our Councilmen and women will definitely don't fall for the shiny objects and the typical marketing mumbo-jumbo that comes with this kind of availability of land. We do need to look at data centers a little closely. They do not generate the jobs that somebody may tell you they do. Even if this not a data center, make sure that the use of this land is for the benefit of the community in its highest capacity just like we want to use our land to as high a capacity. What we do put on this land, if approved, needs to have those same requirements. And I do support the study of data centers and don't fall for it without further study.

MS. GEUEA JONES: I would just add, like, what -- I'm guessing that the trust is going to sell to the highest bidder. You could also put a hotel or a heavy equipment retailer, like, you know, someone to compete with, God forbid, EquipmentShare could be on this parcel. You could have a drive-in theater. You could have a nursery, like, you know, a garden nursery, not the kind with children, but there's a lot of things that could go there. We have regular requests for and occasional presentations from Plaza telling us please, please make more IG land. We have people calling us asking can they buy IG land. I have no doubt that we need it. I have no doubt that Mr. Arbuckle has plans. I have every belief that he will sell to the highest bidder who comes in as fast as possible. I have every belief that there are people waiting to buy IG property in Columbia, and it's not just Nvidia. In fact, it's probably not Nvidia because they're not here. So, I mean, I hear the concerns about one particular use, and I'm not taking those lightly or saying that those aren't founded in fact. I also believe that there are so many other uses that are more likely in the real world just based on what we hear from the various developers in the community who say that -- and the realtors who say that they have people coming to them all the time asking to buy this. I think the best thing we can do is zone it for what's appropriate. Everything around here, you know, this is a commercial area. I think IG makes sense. I think we need use specific standards especially if we believe that this is likely to become -- likely to be purchased by a data center. We need to get use specific standards and as quickly as possible related to load. Here's the other thing I'll say, and, Commissioner Brodsky, I think you'll agree with me on this. There are other things we have in our Code, like, marijuana cultivation facilities, that use so much water and electricity, they often have to have their own substations built out just to open up and operate. We created use specific standards for them. This is something we can do. It is not a reason to not allow this parcel to be used like the parcels around it in a way that is responsible and makes sense. And I am especially more comfortable given that that entire flood plain parcel is going to be left zoned Ag, which means that they can't even try to figure out an exception to expand into that floodplain. So that's -- that's where my head is at. I -- you know, I think this is going to

be one of our rare split decisions, and -- but that's where my head is at. Any further comment, or would someone like to make a motion? Commissioner Gray?

DR. GRAY: Okay. Let's see if I can do this. In the case of 301-2025, 3815 Hinkston Creek Road, I move to approve the request to rezone 63.11 acres of this subject site from agricultural to IG.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner Gray; seconded by Commissioner Stanton. Is there any 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: Ms. Geuea Jones, Dr. Gray, Ms. Ortiz, Mr. Stanton, Mr. Walters, Mr. Brodsky, Mr. Darr. Voting No. Ms. Stockton, Ms. Wilson. Motion carries 7 to 2.

MR. BRODSKY: The motion carries seven to two.

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