

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBERS**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**JUNE 20, 2024**

**COMMISSIONERS PRESENT**

**Ms. Sara Loe**  
**Mr. Anthony Stanton**  
**Ms. Peggy Placier**  
**Ms. Shannon Wilson**  
**Mr. Thomas Williams**  
**Mr. Matt Ford**

**COMMISSIONERS ABSENT**

**Ms. Sharon Geuea Jones**  
**Mr. Carl Baysinger**  
**Ms. Valerie Carroll**

**STAFF**

**Mr. Pat Zenner**  
**Mr. David Kunz**  
**Mr. Jesse Craig**

**I. CALL TO ORDER**

MS. LOE: I would like to call the June 20, 2024 Planning and Zoning Commission meeting to order.

**II. INTRODUCTIONS**

MS. LOE: Commissioner Stanton, may we have roll call?

MR. STANTON: Yes. Ms. Loe?

MS. LOE: Here.

MR. STANTON: I am here. Mr. Williams?

MR. WILLIAMS: Here.

MR. STANTON: Ms. Placier?

MS. PLACIER: Here.

MR. STANTON: Ms. Wilson?

MS. WILSON: Here.

MR. STANTON: Mr. Ford?

MR. FORD: Here.

MR. STANTON: All right. We have a quorum, Madam Chair.

MS. LOE: Thank you.

**III. APPROVAL OF AGENDA**

MS. LOE: Mr. Zenner, are there any additions or changes to the agenda?

MR. ZENNER: No, there are not, ma'am.

MS. LOE: Thank you. I'll take a motion to approve the agenda.

MR. FORD: Motion to approve.

MR. STANTON: Second

MS. LOE: Moved by Commissioner Ford; seconded by Commissioner Stanton. We have a motion to approve the agenda. I'll take thumbs up approval on the agenda.

(Unanimous vote for approval.)

MS. LOE: It appears unanimous.

#### **IV. APPROVAL OF MINUTES**

MS. LOE: Everyone should have received a copy of the June 6, 2024 meeting minutes. Were there any changes or amendments to the meeting minutes? Seeing none. I'll take a motion to approve the meeting minutes.

MR. STANTON: Move to approve.

MR. FORD: Second.

MS. LOE: Moved by Commissioner Stanton; seconded by Commissioner Ford. I'll take a thumbs up approval of the meeting minutes.

(Unanimous vote for approval.)

MS. LOE: Unanimous. Thank you. That brings us to our first case for the evening, Public Hearings and Subdivisions.

#### **V. PUBLIC HEARINGS AND SUBDIVISIONS**

##### **Case Number 158-2024**

**A request by Crockett Engineering (agent), on behalf of Walter T. Sorrels & Dorothy M. Sorrels Family Trust (owners) seeking approval to zone 18.62 acres to M-C (Mixed Use - Corridor) district zoning as permanent zoning subject to annexation. The property is currently zoned Boone County R-S (residential, single family) and is located at 1003 East Brown School Road. A concurrent request (Case Number 159-2024) seeks to preliminarily plat the property in a single lot in preparation of future development. (This item was tabled at the Planning Commission's June 6, 2024 meeting, Case Number 158-2024.)**

MS. LOE: May we have a report, please?

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends denial of the request to permanently zone the subject 18.62-acre site to M-C (Mixed Use - Corridor).

MS. LOE: Thank you, Mr. Kunz. Before we move on to questions for staff, I'd like to ask any Commissioners who have had any ex parte related to this project to please share that with the Commission now so all Commissioners have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? If there are none, we will open up the floor to

public comment.

## **PUBLIC HEARING OPENED**

MS. LOE: Please give your name and address for the record. We do limit comment to three minutes for an individual and six minutes if you're speaking for a group.

MR. CROCKETT: Madam Chair, members of the Commissioner, Tim Crockett, Crockett Engineering, 1000 West Nifong. That's going to buy me a little more time maybe.

MS. LOE: We won't start the clock while you're --

MR. CROCKETT: I woke up this morning and I wondered if I needed to even show up today because news outlets were reporting that the Commission was going to deny this tonight. So I'm not sure if I even need to be here tonight, but I'm going to give my presentation anyway. I had several texts and e-mails all of a sudden blowing up my phone, and apparently one of the news outlets got ahold of the staff report and said it was basically a done deal that it was going to be denied, so that was interesting. So I'm going to -- just briefly give just a little pre -- while we're working on this. I'm here tonight -- Michelle Casey is with me here tonight, as well as Paul Land. Michelle Casey is the executive -- or the associate director and campaign director for the Central Missouri Humane Society. Also she'll speak briefly, and so is Julie Aber, the Executive Director, as well as Bob Churchill, President of the board. There we go. Thank you. I believe the overview is pretty straightforward. I think that's very similar to what Mr. Kunz presented. Normally, I stand up here and I say we concur with staff and we -- you know, he did a very good, thorough staff report. In this case, I take exception to some of the items in there, and so, respectfully -- this doesn't happen very often, and so I respectfully going to disagree with some of their -- some of their comments in the -- in the staff report that we'll go over here briefly. Again, the location, you're familiar with the location map of the site. Similar to what Mr. Kunz had, I had issues and problems trying to mesh County zoning and City zoning into a single map, so mine aren't nearly as nice as his, but you can kind of see some of what we have shown here. The site in the middle of the -- or the subject site in the middle of the slide, the red is M-C, the purple is -- the light purple is M-L, and then you've got PD, which is the other purple, and the yellow is residential. I would like to note that when we talk about residential property in this area, I'm trying to transition down. The adjacent properties are larger -- older, larger tracts, and we would certainly anticipate that they would redevelop as you go through in the future. When you zone out just a little bit, I think this is an important slide. When you zoom out just a little bit and start looking at this corridor, we always refer to 763. I grew up in that area not too far from this site. It was always called Rangeline Corridor, 763 corridor. That's exactly what it is, it's a corridor, and you can kind of see the corridor up and down. You see all the red, all the purple, industrial and M-C zoning. There's not a piece -- there's one little piece over here on the far-left side that's M-N. All the rest of it is industrial and M-C zoning or C-G in the County zoning. Preliminary plat, we can talk about that if you need to. That's going to come up possibly at the later -- later tonight. The star represents the subject property. This is a snippet from CATSO from the -- from the major roadway

plan. The two dashed purple lines are major arterial roadways. There's not very many intersections at two major arterials that we have in town. Behind that the orange line is a residential -- or, excuse me -- a non-local -- or, excuse me -- a non-local --

MR. KUNZ: Local non-residential.

MR. CROCKETT: -- local non-residential. Excuse me. A local non-residential street, and we'll talk about that a little bit more in detail. Again, let's back up here just a bit -- zoom out. Again, the purple lines are the major arterial roadways. We're right at the intersection of two major arterials. The next intersection of two major arterials going south toward town on 763 is at the Business Loop. That's how far down you have to go to, you know, Smiley Lane and Big Bear and all those other intersections -- Blue Ridge Road. None of those are intense -- or as intense as that intersection will be. Now let's look at the orange lines on both sides. Both -- on both sides of the corridor, if you will. You'll start to see that it's being framed with what I would refer to as a rearage road. So you can kind of see that framework. And what goes between the rearage road and the main corridor itself is more intense higher uses. Now let's zoom out again. This is kind of hard to see. There's our star pointed in the top, but you can see where that -- why is that a major intersection of two major arterials is because it's going to be one day the connector between I-70 and 63. So it's a major intersection. So the proposed -- so why -- what's the purpose of the rezoning? Well, first of all, M-N zoning does not allow the proposed use without a CUP plan. The issue that we have right now is we don't have a building size, a layout, a configuration, all those things are unknown at this time. We don't know how we're going to lay out that site exactly. We know that we want to preserve green space, we want to have open space, we want to have other mission partners included in this project with us potentially. They're not needed, they're not going to be driving factor, but we would like to account for some of those. Another, you know, a private vet and, you know, other entities like that. The first question that the Board gets asked and the first question that Michelle gets asked when she's raising funds is where are we going. They have a lot of donors that want to donate money to this project, but they want to know where it's going first. And so for them to come in here and say, okay, we're going to spend a lot of money on building plans, this isn't the first site that they've looked at. They've had other sites that they've looked at. And the concern with that was is every site has a different building that goes on it. And every time you redesign a building, it just takes a lot of money working with architects, trying to lay it all out, and we have to -- that's what we have to do here. So we had to go, basically, through a plan process. It's very costly to do so. So why here? So, again, the proposed site gives us the room to grow, and it's something that they don't have now. If you're familiar with the Humane Society, they don't have a lot of space. It also allows for that green space and open space that they would like, and it also allows for their partners. So here's some responses I would have to some of the staff comments. First of all, Highway 763 serves as a buffer to the east and Brown School Road serves as a buffer to the south. So if that's the case, if there are buffers, if they're talking about buffers are going to -- you know, those major roadways are going to be buffers from the M-C, you

know, with the adjacent properties, we have a rearage road. What's the difference in that rearage road and these rearage roads? All of those out there have high intense commercial uses up along 763 and they have residential behind them. That's similar to what we're asking for in our request. If you look at the definition of major arterial, you can look and see what it says. This comes right out of Columbia Imagined. They are major roadways that handle the bulk of the through traffic within the City. Now look at the local non-residential. Now this is the rearage road that they're -- that CATSO says we have to have on the back side of our property. It says that it is a low-volume, low-speed street that provides access to commercial, industrial, institutional, and other intensive land uses. So if we're going to have a rearage road back there, CATSO is saying that they're going to -- you know, it's supposed to be there for intensive land uses. So I believe that M-C is an appropriate use for that specific purpose. Let's go back and look at the dash lines. There again, those dash lines are the local non-residential streets that parallel 763, and you can kind of see how they act as rearage roads through there, how you have a lot of layers, you have the residential beyond that. And so we anticipate that same thing happening here. As the land west of this property would redevelop, it could redevelop in transitional zoning, just like it did south of our property on the other side of Brown School Road. When you see that that has M-OF and PD, they didn't do it up at the intersection, they did it further back on their property. That's what can happen, exactly what can happen west of this development. The next item is it says the zoning in the entirety of -- excuse me. Zoning the entirety of the site to M-C would permit commercial uses too intense for the abutting properties. We have written or verbal approval from our neighbors. Now this isn't all the neighbors that we have approval from. We have others, as well. We didn't feel comfortable putting it up there because they -- I wanted to hear it themselves. But these are the property owners that we spoke to directly that gave us a letter or gave us verbal approval. They're okay with not only the M-C, but also the use that we have. They understood, we went through, and we told them what we're doing. We're doing -- it's for the Central Missouri Humane Society. Those residents had no concern with it. There's a couple -- I think you have those letters. Here's copies of them, as well. Some of the M-C uses that are permissible by right have no use-specific standards that would be inconsistent with the abutting parcels. Again, we have support from our neighbors, so the M-C that are permissible by right have no use-specific standards and would be consistent with the abutting parcels. The neighbors understand what we're doing here. They're okay with it. The UDC has neighborhood protections in place; and furthermore, there's use-specific standards for our specific use that pushes us off those property lines. So if you have a kennel or an animal hospital, we're 200 feet away from those residential uses, much further than any other setback.

MS. LOE: Mr. Crockett, are you going to go back --

MR. CROCKETT: Yes, ma'am.

MS. LOE: -- or forward to the neighbors? So I don't see a letter from the neighbor to the north and northwest, but you --

MR. CROCKETT: Those are the ones that we have verbal.

MS. LOE: You have verbal?

MR. CROCKETT: Yes.

MS. LOE: All right.

MR. CROCKETT: That is Mr. Wheeler. I don't believe Mr. Wheeler is here tonight.

MS. LOE: I don't see him. Yeah.

MR. CROCKETT: No. We had met with him several times. Myself, -- I have met with him. Mr. Land has met with him, I think Central Humane -- the Humane Society has met with him, and he's given us verbal that he's fine with it.

MS. LOE: Thank you.

MR. CROCKETT: Break it now. There we go. Okay. I'll wrap it up here. So, you know, the requested zoning district is considered inconsistent with the neighborhood district designation for the property as shown on the future land-use map in the City of Columbia. Similar M-C zonings have been granted throughout the City of Columbia and neighborhood districts. The land-use map may not show those now because it's been modified after those have been granted. There's been several. I briefly looked at it. There was on Grindstone, out at Lake of the Woods, over on Scott Boulevard, so it's not inconsistent to look at that. I think that some of the -- the age of the land-use map may be out of date in some places. And so I know this has been done numerous times before in the past, and so this is, you know, no different than what we could ask for here. Now while all the other quadrants of the intersection have M-C zoning, none of them adjoin a legal residential zoned lot at the lot line. They have roads which provide a buffer between their commercial industrial developments and the homes. Okay. That's important there. So as they have roads which provide a buffer -- well, I'm going to go back to this slide. We're going to have a road on our far west side that provides that buffer, so it's there. And we're not constructing it, we're granting half the right-of-way, but that road will be planned and it will be constructed at some point. And then this comment, I think this is -- nothing against Mr. Kunz. I think this one -- this is how it reads: None of the -- none of the property north of Brown School Road and west of 763 in both the City and County is zoned anything but residential. I think that was -- it may just be -- yeah.

MR. KUNZ: It was --

MR. CROCKETT: And so, nothing against that. I just want to make sure that if you read that as Commissioners that you didn't think that there wasn't already commercially zoned property in that area, so you can see it through here. So I just wanted to clarify that. And so in conclusion, you know, we believe the proposed site is located at a major future intersection for north Columbia, two major arterial roadways. The proposed zoning to M-C is consistent with other zonings up and down to Highway 763, and M-C is consistent with other intersections in the city of Columbia. The applicant has support from his neighbors. You can see here tonight that I believe that -- I don't want to speak for everybody, but I believe that most of the folks in the crowd tonight are in support of this development. I don't think we

have any opposition here tonight. The neighbors have been advertised, it's been out there, they've been notified, and they're not here tonight. And they're not here tonight because they're okay with what we're proposing. The UDC specifically addresses additional protections needed for varying zoning classifications. So M-C backing up to County R-S, there's zoning -- there's protections in the UDC. That's what the UDC neighborhood protections was created for, and it's worked great in other locations, it can work for that here. And then of course the future land-use map, we've already kind of talked about that. And so with that, Commission, I'm happy to answer any questions that you may have.

MS. LOE: Thank you, Mr. Crockett. Are there any questions for this speaker? Commissioner Stanton?

MR. STANTON: Mr. Crockett, I loved the presentation. I agree with it in part. So what's the problem with M-N --

MR. CROCKETT: Uh-huh.

MR. STANTON: -- on part of the land? I want it to be a win-win.

MR. CROCKETT: Uh-huh.

MR. STANTON: But I'm assuming you want to ride or die with this vote up or down, M-C or nothing. Right? Is that what we're going to go with, or are we -- got room for compromise?

MR. CROCKETT: Well, I mean, I think -- the issue with M-N, Mr. Stanton, is the uncertainty and not on behalf of the vote on P & Z or County -- or, excuse me -- City Council later on, but it's the uncertainty on how we're going to develop the site long term. You know, if the intent is to make it a larger campus, have it -- have an open green space, but we don't know how the building is going to fit. We don't know how the -- what the building is going to look like. We don't know exactly where the dog runs are. We know that we have setbacks to adhere to. We want to work with the existing pond and the existing floodplain and all of that to have that open space and trails and outdoor space for -- for the animals at the shelter. We want to have those opportunities for someone who is looking to come in. You know, you go in now, you see a puppy, and you can play with it inside. We want an outdoor area, as well. We want people to be able to take it on a walk and walk around the pond, and, you know, the animals get -- you don't get exercise. The concern with that is is every time we make a change, we're going to have to come back through this Commissioner because our CUP plan, we don't know what we're going to do. We don't know who our future -- who our future mission partners are going to be out there, whether it's going to be, you know, a private vet or a small retail pet shop that goes -- you know, very small that goes, you know, with what we're looking for. Every time we do that, we're going to have to come back in. We don't know where we're going to site our building. We don't know how we're going to site those future pad lots, either, and so that's the concern. Absolutely, we've looked at that. We did look at that. That was part of the reason why this was tabled for two weeks is that we weren't prepared because staff insisted that we look at it again. We certainly did. We understand that, we took their advice, we looked at it, and this is what we came back with.

MR. STANTON: To quiet the City Staff's fears of the M-C zoning that is going to allow things in the future -- I mean, you're talking right now. You know us, as a Commission, we've got to think 50 to 100 years down the road. So talk to me about -- quiet my fears that the staff is presenting in this report.

MR. CROCKETT: Okay. Let's look at other places where we have high, intense commercial zoning next to residential areas. Has it worked? Has neighborhood protections worked? Yes. I think it's worked out very well, and I think it can continue to work out well. Our UDC was based on that principle that we don't want to go with planned district. Now while the conditional-use permit isn't a planned district, but basically, we have to present a plan that's very similar -- very similar to that of a planned zoning district. And the point of the UDC was to get away from those, and to utilize the neighborhood protections and the use-specific standards to their fullest to protect neighboring properties adjacent to certain uses. And I think the UDC has worked out very well, and I think that we can do that in this location, as well. Now if we didn't have the neighbors on board, I think it -- you know, that's a little bit more of an uphill battle, but we also have neighbors who are supportive of what we're doing, and so they're going to be understandable on what we're -- what we're trying to achieve. And so to answer your question, I hope that -- I hope that did answer it, but I think we let the processes and procedures and the documents that we have right now work as they should be.

MR. STANTON: Thank you.

MR. CROCKETT: Thank you.

MS. LOE: Any additional questions for this speaker? Commissioner Williams?

MR. WILLIAMS: Thank you. For -- to follow up on Commissioner Stanton's question. I guess if you could go to the initial plot diagram.

MR. CROCKETT: The preliminary plat?

MR. WILLIAMS: Yes.

MR. CROCKETT: Okay.

MR. WILLIAMS: And there's two things. One is I don't see a scale on there, so I'm trying to conceptualize what 200 feet from the north side of the lot would be.

MR. CROCKETT: Okay. Mr. Williams, I'm trying to think here. So you see the variation on the far -- on the far-left side of the page, you see that, the right-of-way that runs north and south. Okay?

MR. WILLIAMS: Uh-huh.

MR. CROCKETT: That right-of-way, I believe, is 33 feet. So that's a 33-foot half right-of-way for that future road that runs through there, the future local non-residential. And so if you can conceptually see, okay, so that's going to be about -- from that point, it's about six of those further over is 200 feet.

MR. WILLIAMS: Okay.

MR. CROCKETT: So it's -- it's pushing that limit. So that far north corner, you know, and that's not just off that -- off that property line, but it's also for the north property line, as well, coming down. And



so, you know, we have 200 feet off the west line and 200 feet off the north line, as well. So there's -- there's a substantial amount of area that we have for setback there.

MR. WILLIAMS: And then the second question, and this is probably more towards Commissioner Stanton's point is the southwest -- it's currently the southwest, I guess, plot, is, based upon the -- the -- where the pond is and the drainage ditch, it seems like that's the most likely building space. Is that not large enough to -- to have that be M-C and then the rest of it be zoned separately?

MR. CROCKETT: If -- I guess my -- my comment to that would be that kind of -- if we're trying to buffer what -- Mr. Williams, I'm not sure -- I guess what you're saying, is you're trying to say let's take the southwest corner that's the most developable, most logical location for development, and zone that M-C, and the rest of it M-N, what we're -- I think what that kind of does is that kind of defeats what staff is trying to do is stair-step that zoning further as we go west. And so, you know, by just keeping the north M-N, I mean, I think that possibly could, you know, potentially work for us, but the concern there is is that we have to come back with a CUP plan, anything along those lines, you know, I still think that the concern is is trying to step that zoning down. Staff wants to step the zoning down from east to west, and in doing that, we're taking the westerly most portion and keeping it M-C. We're kind of stair-stepping it down in reverse order there, I guess is what I'm saying. And so I don't think that that would achieve staff's goals.

MR. WILLIAMS: With the drainage in the southeast lot, though, is that -- I mean, is that buildable there?

MR. CROCKETT: No. There's -- there's three things there. There's floodplain. Now floodplain has -- you know, there's certain procedures and processes we can do to develop in the floodplain according to FEMA and the City of Columbia. Okay? But that's limited -- very limited. But the two that really restrict us through there, they're very restrictive, is one is there is a stream buffer. There is a city of Columbia stream buffer that runs through there that regulates that, as well as FEMA floodway. So there's floodplain and floodway. And so there's two items. Floodplain -- or, excuse me -- floodway and stream buffer that would restrict the development in that location.

MR. WILLIAMS: So to your point, though, as far as the east to west, if it's not really developable in the southeast plot, then I'm -- I know that it undercuts the -- what the staff recommending. If it's the unlikely that there wouldn't be any development in that particular quadrant anyway, then the fact that that was M-N and then you have to the west of it an M-C, I don't know that that necessarily undercuts what they're trying to do.

MR. CROCKETT: I mean -- and I guess if we came back in and just rezoned the stream buffer and that low-lying area M-N, I mean, it's kind of undevelopable anyway, so whether it's M-C or M-N, it's not really -- it's not restricting us any further. It's just -- all due respect, I don't see it serving -- you know, solving a problem is, I guess, is what I'm saying. I guess we could do it. I don't think -- I don't have an issue with that, I just don't --

MR. WILLIAMS: I was just responding to your comment.

MR. CROCKETT: It would be -- it would be a split-zone tract which is somewhat different. Staff doesn't like that, and applicants don't like that, either, typically, but yes. If the Commissioner so desired to make a recommendation, I guess we could.

MS. LOE: Any additional questions, Mr. Williams?

MR. WILLIAMS: No. Thank you.

MS. LOE: Thank you. Any additional questions? Commissioner Placier?

MS. PLACIER: I'm going to return to what Commissioner Stanton also asked. That is we're supposed to give blanket M-C zoning to this despite the fact that, by right, there would be all that list of possibilities. And so you can see why we would be hesitant to do that.

MR. CROCKETT: Sure.

MS. PLACIER: Because then maybe there would be a bar go in or who knows what. I mean, it would be by right. We would never get a chance to look at it again, nor the neighbors.

MR. CROCKETT: Right.

MS. PLACIER: So what assurances, if any, would we have? Just trust in --

MR. CROCKETT: You know, I'm not -- yeah. Yeah. I'd love to say trust in us to do what we say we're going to do. And, I mean, we can say that until we're blue in the face. We've done that many times before, and you certainly are aware, Ms. Placier. What you're referring to is you believe that since the Missouri Humane Society has full intention on doing what they're doing, but what if?

MS. PLACIER: Yeah.

MR. CROCKETT: What if the what if happens? I mean, that's what we have to look at. That's what you're asking for. And I think that if the what if happens, again, I think that the UDC was strictly written for specific uses just like this. I mean, if -- whether it's M-C or M-N, our setback is going to have to be the same according to the use-specific standards. Okay? The neighborhood protections are going to be the same. So for our use, there's other uses in the screening requirements between -- I mean, it's the -- it's the most heavy screening requirement between M-C and residential. Okay? I think we also have to step back just a little bit and look at this. Let's go to this one, and let's look at long term. If we zone -- if we zone this M-N, are we saying that the rest of that property is never going to be a transitional zoning? Is it never going to come in for rezoning? I don't know that. Maybe it does, maybe it stays large-acreage tracts forever. I don't know. But the idea there is is those residents, you know, we've asked -- and many times, this Commission has asked us, go talk to the residents. Go get their support. Go, let them know what's taking place. We've done that. We've done what this Commission has asked us to do, and we've brought letters and we've brought support to you. And I think that carries a lot of weight with when the neighbors say listen, you know, zone your property, we're in support of it, and if I want to live next to it, that's okay. I supported that zoning.

MS. PLACIER: Just as a follow-up. The letters that we have received all refer to the Central Missouri Humane Society.

MR. CROCKETT: That is correct.

MS. PLACIER: And want that to be there. They may not be aware that M-C would allow many other things to be there that --

MR. CROCKETT: We --

MS. PLACIER: -- what disclosure do they have of that possibility?

MR. CROCKETT: We discussed that with them being M-C. We understood -- you know, we are asking for M-C zoning, period. And the Central Missouri Humane Society would like to go here. So basically, we explained both of those scenarios to them. It's not that we want your support for Central Missouri Humane Society, we're asking for M-C zoning and the Humane Society would like to go there. So we made it clear that both of those -- that there is a distinction between those two.

MS. LOE: Any additional questions? Mr. Crockett, I have a question. How big acreage-wise is the pond?

MR. FORD: I can tell you.

MR. CROCKETT: I'm going to -- I'm just going to guess. Shoot off the top of my -- you know, just winging it here, Ms. Loe, I'm going to say a couple of acres.

MS. LOE: Two to three?

MR. FORD: One.

MS. LOE: And where I'm going with that is --

MR. CROCKETT: One.

MS. LOE: One?

MR. CROCKETT: Okay. It looks like it's quite a bit small. Okay.

MS. LOE: Maybe during the drought season or -- so currently their lot is 2.8 acres, I believe --

MR. CROCKETT: Yes. Yes.

MS. LOE: -- on the assessor's site, and you were offered a site that was 4.6 by the City, and that was too small. So how much land is needed, and I'm pulling -- I'm going to pull two acres out for the pond, just because it's irregular shaped, so we're looking at 16 acres. Part of me is wondering is the -- will the whole site be used for the Human Society or is there area left over?

MR. CROCKETT: There's going to be some area left over. And so, again, with the mission partners, I think that -- I think Ms. Casey might be able to speak to that a little bit on -- on what they envision to have as a campus out here, not just the Central Missouri Humane Society, but other mission partners over there that, you know, can have either a not-for-profit or for-profit entities that -- that would coincide with the Human Society and their mission, you know. And so, you can make a revision, you know, a couple other of those out here, nothing -- nothing large, nothing major, but more than just the Humane Society potentially.

MS. LOE: Thank you. Any additional questions? I see none. Thank you.

MR. CROCKETT: Thank you.

MS.LOE: If there's any additional speakers, please come up. And again, we need your name and address for the record.

MS. CASEY: My name is Michelle Casey; I'm the Associate director and the campaign manager at the Central Missouri Humane Society, and my home address is 1803 Topsail Drive, 65202. Thank you so much. I appreciate the opportunity to be here. I'm here mostly to talk about the building. I have been involved with the Humane Society since I was 18 years old, and when I first walked into that building, I knew that this was not okay. They needed a new building 20 years ago, they needed a new building 30 years ago. And we've gotten to the point where we just cannot really operate out of this building the way that we need to. And what we're really worried about is in the near future, we're not going to be able to operate out of this building at all. And I'm not sure what the City would do if we weren't able to operate, and specifically, animal control who is run by the City, because they are one of our biggest partners. And we love the relationship we have with animal control, and we're certainly building them space in this new facility, as well. Our current building, if you have not been there, it has heavily degraded over the years. We've been there since 1976. Not only that, but when the -- this current shelter was constructed, the population of Columbia was -- was nearly half of what it is now. So now there is much greater need in the community not just for pet owners, but just for lost and unwanted pets in the community, as well. So we know what we need. We have really considered this M-N zoning, and while it does meet some of the needs of our organization, we're just worried how that might inhibit us in the future. Because what we really want to do is, we don't just want to have the animal shelter, we want to create a campus. We want this to be a resource center for this community, because that's what we are. We -- we serve this community and these pets and these people. And so we want to build a campus. We are in the animal business. We do not want to bring in an auto store or a bar that is -- we are strictly animals. But we do want to have a resource center because not only do we want to have -- be able to take care of these animals in the shelter, but we want to create safety nets to keep them from coming into the shelter in the first place, and that -- that may be a partnership with a groomer, maybe a pet store, any way that we can impact animals and keep them in their loving homes and out of the shelter, that's what we're trying to do. We've been continuously in operation since 1943, so we know what we need to operate, but we also know what we need to grow and evolve as an organization, and that's what we've tried to do over -- over all of these years. It's been many years in operation, and we believe that this site is going to be just a wonderful site for us. We were offered the 4.5 acres on Strawn Road, and after working with Tim, we decided against that road or that land. While we were grateful for the City to offer it, it was going to be too costly to actually get ready to build. So to make that site ready was going to cost over \$1 million, and that was just not something that our donors were really receptive to. They really want their dollars to go towards the animal care, towards those animal housing areas, not \$1 million to go towards dirt work. So this property here, Tim has looked into this and said, you know, with the dirt work that we need to do, we won't have to bring any in and out, we can just use what's on the property.

So I believe, Tim believes, and I think my staff stands behind us that the M-C zoning is going to be correct just for the future of our organization, and I would hope that you all would consider it.

MS. LOE: Thank you. Any questions for this speaker? Commissioner Stanton?

MR. STANTON: Oh, my gosh. I love your organization.

MS. CASEY: Oh, thank you.

MR. STANTON: There's something twanging, and my instincts are very sharp.

MS. CASEY: Give me the twang. What is it?

MR. STANTON: I feel like there's --

MS. CASEY: What is it? What?

MR. STANTON: I feel a hoodwink somewhere and I don't know where it's at. I don't like it. I'm just trying to figure it out.

MS. CASEY: I understand that. I would hope that as the Central Missouri Humane Society, you would trust it.

MR. STANTON: Well, it may not be you. I mean, I guess where I'm at is I'm kind of like with my fellow Commissioners, I hate to even ask this. Are you guaranteed good if we give you this? I mean, nothing is to stop. My -- my buddy that just left the podium there, I say, hey, I give you everything you wanted, and you guys back out of the deal, the funding falls through, or somewhere you find another spot that's better than this. And now I've given -- I given the keys to the castle.

MS. CASEY: I get it.

MR. STANTON: You say that's our biggest thing. It's our -- and I don't know if my fellow Commissioners agree, we give you -- we give you M-C, it kind of works like -- you know, it's like algae. You know, it grows here, then the neighbor is going to want it, you know, then it grows out, and then we're running into residential. There is a lot of residential kind of off to the side, you know, behind and around your property that you're looking at. Those are our concerns.

MS. CASEY: Uh-huh.

MR. STANTON: It's not your particular -- it's just the power we're giving you with the zoning. So can you guarantee this is good for -- that this is yours if we give you what you're asking for?

MS. CASEY: You give us what we're asking for and this property will be the home of the Central Missouri Humane Society for the next 100 years, I can guarantee that, and our life saving will also increase because what we've been able to do out of this current building with the restrictions that we have, the space restrictions, part of our building now doesn't even have air conditioning. I mean, not just for the animals, but for the staff, so it can be just miserable. So I'm telling you that this piece of property, I know in my heart because we've looked at enough of them, and I've been involved with this organization since I was a teenager, this is the property for us. And if you will allow that M-C zoning, this will be our home and this will be where we continue to make an impact in this community.

MR. STANTON: Thank you.

MS. LOE: Any additional questions? I see none. Thank you. Any additional speakers on this case? Please come up to the podium.

MR. CHURCHILL: Hi. My name is Bob Churchill; I live at 1110 North Short Drive. I am the president of the Board of Directors of the Central Missouri Humane Society. And I just wanted to let you know that the Board endorses and supports the proposition for this to be M-C zoning. We've discussed this. I can also tell you about -- I don't want to take a lot of time here. I'm not only on the Board and President of the Board, I volunteer there two afternoons a week. And that building is falling apart. We have to move. I've been working with these people for a while now, and we are not going to do something stupid with that property. The last thing in the world we want is to have a bar next to the Humane Society. but we are in dire needs of moving and having a building. The place is crumbling. You've probably seen on the news the last year or so, big chunks of the ceiling have fallen down in that building, and you could look up and see blue sky. Luckily, no staff or animals have been hurt, but we are really in dire straits in terms of moving to a new facility. And I can tell you the first question donors ask me is, fine, where are you going to go? Where are you going to go? They want to know where that building is going to be. We're just three stoplights north of where we currently are, so it's an area that people are already familiar with. And it's -- the land is a nice piece of land, and we just want to move on and, you know, do the best for the animals and the city of Columbia because there is no place else to take these stray animals, and they are multiplying every year as the population grows. So thank you.

MS. LOE: Thank you. If you'll wait one minute. Are there any questions for this speaker? Commissioner Stanton?

MR. STANTON: So you're putting your money where your mouth is?

MR. CHURCHILL: Uh-huh. Yes. Personally, I do. I don't serve on boards -- I've been on six boards since I retired 12 years ago from the University of Missouri. I don't serve on boards and just go to board meetings. I donate and I volunteer for each of the organizations that I have served on their boards, so I put my money where my mouth is. Thank you.

MS. LOE: Any additional questions for this speaker? Commissioner Williams?

MR. WILLIAMS: To Commissioner Stanton's point, I'm curious if you could overview for us what gives you confidence in the Central Missouri Humane Society's ability to maintain funding over the next several decades? I think the concern that I have, I won't impart this to the other Commissioners, is not that I would hope that this would happen, but the concern I have is that something would happen that you wouldn't be able to make your obligations or in the future someone decided that -- to sell the property, and then it's M-C. So in 30 years, we then have a situation where it's something less desirable to the neighbors is built there because it's owned by someone else. So can you speak to that, please.

MR. CHURCHILL: Well, I think what I can tell you is that fundraising had been slow for a while. Covid didn't help things. We started talking about this, you know, around that time, and that really, you know, slowed things down. I can tell you as of recently, people that we have talked to and talked about a

new building and a new site, fundraising has really gone up. We have probably raised more money in the last six to twelve months than we've had in the whole previous time. We're very excited about this. People -- I'm surprised at how many people actually know about the Humane Society. I have personally adopted three dogs from the Humane Society, and I just adopted a 12-year-old boxer two weeks ago, and one of the -- besides him being a very sweet dog is, who is going to adopt a 12-year-old boxer? People want puppies and younger dogs. But I am very confident, you know, the contacts that I have made with people around town and talking about fundraising, everybody is in support of this. I think that we have now gotten past the point where it looks like we are going to do this and raise all the money, whereas I would say two years ago or so, you know, you would be scratching your head and saying can we really do this. But I am absolutely convinced now that we are well on our way, and we're going to do this. The people -- I can't speak for the people in the future that are going to run the Humane Society, but if they're anything like the people who have been there since it started, I wouldn't have any concerns about how they're going to use that land in the future.

MR. WILLIAMS: And a follow-up question is, are you intending to finance the buildings that you're putting on the property, or are you intending to raise fully the amount of capital that's required to build them?

MR. CHURCHILL: Well, I am not chairman of the finance committee. I would hope that we would raise all of it pretty soon. We're getting, you know, fairly close, but in order to get the project moving, because we have to get out of this building. It's dangerous. That is a dangerous building to be in. We would be willing to, I think, finance some to get this thing -- we'd like to break ground this year, if at all possible, because I invite any of you to over and visit the current building and take a look and see what the condition it is in, and you would say, boy, you need to go someplace else.

MS. LOE: Any additional questions, Commissioner Williams?

MR. WILLIAMS: Thank you.

MR. CHURCHILL: You're welcome.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. Any additional speakers on this case?

MR. LAND: Commissioners, my name is Paul Land; I'm a real estate practitioner with Plaza Commercial Realty, and I represent the Sorrels, who are the property owners of this property whom I met about 20 years ago, and they have considered selling this property since that time. That's the life of a real estate broker. I'm not complaining; I entered the industry and stayed with it. But until the Sorrels' elders died, the family wasn't really in a position to sell this property. They put that property on the market about a year ago. It coincided nicely with the CMHS desire to own real estate and upgrade their facility. I've lived in Columbia for 40 years and I've practiced commercial real estate in this community for 37 of those. In my career, I've never seen a facility in more critical need of replacement than that facility in this community. All my business is done within a 15-mile radius of this building. I've never seen such

a need. There are projects that appear before you that are projects of desire and there are projects that appear before you that are absolutely critical need. This is a critical need, and I hope you will consider granting this request. I personally visited with the two adjoining property owners to the west and to the north when we first listed the property in advance of the discussion with CMHS. I asked them if they would support M-C zoning on this property. They stated they would. They've lived with that and stayed with that commitment. They see the future of that as M-C. Frankly, I would advise my seller if they had, oh, the desire to go through this arduous process -- it's an arduous process to ask for rezoning. It's expensive, it's time-consuming, it's not for the faint of heart. It's intimidating. They decided they would prefer to wait till an end user appeared to help mitigate the fears of that. I think you've got that end user today that helps you to mitigate those fears. To address some of the other questions here as to what the future use of this will be, I won't envision these people selling off or developing this property in any way that would interfere with their own mission. This is being platted as a single lot. To -- to sell off any of this portion in the future will require a plat. That plat requires that it come before you and before the City Council. If they don't like who's going in on that, that's an opportunity to deny that plat. You have control. I want you to take control today. You have the authority. You have the ability. You have the obligation that when an error is made in a judgment -- and I get along with City staff. We probably disagree five to ten percent of the time, but 90 percent of the time, we're on the same page. We're all human, we can all make an error. But I think they made an error in recommending M-N zoning. I think if you could stand back and look at that map, the other three corners are zoned M-C, any logical person would step back and say that ought to be M-C zoning, too. It matches the property line of the property immediately to the south. It's not egregiously going west. It's not egregiously going north, and the City is getting something in this bargain. They're getting a 33-foot-wide granted easement or right-of-way on the west side of this property for a future road. They're getting that for free. So I guess in some way, I think this ought to be supported. I'd like to appeal to your interpretation that this is the correct zoning for this parcel.

MS. LOE: Thank you, Mr. Land. Before you leave the podium, I believe -- Commissioner Stanton has a question for you.

MR. STANTON: Hold up, Mr. Land.

MR. LAND: I would be surprised if he didn't.

MR. STANTON: Hold up there. If I was your client and I lived on East Nance, is that --

MR. LAND: Say it again.

MR. STANTON: If I lived on East Nance, and I was your client --

MR. LAND: East Nance.

MR. STANTON: That's north of the proposed property.

MR. LAND: North of this property?

MR. STANTON: Yes.



MR. LAND: Yes.

MR. STANTON: What would you advise me if -- if I was, basically --

MR. LAND: On land?

MR. STANTON: -- yes.

MR. LAND: These properties on Nance are zoned commercial right now.

MR. STANTON: Okay. Say I have a house there, because there's residential --

MR. LAND: Well, they do, but they are zoned in the County.

MR. STANTON: So what would you tell me? I know that it is zoned, but I'm there as a resident.

MR. LAND: They have the opportunity to pose that right now, don't they?

MR. STANTON: I don't know. I'm asking you as a real estate proprietor. What would you tell me as your client?

MR. LAND: Well, if --

MR. STANTON: If I was -- if the land was -- if it was going -- getting ready to be M-C, and I'm residential, and to the south of me is getting ready to be heavy -- the potential could be heavy industrial. You, as a real estate proprietor, what would you tell me if I was your client and I lived on that street? I lived in any of those --

MR. LAND: Sir, I live in the world of commercial real estate. I could not advise you on a residential property. I've never sold -- owned -- or I've leased residential property.

MR. STANTON: Okay. But you just told me that it's commercial now, but I'm using it as a residential, so what would you advise me?

MR. LAND: Well, I think they know what's coming, don't you? I think they made decisions to buy where they are now based on zoning that surrounds that area. I don't see this particular parcel as being anything different than that already exists in that area.

MR. STANTON: Thank you.

MS. LOE: Mr. Land, just for a point of clarification, the four parcels bordered by Brown School Road and 763, do those encompass all of the parcels owned by the Sorrels in that area? I mean, do they own any property adjacent to that?

MR. LAND: No. The property line to the west is owned by Gary Pfau. The property line -- who is an educated and -- I don't know if he still practices real estate. I guess he does, but he understands. And the property to the north is owned by Doug Wheeler, who is also a real estate broker, a former member of this Commission. Both support this. Did I answer your question?

MS. LOE: Yes, you did.

MR. LAND: Okay.

MS. LOE: Thank you. Any additional questions? Any additional speakers on this case? If there are none, we're going to close public hearing and move into Commission discussion.

**PUBLIC HEARING CLOSED**

MS. LOE: Commissioner Stanton?

MR. STANTON: Okay. Mr. Land kind of answered my fears. I served with Mr. Wheeler on this Commission, a real estate guy. To the west of this is a real estate guy. So if we gave them M-C, and two heavy hitter real estate guys own the surrounding property, and they're good -- I know Mr. Wheeler personally, they're good businessman. If they have an opportunity to make this M-C and they're real estate guys, I think they'd do it. And that would make all of that land M-C. Now, we've taken care of the Humane Society. Okay. We'll do that. What about the rest of that? And that would run right up to all of that residential that's kind of buffered at this time, but it's buffered by land that's owned by some pretty heavy-handed real estate guys.

MR. FORD: That's speculating.

MR. STANTON: I know Mr. Wheeler; I don't even have to speculate. I know that guy.

MR. FORD: Well, I know him too.

MR. STANTON: They're real estate guys. So that -- if I was a businessman and had an opportunity to make that M-C, I would do that.

MR. FORD: That's not what's on the docket right now.

MR. STANTON: I don't care what's on the docket. I'm talking right now. I have the floor. And I have a right to express my opinion on what's on hand, which is M-C versus M-N, which is supported by staff as M-N. So I'm trying to convince myself why I should go against professionals that say M-N is the best zoning and convince myself that M-C isn't. So this has something to do with what's on the table, Mr. Ford. So that's just my opinion, looking at the current information that's been presented to this Commission, which is relative to the M-C versus M-N zoning that is on the table at this time.

MS. LOE: So you're supporting M-N?

MR. STANTON: I don't know. I'm just throwing that out there for what I think about. I haven't decided yet.

MS. LOE: Okay. All right. Any other discussion on this case? Commissioner Williams?

MR. WILLIAMS: I -- this is a -- as Mr. Stanton -- I'm not sure if Mr. Stanton has made up his mind yet -- or if Mr. Stanton has made up his mind yet, but I think that this is -- where I'm coming down on this is that we have a known good that we are trying to weigh up against a hypothetical negative in the future. And it was weighing more heavily on me that the abutting landowners support it until I think you astutely observe that the extent that this is zoned M-C, then the abutting property may be easier to zone M-C later, and that might be a -- potentially beneficial to the landowners there, to the extent that they wish to later sell their property at M-C, which then pushes the M-C zoning closer to the residential neighborhoods north that are located on Nance Drive. But I think -- so it's being made difficult by the fact that -- it's a clear good to have the space available to the Humane Society. I think the trouble is that it would be a much easier decision if it was zoned -- if they agreed to the M-N zoning, but I appreciate the business practicalities of not wanting to absorb donor funds in regularly redesigning and coming before

the Commission. So those are the things that I'm weighing out, and I wanted to share that with the Commission in case it sparks any further thought with anyone else.

MS. LOE: Additional discussion? If you all are still collecting thoughts, I'm happy to jump in. I typically don't support up-zoning to M-C adjacent to residential, especially R-1 if it's established just because I do see that as a concentrated use that while we do have neighborhood protection standards in it, in the UDC, it's -- we usually step down the zoning between those zones. However, in this case, you do have all the neighbors abutting the property coming forward as supporting the zoning change. In addition, the inclusion of the CATSO local non-residential collector on the west side of the lot does appear to me to act much as Edenton Boulevard would on the east side as a buffer between the M-C and M-OF on that side, and the residential. So I'm -- I don't actually see rezoning this lot as M-C as being a given that the lots due west would be up-zoned, because I would consider that collector to potentially act as a buffer. I do see the lot to the north naturally already lending its way toward since it's already on Rangeline. So because of those conditions, I would actually support the M-C zoning on this lot. Additional comments? Or are we ready to go to a motion? Commissioner Stanton?

MR. STANTON: Let's get it on.

MS. LOE: Wait. Wait. Wait. Commissioner Placier has a comment.

MS. PLACIER: Well, just my main question coming in here tonight was why stick so vociferously to M-C? What would be the reasoning since many, many uses are allowable under M-N. And now we have the Stanton theory that it's the real estate guys, and -- and maybe sort of a -- you know, a domino effect all along there of everything going M-C even though the other three corners are M-C. And so it -- but also you could make a contextual argument that that also makes sense. The other corners are -- the one corner isn't developed yet, however. The Moser's is not the most intense or like an industrial auto mechanics, whatever, use. It could be considered a neighborhood amenity. The bank, yeah, also not that intrusive. The other thing I'm not sure exactly what they do, but they are set pretty far back from the road. So whether it's contextual or political, I'm not sure. I'm still convinced why insist on M-C when M-N would have worked for this use. That's what raises the speculation that something else may be coming in that would want M-C, although I can't imagine what it would be if there is an intention to stick with -- or at least the stated intention, to stick with animal-related businesses. So I don't think my question has been addressed sufficiently. Why not M-N?

MS. LOE: I believe Mr. Crockett explained that the animal and veterinary services that they're seeking are not permitted under M-N, so it's a conditional use permit. And one of their concerns is having to come back as they continue to develop the property, being it's a conditional, not permitted use, hence wanting to go with the M-C. Any additional comments? Commissioner Stanton?

MR. STANTON: If there's not any more questions, I would like to entertain a motion, Madam Chair. As it relates to Case 158-2024, a request by Crockett Engineering on behalf of the Walter T. Sorrels, Dorothy M. Sorrels Family Trust, owner seeking approval to zone 18.62 acres to M-C, I move to

approve the rezoning to M-C.

MS. WILSON: Second.

MS. LOE: Moved -- we have a motion moved by Commissioner Stanton, second by Commissioner Wilson. Any discussion on this motion? Commissioner Placier?

MS. PLACIER: Do we need to say anything about contingent on annexation or does that even need to be in the -- okay.

MS. LOE: Mr. Zenner is shaking his head no. If there's not, we will -- no other questions, we will take a vote. Commissioner Stanton, if may have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. Williams, Ms. Placier, Ms. Wilson, Mr. Ford, Motion carries 6-0.**

MR. STANTON: We have a unanimous vote.

MS. LOE: Six votes for motion to approve supported and will be forwarded to City Council. That brings us to our next case for the evening.

**Case Number 159-2024**

**A request by Crockett Engineering (agent), on behalf of Walter T. Sorrels and Dorothy M. Sorrels Family Trust (owners), for approval of a one-lot Preliminary Plat to be known as "Central Humane Society". The approximately 18.62-acre subject site is located northwest of the intersection of Brown School Road and Highway 763, and includes the address 1003 East Brown School Road. A concurrent request (Case Number 158-2024) seeking to permanently zone the property to M-C, subject to annexation, is also under consideration. (This case was tabled at the Planning Commission's June 6, 2024 meeting.)**

MS. LOE: May we have a staff report, please?

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends denial of the preliminary plat entitled "Central Humane Society."

MR. ZENNER: The published recommendation is denial, and that was based upon the staff's recommendation of denial on the requested permanent zoning. It is in the Commissioner's purview to consider their approval of the permanent zoning as M-C, reflective of its desire for this property to be annexed in in a compliant fashion to allow for the plat to then also be approved. Our recommendation on the platting action is something irrelevant at this point. It had to be produced based upon how we, as a staff, presented the zoning action. So the Commission is entitled and is assured that the plat does meet all of the standard Unified Development Code requirements for recommendation of approval and as such would be supported giving the Planning Commission's action to have such approval granted by them and that recommendation forwarded to City Council if they desire.

MS. LOE: Thank you.

MR. KUNZ: Yeah. And any questions now? Apologies about that.

MS. LOE: No. I'm just going to check with the Commission again. We already did ex parte but

reconfirm no one has had any ex parte on this case that they want to share with the Commission so the Commission has the benefit of the same information on the case in front of us. And seeing none. Are there any questions for staff on this report? If there are none, we'll move into public comment.

#### **PUBLIC HEARING OPENED**

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. Have nothing else to add. You know, we're fine with the staff report, and we appreciate it with the revised recommendation. And so I think we've covered all the bases on the previous request, so if there's any -- I just want to open up if there's any questions of the applicant.

MS. LOE: Any questions for this speaker? Seeing none. Thank you, Mr. Crockett. Any other speakers on this case? If there are none, we will close public comment.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission discussion? Commissioner Stanton?

MR. STANTON: Madam Chair, if there's you or any of the other Commissioners having no further questions, I would like to entertain a motion. As it relates to Case 159-2024, I move to approve the preliminary plat. Everything is kind of mixed up. Is that all I need to say?

MS. LOE: Is that sufficient? Yes. Do we have a second on this motion?

MS. PLACIER: Second.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Placier. We have a motion on the floor. Any discussion on this motion? I see none. Commissioner Stanton, may we have roll call, please?

MR. STANTON: Yes, Madam Chair.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. Williams, Ms. Placier, Ms. Wilson, Mr. Ford. Motion carries 6-0.**

MR. STANTON: Six votes yes.

MS. LOE: Thank you. The motion is supported. A recommendation for approval will be forwarded to City Council. That concludes our cases for the evening.

#### **VI. PUBLIC COMMENTS**

MS. LOE: This is our public comment period. If there's any additional public comments you want to make on the cases or in general? Seeing none. We're going to move on to staff comments.

#### **VII. STAFF COMMENTS**

MR. ZENNER: As I promised, you have a break. We will not have a meeting on July 4th, so go celebrate our independence. I at least wore my tie today to do so because we will not be here. Hopefully, you made your vacation plans, and we'll be back relaxed and ready to do some more business with us on July 18th, because we do have a full agenda, as well as we will have probably a tantalizing work session discussion. Mr. Teddy is working to arrange the Central City Consultant H3, to come in and address the Planning and Zoning Commission as it relates to the activities that have been

undertaken to date as it relates to the Central City planning activity and we will -- that will most likely occupy our entire hour and a half time period, so we will not be discussing our lot integration project which gives me a little bit of time to breathe and collect my thoughts as it relates to the remaining outstanding standards that we are trying to work on, at least from the use-specific side. It will also give me an opportunity to not overwhelm two new staff members that will be joining us hopefully for the July 18th meeting. We have been recently successful in securing -- filling two of our vacancies, our two planner vacancies, so you may see my black hair return from gray, and a little bit more productivity as it relates to what we discuss in our work sessions because I will have hopefully a greater amount of time to focus on those bigger issues. But we do have cases, and as many of you are aware, July or June 1, the effective date of our short-term rental ordinance became real after many years. And what I had indicated at our last meeting that I thought we had three CUP cases, actually it materialized into one. Of the three that we had received, one was more of a commentary question as it related to our application, one was actually a resident occupied R-1, which directly goes to our Neighborhood Services staff in order to do their evaluation and issue a short-term certificate of rental compliance, following the article -- or Chapter 22 requirements. And then the other one is actually a conditional use, so it will be our first conditional-use application. Some of the conditional-use questions, we will not be able to fully answer given that we don't have all data that we need to provide answers to all of those conditional uses, so do not be surprised when you see that staff report, and the one question that I am speaking specifically of is the number of short-term rentals within 300 feet of the subject site. We do not have that data available at this point. We are still working through some issues as it relates to business licensing and accommodation tax collection which are -- which would be the backbone for outside services that would help us be able to identify those uses. So right now this is the only application that we have, and we will know more as we get additional information as to who has not registered that may be around this dwelling unit in the future. So your five cases that we have, we have what we refer to as the two-fer process. We have a rezoning request and a preliminary plat. This property has come before the Planning Commission previously for platting. This is off of Creasy Springs Road just south of the curve that's referred to as Dead Man's Curve, just before you get up to the back entry into Blue Ridge Drive on the backside of Vanderveen. This is a very large tract down in the lowlands just north of where Bear Creek -- the Bear Creek Trail access is off of Creasy Springs. A preliminary plat and a request to go from A to R-2, with the intent of doing, I believe, R-2 scale sized lots, potentially, cottage-size lots in a section of that development through the current Board of Adjustment process. So that will be a public hearing and a subdivision request held in tandem. And then you have three public hearings -- standard public hearings. The 400 Clinkscapes is the STR Application. This is directly across from West Boulevard Elementary, if I'm not incorrect -- or middle -- West Middle. And so that is -- this home is right almost in front of the drop-off lanes. We have a request off of 1611 Commerce Court. This is a small court that is off of Vandiver to the west of Rangeline, south of 70. And if any of you are familiar with this

general area, the Machens Automobile Dealership repair facilities are at the very end of Commerce Court, and then Beyond Meat is actually right on the curve coming into this particular area. This is an uncommon request. This is M-C to M-BP. M-BP is a land use category that we don't see a tremendous amount of. That is mixed-use business park. Mr. Kunz has this request and just as a little bit of a preface of what it is about. The user at 1611 Commerce is, while compliant with the zoning of M-C, there is a concern that the change of use in that building may not make it compliant with the future user that is doing something similar. And therefore, the applicant is seeking to ensure that the idea of doing storage within the facility that is there, it's currently a clothing business that basically brings in clean clothes and ships them out during the day to uniforms and things of that nature. They do not do any cleaning onsite, so they would like a zoning category that would actually permit them to be compliant with that storage use. The M-C district does not allow storage -- warehousing or storage. The M-BP district is almost identical in many respects to M-C, and Mr. Kunz will do what he did this evening, I believe, and that's provide the comparison. There are very few uses that would be permitted. The applicant originally wanted I-G for this property. We talked them off the ledge, so to speak, and said that was a little bit too intense for a single already developed parcel that you could get a letter of compliance on. M-BP was the compromise and that is why this request is coming in. It will appear as though it's a spot on the zoning map, but in many respects, the M-BP district is as similar to M-C as you can get. This particular applicant also came before this body asking us to make some changes to M-BP zoning district two years ago in order to potentially help manage a little bit of the lack of diversity between M-BP, I-G, and M-C. We have never taken that back up again. This may be the poster child for why, if we had taken action a couple of years ago, we may not be here today. However, this is a solution to solve the immediate problem, not one that we want to do a comprehensive re-overhaul of our zoning classifications on. We're already in the middle of one of them. And then finally the last request on the agenda is 4414 Smith Drive. This is immediately south of a commercial development on the corner of Smith and Scott, Westbury. I apologize. I was blanking on the name, but this is a vacant -- or not a vacant, it is a property that's improved with a single-family home, and they are seeking to go from R-1 to M-OF in order to assist in allowing for some development of the property in order to meet an immediate need that the applicant has with a family member that is on the property, as well as to position the property into the future with the zoning that they believe to be appropriate south of the Scott Boulevard right-of-way. Mr. Smith has that one, also. So it'll be Mr. Palmer on the first two, I will do the STR, and then Mr. Kunz will finish up the last two, and we will hopefully be able to introduce two new staff members to you during this meeting, as well. So you can familiarize yourself with where Dead Man's Curve is, if you're not familiar, as well as the properties that are off of Creasy Springs, that is shown here on the graphic in front of you, as well as our other three sites. And with that, that is all we have to offer for upcoming case work. I would like to extend the gratitude of the staff for the opportunity to have worked with Mr. Ford. This is his last meeting, technically. We did have an appointment that occurred on Monday of this week. Bob

Walters will be joining our staff -- or joining the Commission, I should say as a Commission member on July 18th. That will be his first official meeting, and we will welcome him aboard, as well. And again, we extend our greatest appreciation to Mr. Ford for his services for the short period of time and wish you the best of luck in your next chapter in life. And I would like to extend my appreciation to Commissioners for all showing up as close to 5:30 as you could so we could begin our meeting, and the robust discussion again that we had as it relates to the use-specific standards discussion and UDC amendments for small lots. Thank you.

#### **VIII. COMMISSIONER COMMENTS**

MS. LOE: Thank you, Mr. Zenner. I'm sure the Commissioners wish to join staff in thanking Mr. Ford for joining us in our endeavors at the dais up here, and in the work room. Thank you.

MR. FORD: You're welcome.

MS. LOE: We have appreciated your company and benefitted from it, so we will miss you, but appreciate your spending time with us. Mr. Stanton?

MS. LOE: Did you all get to the Commissioner Comments yet?

MS. LOE: We are on Commissioner Comments. Sorry. I just sort of segue-wayed into that.

MR. STANTON: Mr. Ford, you have been a pleasure and a wonderful antagonist. It's good to have people that don't think the same and don't have the same opinions and come from different points of view, but I would say, you know, you're gone now, so it doesn't matter. But I will say that anything that comes out of my mouth in particular and any mouth of any Commissioner up here has value and has relevance. And we have to be careful not to devalue each other's opinion or positions. I know you're gone, so good luck to you in your future endeavors. So what I'm going to say to you really doesn't matter today, but don't you ever disrespect me while I have the floor when I'm talking about particular items on the agenda. Love you to death. Hope to see you in the future. Hope we can do business.

MR. FORD: Count on it.

MR. STANTON: Okay. Good. Thank you.

MS. LOE: I will entertain motions.

MS. WILSON: I move that we adjourn.

MS. LOE: Oh. Oh. Commissioner Williams?

MR. WILLIAMS: I just want to thank Mr. Kunz and the staff. I don't know how often being new that you make a recommendation to not approve something and it goes the other direction. But I know that you all work very hard and have been understaffed, and so I certainly wouldn't want tonight to be any -- taken as any sort of reflection of your worker or what you're doing. I appreciated the report and recommendation, and it was -- so I wanted to just say that on the record. Thank you for -- for your work and what you did in preparing the report that you did.

MR. ZENNER: Thank you very much, sir. It is our -- it is our responsibility to provide you an unbiased opinion as it relates to our thoughts as professionals. We also respect the position of the



Commission in having to interpret the information that has been provided not only by the staff from a technical perspective, but also that from the public. And weighing that is the duty of this body placed upon you by City Council. So we do not take anything personally. We are always here to answer questions should you have them, and provide advice as requested. So tonight's outcome was one that we anticipated possibly coming and so it does not surprise us. The facts went where the facts went. So I -- again, I appreciate your understanding and the position that we often -- we are placed in. But don't worry, it won't change how our staff approaches anything in the future. Ask Mr. Stanton and ask Ms. Loe.

MS. LOE: We appreciate staff's recommendations --

MR. STANTON: Yes.

MS. LOE: -- and we do understand what you're evaluating and all the work that goes into them.

MS. PLACIER: Well, and it made it much more of a thoughtful deliberation process to have to wrestle with all that.

#### **IX. ADJOURNMENT**

MS. LOE: I believe Commissioner Wilson had started a motion, but did not have a second.

MR. STANTON: Second.

MS. LOE: With that, we are adjourned. Thank you, everybody.

(The meeting was adjourned at 8:49 p.m.)

(Off the record.)