

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBERS
701 EAST BROADWAY, COLUMBIA, MO
FEBRUARY 8, 2024

COMMISSIONERS PRESENT

Ms. Sharon Geuea Jones
Ms. Valerie Carroll
Ms. Sara Loe
Mr. Anthony Stanton
Mr. Michael MacMann
Ms. Peggy Placier
Ms. Shannon Wilson

COMMISSIONERS ABSENT

Mr. Matt Ford
Mr. Zack Dunn

STAFF

Mr. Pat Zenner
Mr. Rusty Palmer
Mr. Kiann Ahamed

I. CALL TO ORDER

MS. GEUEA JONES: I will now call the Thursday, February 8th, 2024 regular session of the Planning and Zoning Commission meeting -- whatever it is to order.

II. INTRODUCTIONS

MS. GEUEA JONES: Commissioner Carroll, may we have a roll call?

MS. CARROLL: Commissioner Loe?

MS. LOE: Here.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Here.

MS. CARROLL: Commissioner Dunn? Commissioner MacMann?

MR. MACMANN: Present.

MS. CARROLL: I am here. Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

MS. CARROLL: Commissioner Ford? Commissioner Wilson?

MS. WILSON: Here.

MS. CARROLL: We have seven; we have a quorum.

MS. GEUEA JONES: Very good.

III. APPROVAL OF AGENDA

MS. GEUEA JONES: Are there any changes to our agenda, Mr. Zenner?

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

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval moved by Commissioner MacMann, seconded by Commissioner Stanton. Can I get a thumbs-up approval on the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous. Thank you.

IV. APPROVAL OF MINUTES

MS. GEUEA JONES: We all received a copy of the January 18th, 2024, regular meeting minutes. Are there any changes or adjustments to the minutes?

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval moved by Commissioner MacMann, seconded by Mr. Stanton. Thumbs up approval of the minutes?

(Six votes for approval; one abstention.)

MS. GEUEA JONES: Unanimous, with Commissioner Carroll abstaining. Excellent.

V. PUBLIC HEARINGS AND SUBDIVISIONS

Case Number 68-2024

A request by Crockett Engineering (agent), on behalf of 2000 Allen Lane, LLC (owner) for approval to rezone 15.17 acres to R-MF (Multi-Family Residential) and 3.42 acres to M-C (Mixed-Use Corridor). The 18.59-acre subject site is located at 2000 Allen Lane, and is currently split-zoned R-1 (One-Family Dwelling) and MN (Mixed-Use Neighborhood.)

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject site to include 15.17 acres of R-MF and 3.42 acres M-C as depicted on the rezoning exhibits.

MS. GEUEA JONES: Great. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of the public hearing, please disclose so now. Seeing none. Are there any questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Palmer, you might not have this information. The Wolcott Lane and the Allen Lane, those homes there -- Mr. Zenner may know this -- they were in the county at one time. Those houses are '40s or something like that. I'm just wondering when they were

zoned M-N. Do we know that answer to that question?

MR. PALMER: I don't know directly, but I do know that the Rangeline corridor and probably this end of the Vandiver corridor were rezoned as part of a broad rezoning. Especially the Rangeline corridor, I know, was generally zoned M-C for a large swath of it as part of the -- you know, a wholesale zoning code adoption at some point, like --

MR. MACMANN: I just wanted -- they've been single-family homes for generations, so I just kind of wondered when they got -- did that. Next question. Let's go back to the current zoning map, like, two back, if we could. There we go. For the sake of our audience, I'm going to go over buffering and setbacks. That lower section, which is M-C, or proposed to be M-C, which is currently M-N, what type of buffer would be on Allen Lane, if any, between that and the properties to their immediate west?

MR. PALMER: So on Allen Lane, on the frontage there would be nothing, but there -- there is a strip that will be dedicated as additional right-of-way, so there's a bit of a spatial buffer there. But, you know, landscaping and screening, there won't be any. It'll be basically the frontage of the lot, so --

MR. MACMANN: I just worried about lighting with future M-C developments.

MR. ZENNER: So lighting, Commissioner MacMann, that is actually covered within the City's lighting ordinance which does specify that lighting bleed-over from the commercial lot that would be to the east of Allen Lane, is going to be controlled to, if I'm not incorrect, a half a foot candle from the edge of that parcel outward. So one would expect that as a part of the lighting analysis that's submitted with the construction on the proposed M-C, that we would be seeing those lighting, by the time it reaches the western edge of the property or the right-of-way, you will have a reduction -- significant reduction in that bleed.

MR. MACMANN: Part of this I'm just going over for the value of the record as for our guests we have this evening. Now, up above, we have the billing to R-MF. What type of buffering will we see to the east-west line there on that --

MR. PALMER: So our R-MF -- the R-MF wouldn't have buffering. There is no -- zero. It's a zero-buffering requirement.

MR. MACMANN: And what's the zoning just north of the property?

MR. PALMER: I'm sorry. I must have misunderstood. The -- the R-MF, the orange there to the north of the subject property --

MR. MACMANN: That's R-MF. Right?

MR. PALMER: Right. Yeah.

MR. MACMANN: And to the west?

MR. PALMER: To the west is R-1.

MR. MACMANN: That's R-1? Okay. (Inaudible.)

MR. PALMER: Yeah. The lighter yellow is R-1.

MR. MACMANN: I'm sorry?

MR. PALMER: The lighter yellow there is R-1.

MR. MACMANN: All right. That's -- thank you. I'm glad we're both on the same page. I was not following either of us. What would be the buffer between the R-MF and the R-1?

MR. PALMER: I believe that's a level two buffer. That should --

MR. MACMANN: Could you describe that to us, please?

MR. PALMER: That is an eight-foot landscape strip, I believe. Do you have that handy? It may be a level one too.

MR. MACMANN: Height, depth, opacity, that type of thing?

MR. PALMER: Yeah. If memory serves, it may be a level one, because I -- I think it was only landscaping. So hang on a second. Let me double check.

MR. ZENNER: Multi-family to single, pursuant to buffering and transitions table is a level two buffer. I apologize. Single family and two-family is a level one buffer. A level one buffer is a six-foot-wide landscape strip. However, neighborhood protection standards, as Mr. Palmer pointed out, would come into play if structures greater than 30 feet are within 25 feet of the property line, they need to be reduced in height to 24, or an additional ten feet of setback needs to be applied.

MR. MACMANN: All right. That's -- that's all -- all my questions for right now. Thank you, Mr. Zenner. Thank you, Madam Chair.

MS. GEUEA JONES: Anyone else with questions for staff? Seeing none. We will open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please state your name and address for the record. We allow for six minutes for the applicant and groups, and three minutes for individuals.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I'm here tonight representing Jeff Pfannenstiel, who is with me tonight. Again, just a real quick overview. I believe Mr. Palmer did a good job going through the process. We are asking for a rezoning from M-N and R-1 to M-C and R-MF. This is an infill development in the City of Columbia utilizing existing infrastructure, both existing roads, water, sewer, and electric. Again, here's the -- you know, the location of the site. You can see across the street, across Vandiver, you have the heavy use car dealerships. You've got some other commercial uses right in front. You've got Parker Street Mobile Home Park. And then, of course, you have Bear Creek to the north of us, which is a housing -- a Columbia Housing Authority property. Again, I think this is an exhibit that you've seen before. This is the current zoning map, so you have R-MF to the north, you've got some M-C to the south, some M-N, some R-MH, which you don't see much of that. We've got R-MH and PD to the -- to the east, and then R-1 to the west. This is what we're asking for, so that, again, we're asking for an R-MF and M-C. So we believe it fits in with the area. You can kind of see how the lines are drawn. We believe that works with -- with the existing zonings in that vicinity. You've seen a copy of the preliminary plat, and I'm going to kind of -- this

is just for the zoning, but to help answer some of the questions, I think the preliminary plat that kind of -- kind of coincides with the public hearing for the zoning. This is the street that goes through the property. From the Housing Authority property to the north, again, here it is -- let me get here. Here's an exhibit that shows the Housing Authority to the north and the street that's currently serves the Housing Authority. It's about a 2,000-foot-long cul-de-sac that serves about 76 residential units on a single point of access. So that's about two and a half times more the number of units that we would normally be allowed to have on a single point of access in today's developments, but it does have a stub to our property, as indicated by the green arrow. This development would connect that street back to Vandiver, which would provide a secondary ingress/egress for the development to the north. And consequently, you can see how it goes to our -- to our site. This is the road that comes through our site, and then here's a large overhead power line easement that runs through the property. And, Mr. MacMann, this kind of helps your questions a little bit because you can see the vegetation that's on the west side of that power line is basically useless to us. We can't really utilize it. Therefore, it's going to remain an existing vegetation along that power line corridor, so that's going to provide a natural buffer that's out there that's going to far exceed the level two buffer that would be required. Of course, it kind of comes through the property, as well, to kind of render some of the R-MH property not usable in some locations. So when we talk about the acreage that's before you, really the net density is not going to be nearly as high as it would seem, especially when you add in the tree preservation portion of the tract as -- as shown in this depiction, you can kind of see that really the R-MH is much smaller than the acreage that has been presented. The M-C to the south, of course, again, usable net acreage down there is about two and a half acres on a couple of lots that come off of Allen Lane extended. My client has met with the properties to the west, including the R-1 -- several R-1 properties to the west, and have gotten no opposition from those residents. So we've been very fortunate and very grateful for their -- for their discussions and input. Again, this kind of overlaps both the zoning, as well as -- as well as the preliminary plat, but I thought that the preliminary plat discussion was relevant for the zoning portion. So, again, the request is consistent with the goals and objectives of Columbia Imagined. Mainly, we're talking about including and promoting infill development. It promotes an increase in density around already existing infrastructure. It's compatible with the area, and it comes to you with support of City staff. So with that, I'm happy to answer any questions regarding the zoning or the preliminary plat if that's prudent, as well.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Commissioner MacMann?

MR. MACMANN: Just real quick. Mr. Crockett, for you and your client, just -- I'm just covering bases here.

MR. CROCKETT: Sure. I understand.

MR. MACMANN: An existing area, we've got to make sure we get all --

MR. CROCKETT: Yes. Understand completely.

MR. MACMANN: -- all the i's and t's and p's and q's. Thank you very much.

MR. CROCKETT: Yes, sir. Thank you.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Mr. Crockett, I was going to save this for the preliminary plat, but since you brought it up in your presentation, I'm interested in the connection to the Columbia Housing Authority property to the north.

MR. CROCKETT: Yes, ma'am.

MS. LOE: I realize the connection is labeled as Jolene, but it appears to be constructed as a driveway going through a parking lot with utility poles in the way.

MR. CROCKETT: Right.

MS. LOE: So what has the conversation been like, or who is making those improvements?

MR. CROCKETT: That is --

MS. LOE: There also appears to be a zero lot line with one of the --

MR. CROCKETT: There is really -- I'm sorry.

MS. LOE: Okay. No. Just -- there seem to be some barriers --

MR. CROCKETT: Sure. You're right.

MS. LOE: -- with making that --

MR. CROCKETT: There is some platted right-of-way. Jolene Drive is a platted right-of-way, so there is actually platted street right-of-way for that -- for that road extension. Hence, the reason why we're forced or required to make that connection. And also in doing that, yes. There is a power pole there. It's just a light pole. That can easily be moved. Those are all things that have been -- have been discussed. And then, of course, this is something that's going to -- when that portion develops, that area requirements -- those construction requirements are put on the developer for the --

MS. LOE: So the developer is going to make that connection?

MR. CROCKETT: Yes, ma'am.

MS. LOE: Through the Elleta? Okay.

MR. CROCKETT: Yes, ma'am.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Is there anyone else to speak on this case? If so, please come forward.

MR. HARR: Dave Harr, 1313 Vandiver Drive. I own the property, it's more than you can see on your map there, on the east side on Vandiver, of their property. How many units -- I don't know -- I don't want the answer near my -- my speech here, but I would just like to know how many units are going to be built on the backside of that. My big comment is that at one time, a City official told me that they fully realize that Vandiver would be four lanes someday. Well, is this that someday coming up now? When

you have Rangeline, it's closing time, people want to get out from downtown, Rangeline is a backed-up street, Vandiver is a very backed-up street. Vandiver could be backed up all the way up the hill on the east end up there up to where the bread company used to be and beyond. So are we going to have plans -- contingent plans for the relief, the parking, the driving lanes on Vandiver if you're going to dump a bunch of more cars, traffic onto it? I'd like to know some numbers. The -- also, you also have the headache of car dealerships always parking in the middle of the lane, which I find unusual since they -- I don't think anybody else can do that, and unload their business out there. So things like that need to be addressed. The way it is now, it's dangerous for ambulances, fire trucks, police like it is when you have the middle of the road blocked up and then, you know, poor traffic flow through there. So that's my big -- big speech.

MS. GEUEA JONES: Thank you. Are there any questions? Mr. MacMann?

MR. MACMANN: A comment. I totally hear you on the issue of the car dealerships unloading where they do unload. That's a battle I lost when we wrote the UDC. They have the right to do that, although I find it problematic, as do you. As far as the number of units that go back there, I didn't catch the size of Mr. Crockett's preservation buffer, but it's probably, like, six acres, seven acres, five acres? Sixty, sixty-five units, it's hard -- that's just my ballpark.

MR. HARR: Are they double story?

MR. MACMANN: I know how many can go in there, but they're not going to get all that. I'm trying to do this without engaging him. I'm sorry. They don't have plans for that. R-MF would allow them to put up to six units per acre, but they're not going to get six units per acre because of they are going to have to preserve trees and they're going to have to do action for storm water, and they're losing some right-of-way to the roads. So maybe four an acre, something back there, and it still could be potentially 60 units. But as -- they have no plan right now. They're just asking for a rezoning to allow to do that type of activity.

MR. HARR: Well, I'm happy to see that there will be a connection at least to one road. Shame on the City Council, shame on even this Board for allowing the right-of-way that was in that PD. There was a 25-foot right-of-way next to my east property line. And someday they said they would come back to me and ask for a 25-foot right-of-way. That's back when right-of-ways were 50 foot. They decided to vacate that. Now we're going back to try to find right-of-way is very difficult.

MR. MACMANN: Again, I'm with you, sir. I don't think we should do that, but that's a battle neither one of us apparently have won.

MR. HARR: Yeah.

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

MR. HARR: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Going once, going twice. Okay. We'll close public hearing and go into Commissioner comment then.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Are there any Commissioner comments? Would anyone like to make a motion? Commissioner MacMann?

MR. MACMANN: In the matter of Case 68-2024, Allen -- 2000 Allen zone -- Allen Lane rezoning request, 50.17 acres to R-MF and 3.42 acres to M-C, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval has been moved by Commissioner MacMann and seconded by Commissioner Stanton. Is there any discussion on this motion? Seeing none. Commissioner Carroll, when you're ready, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting yes: Ms. Loe, Mr. Stanton, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Wilson. Motion carries 7-0.

MS. CARROLL: We have seven to approve. The motion carries.

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

Case Number 67-2024

A request by Crockett Engineering (agent) on behalf of 2000 Allen Lane, LLC (owner), for approval of a five-lot Preliminary Plat to be known as "Vandiver Commercial." The 18.83-acre subject site is located on the north side of Vandiver Drive at 2000 Allen Lane.

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

MR. PALMER: Yes, you may. Thank you, Madam Chair.

Staff report given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the "Vandiver Commercial" Preliminary Plat subject to technical corrections.

MS. GEUEA: Thank you. If any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Are there any questions for staff on this case? Seeing none. We will open the floor to public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. You've seen my presentation and I have nothing further to add. I'm just happy to answer any questions that the Commission may have.

MS. GEUEA JONES: Are there any questions for Mr. Crockett on the platting action? Seeing none. Thank you very much. Any other members of the public to speak on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments? Commissioner MacMann, are you making a comment or --

MR. MACMANN: I have a motion if there are no comments.

MS. GEUEA JONES: I would just like to comment that I -- I am a little -- I understand the traffic study will be done ahead of time. I suspect that the activities of the car lot will be taken into account there. I do think that that traffic study is going to show that there's going to be a problem, and I don't know what

the solutions to that problem will be, but we have a Code for a reason, and I am certain that those things will be worked out before any ground is broken. Commissioner Loe?

MS. LOE: I just want to observe, since I've raised the point that Google Maps has apparently labeled the wrong driveway Jolene --

MS. GEUEA JONES: Uh-huh.

MS. LOE: -- and I feel a lot better about the driveway being shown in the proposed plat -- more space for improvements.

MS. GEUEA JONES: Anyone else? Seeing no other comments, Commissioner MacMann, if you would still like to make your motion?

MR. MACMANN: I have a comment and then I have a motion. Comment for staff, and I repeat it to this other gentleman here. I do find the car carrier disgorgement happening on public right-of-ways to be problematic, and particularly in this case, and we might want to review that at some time. That said, on the matter of Vandiver Commercial Preliminary Plat, Case 67-2024, with minor technical corrections, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval has been moved by Commissioner MacMann and seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commission Carroll, when you're ready, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. MacMann, Ms. Carroll. Ms. Geuea Jones, Ms. Placer, Ms. Wilson. Motion carries 7-0.

MS. CARROLL: We have seven to approve, the motion carries.

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

VI. PUBLIC HEARINGS

Case Number 54-2024

A request by A Civil Group (agent), on behalf of Marilyn E. Brown (owner) for approval of a request to permanently rezone 37.59 acres to R-1 (One-Family Dwelling) and 30 acres to R-2 (Two-Family Dwelling) upon annexation. The 67.59-acre subject site is located at 1301 Olivet Road and is currently zoned Boone County A-1 (Agriculture.)

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the request to permanently zone the 67.59 acres as follows:

Tract 1 (30 acres) R-2

Tract 2 (37.59 acres) R-1

MS. GEUEA JONES: Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of the public hearing, please disclose so now. Seeing none. Does anyone else have questions for staff? If not, I've got a couple. Commissioner Loe?

MS. LOE: Thank you for the report, Planner Palmer. I have a question just about you mentioned that the road network is developed and -- as properties are acquired. Can you tell me what right-of-ways have been obtained for the north-south road on the east side of Hawthorne? It would be on the west side of this property between --

MR. PALMER: Let's see.

MS. LOE: -- Richland and WW.

MR. PALMER: The one -- is that Burley? So -- well, let me get to the map. So basically, this parcel here that's kind of an L-shaped parcel is the Richland Estates tract next to Old Hawthorne North. And I hope you guys can see my cursor up there. But the section from Richland to the southeast corner -- or southwest corner -- excuse me -- of that parcel is established on a prelim plat, I believe. They haven't final platted yet. So that leaves a gap on this parcel to the north, which I believe is under one ownership, and then there's the gap south of there. I don't believe anything south of the subject site has been established at this point, so --

MS. LOE: Thank you.

MS. GEUEA JONES: So assuming they want to build out this property before they do the one directly to the north or directly to the south, how do people get out of the neighborhood?

MR. PALMER: So basically, the roads you see here will be one point of access at the Turner Farm Road entrance from Olivet. It would go over to a segment of Burley that would extend across the site north to south and stub at each property line. And then there would be a secondary connection on the west side of Burley into Old Hawthorne. And I don't think I have a map that shows that real clear, but it's basically right here, Shallow Ridge Drive or Road. So there's, I believe, one or two lots on either side of that now in Old Hawthorne, and preliminary plans showed Burley slightly shifted over so that there would be room for a lot on the western side, so there will be lots backing up on lots with an east-west connection between. So that would meet the second access point required for fire access -- fire code compliance.

MS. GEUEA JONES: Yeah. Mr. Zenner, I think you're probably the one to better address this. Given the petition, does that change whether or not this would go on consent calendar?

MR. ZENNER: Well, the petition has been verified, so it's going to require a super majority vote regardless. And it -- depending on the practice that the Commission has followed in the past, if you want it directed to old business, that would allow for additional public comment to be made at that level, but they're -- they're going to be required on the permanent zoning side to do the super majority vote because it has been a verified petition. So I would assume that the property owners that are in opposition to this would request, as well, to have it removed off of the consent agenda, but as we have discussed in the past, you have the ability to do that as well through just a motion.

MS. GEUEA JONES: And there is no way we can split this case. Correct? We couldn't say we'll approve your request on the R-1 lots, but not the R-2 lots?

MR. ZENNER: I mean, the applicant has the ability to consent to a down -- consent to a

downzoning of the R-2 if they so chose for all R-1 on the total acreage. You could make a motion -- a split motion, yes. I think you can do that. I mean, this is -- while the case is being requested to be zoned R-1 and R-2. You could split your vote accordingly, and that would be reflected in the minutes and presented to Council that way.

as well.

MS. GEUEA JONES: Thank you. I think that's all of my questions for staff. Anybody else? Last call. Seeing none. Okay. We'll go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES? Please come forward. Again, just a reminder for everyone, name and address, speak directly into the microphone, as we have audience online, and six minutes for applicants and groups, three minutes for individuals. Thank you.

MR. GEBHARDT: Good evening. My name is Jay Gebhardt. I'm a civil engineer and land surveyor with A Civil Group, tonight representing Marilyn Brown, who has lived on this property since 1975. She currently doesn't live there, but she still goes to the farm and works on it. This is a little bit better blow-up of that. It shows that Shallow Ridge Drive stub from Old Hawthorne, and Turner Farm Road, and then just the nature of the large lots that abut us. It's really important for me to drive home tonight that there are no current plans to do development on this. This is an opportunity for you guys to be proactive and create a zoning that future commissions and Council can work on when a true development plan comes forward. So this is truly an opportunity to plan and there is no -- there is no interest on the Brown side to develop this property. What they would like to do is have a say in how it is developed, and provide a plan for any future type development. You know, I sit through these meetings almost every two weeks and I listen to you guys. And, you know, we talk a lot about diversity of housing. And to me, it -- we're not talking about a planned district, we're talking about R-2, because in R-2, I can do 5,000 square foot lots. I can do single-family attached, and I have the opportunity to ask for conditional use for a cottage. So that diversity is very similar to what happened in Old Hawthorne under a planned district, but here is an opportunity in the UDC to use those standards that you guys have created and allow this property to be developed in a way that isn't just a monotonous R-1 development. You know, the East Area Plan here shows this -- I actually have a little bit better blow-up. It kind of shows how the agricultural part, this is the right-hand corner. But clearly, I mean, a lot of you were -- or some of you were on the Commission when the East Area Plan was crafted, and a lot of work and effort went into that. And we are in compliance with that, as staff said. I want to talk about the roads a little bit, because when this -- the Browns first approached me about this, the first thing I really paid attention to was the road network. There's a lot of major roads on this 60 acres. There's a major collector on the west side. There's a minor arterial on the east side, and a neighborhood collector along the south side. And I would like to point out that Olivet, even though it is a two-lane road and not adequate for a development to occur now, it is the same classification as Route WW. So there are plans for Olivet, I believe, to go across I-70 and tie in to

the north side. So that -- that is a -- going to be a major arterial. And I felt like with that road network, there is an opportunity to provide a plan that allows for some -- a more diverse type of housing rather than just single-family. And this is the diagram that we have. The blue is the R-2, the yellow is the R-1. We're buffering Old Hawthorne with the R-1. We're putting the R-2 out toward the major arterial or minor arterial. The black line on the south is the neighborhood collector street. The north-south part is the major collector that's called Burley Drive to the north of us. And then that other connection over to Old Hawthorne is the extension of Shallow Ridge to connect -- provide a connection to the existing neighborhood. So with -- I think that's it, but I really wanted to, you know, say that this -- this is a family that has lived on this property. They care about the area. They have deep roots in this area, and they -- they are doing the unusual step of trying to annex and plan this property for that when their mother is no longer with them, they'll have a plan for how this property can be proposed to be developed. And we -- you know, we're not bringing in a preliminary plat. We're not doing it, but a traffic study is going to be an integral part of any preliminary plat that comes forward to you. And if it were to come forward today, there would be a lot of major issues that would have to be addressed and -- but we're not. We're just bringing -- we're trying to plan the zoning. And as you guys remember when the Copperstone zoning that we did a couple of months ago, I mean, that was zoned in 1992 commercial. And I can tell you if it was trying to be commercial today, it would have never happened, but that Commission and Council had foresight to try to create a zoning and do some plans. And I've done this long enough to know that a lot of times they'll say, well, it's a great plan, Jay, but it's the wrong time or it's the wrong area, but I disagree with that in the sense that this is truly planning, trying to do something. We're not asking for multi-family, we're not asking for commercial, we're not asking for a lot. We're asking for the ability to have a smaller single -- more affordable single-family homes on the eastern portion of the property. And with that, I would be glad to answer any questions that you have.

MS. GEUEA JONES: Any questions for this speaker? Would you go back to the which half is which?

MR. GEBHARDT: Oh.

MS. GEUEA JONES: Yeah.

MR. GEBHARDT: The blue is R-2, against Olivet, and the yellow is the R-1.

MS. GEUEA JONES: Thank you. My brain was trying to wrap around that. I appreciate that graphic. Any questions? Commissioner Carroll?

MS. CARROLL: And could I ask what you mean by smaller, more affordable?

MR. GEBHARDT: You know, it doesn't have to be that. It will really depend on the developer that purchases this and what they propose. It could be very much like what's in Old Hawthorne now where you have villas, or they call them villas, but they're single family attached. It could be smaller single family. It could be a cottage. But that will really kind of be determined on what kind of infrastructure exists at that time to -- to do that, and what could be supported, and what the developer at that time is willing to spend

to provide those off-site improvements.

MS. CARROLL: Can I ask why the R-2 goes further out, closer to Olivet?

MR. GEBHARDT: Why -- say that again, Valerie. I'm not sure that I'm understanding your question.

MS. CARROLL: Well, I'm just curious why the more dense zoning is closer to the part that touches the ag boundary.

MR. GEBHARDT: Because of the major -- well, my thoughts were that that's a minor arterial street, and that's where the density needs to be closer to that street. I wasn't looking at the East Area Plan, saying, well, I'm on the edge, I need to do larger lots there, because I thought buffering Old Hawthorne was more important with the R-1, and then transitioning to something just a little bit more dense as we got to Olivet, and that -- that was -- that was my reasoning. I mean, basically, Olivet is going to be a -- a wide, you know, four-lane road at some time in the future. And when that happens, it -- having single family along it could be problematic.

MS. GEUEA JONES: Anyone else have questions? I have one, and I'm going to try to keep my tangent brief, but I want to go down a little one. You mentioned long-range planning.

MR. GEBHARDT: Say that again.

MS. GEUEA JONES: You mentioned long-range planning.

MR. GEBHARDT: Yes.

MS. GEUEA JONES: Have you been paying attention to what we're doing with R-1 lots and looking at --

MR. GEBHARDT: I am, but I don't know when that's going to occur, and -- and we wanted to move forward with this now. And so if that were an option today, I probably wouldn't be asking for the R-2, because I would have those options within the R-1, but I don't today. And -- and we don't know if the Council is going to approve that or what form gets approved. And so, you know, I'm dealing with what we have today, is basically --

MS. GEUEA JONES: Fair answer. I just wasn't sure if -- assuming those changes went through, if you thought, and it sounds like you do think, that then R-1 would fit the vast majority of needs that you were envisioning here.

MR. GEBHARDT: These -- I -- you know, if someone were to come into my office and say I want you do -- buy this and put a preliminary plat on it, I would be encouraging people to do single family or single family attached. I wouldn't try, you know, big -- I think the fear is this is going to be a big duplex development that's all investor owned and rented, and I don't -- I don't visualize that at all. But, you know, if you want to go to the worst-case scenario, that's -- that's probably it. I can't keep you from going there.

MS. GEUEA JONES: Thank you. Any final questions? Seeing none. Thank you very much. Are there any other members of the public here to speak on this case?

MR. STEPANOVIC: Hi. Steven Stepanovic; I live at 7275 Turner Farm Road, directly east of this

property. You guys touched on some very important points. I especially liked that you brought up the changes coming to R-1. I think that's critical here. This represents the farthest east -- some of the farthest east property that will be brought into the City to date, and it's right on the extent of a sensitive area. I don't see any reason to bring density this far east, this close to sensitive areas. It completely changes the character of the neighborhood, and you can see that we have a lot of concerned citizens here worried about that. Please note our formal petition accepts the R-1. We're fine with growth. We understand it's going to happen. People are going to come east. We accept that. But bringing density this close, this far out, does not make sense in my personal opinion, and I also don't know that it achieves the desire of density. No bus service out here. There's no trails. I, myself, use the trails all the time. I have to drive my bike in town to use them. So I'm not sure how individuals who might be best served by higher density housing would find it useful to be so far east. Additionally, three major developments were brought into the City recently: Old Hawthorne North, Richland Estates, and maybe The Brooks to the north. None of those have R-2 zoning. This would be an R-2 zoning in a sea of R-1 zoning. If the goal is to bring a diversity of zoning, it probably should have been brought in to some of those larger developments that are on larger traffic nodes, such as Richland. Here we have R-2 between Olivet and Turner Farm, which are not developed right now. The far west collector, Burlington, or I forget the name of it, isn't even developed. If this was developed today, Turner Farm would be a mess, and so would the east side of Old Hawthorne. So, really, my main concern is to maintain the character of this neighborhood. It's a sea of R-1. And it's a sensitive agricultural area that I believe we should protect. So thank you very much.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? No. Thank you very much.

MR. STEPANOVIC: Thanks.

MS. GEUEA JONES: Anyone else from the public, please come forward.

MR. WEBER: I'm Bill Weber; I live on 7275 East Turner Farm Road. We're just down off of -- on Turner Farm Road just off Olivet, a couple hundred yards. But I have several things that are a problem for me. I may have missed something because I can't hear a cannon go off anymore, so if I'm repeating something, well, forgive me. But the things that I can see that are wrong with this, the biggest thing, or one of the biggest things, first of all, it sounded like I understood you didn't have, the initial entrance would just be Turner Farm Road and Olivet. Well, that's a dangerous intersection right now with very little traffic because you come up a hill and turn a corner, if you're at -- sitting at the stop sign at Turner Farm Road to get on Olivet, you have to watch for traffic coming up. And you multiply that traffic by several hundred, and it's going to be dangerous. And we already have a very dangerous intersection at Olivet and WW. There's accidents out there regularly. And again, you have Olivet just below the -- the hill coming down WW, and people come down that hill 60, 70 miles an hour at times, and if you're coming across that, you better get across in a hurry or you're liable to get hit, which happens very regularly. So the increase in

traffic is a big thing. And to be -- you know, I think this is completely out of -- out of whack. It's getting the horse before the cart because if you don't have easements for another road through there, you haven't got diddly squat. And how many times have we seen -- have we seen a development start out and it's going to have roads here and roads there, and they don't get developed because they didn't get the easements. So before you could ever consider changing this zoning on this, you need to have the easements so that you can see that it can be done. Otherwise, it's -- you're going to make a real mess, and, you know, that -- the change in the neighborhood that Steven was talking about, that's -- that's a big deal because, you know, we live there. We like the rural atmosphere. That's a big thing to us. It may not mean much to a lot of other people, but the people that live there, it does. And water, I've got a note here that said that the City staff had not identified any issues with capacity to serve the proposed development with the necessary utilities. Already we don't have water pressure out there. Water pressure, it's pretty good right now, we're in the wintertime, but you take when spring hits and summer hits, my daughter lives just a couple of miles down on the same water system, and they can't flush the stool and take a shower at the same time. I mean, that's -- that's a problem already. And the water system, I understand, was designed to put -- you know, for it to develop ten-acre lots. And Mrs. Brown could have six ten-acre lots on that piece of property, and it wouldn't change the community at all. To say that if you put a couple hundred people there, it isn't going to change the community, that's a joke. That's not right at all. Traffic is going to increase, water -- oh, and crime. We've got a -- oh, a camera that goes off and on that, you get the crime reports that are going off within a couple of miles of us. We used to -- that thing never said anything. Now, there's hardly a week goes by that we don't hear about crimes, primarily a little bit to the north and west of us. But I think if you put a couple hundred very small houses here, very crowded housing, that's going to change, and I don't like that at all, and I don't think we should have to -- have to put up with it.

MS. GEUEA JONES: Thank you, sir. Thank you.

MR. WEBER: You know, it's already set up for six ten-acre lots. They could do that and you wouldn't even have to be bothered with it, because that's what Boone County has in the rural areas is ten-acre lots. They can do that.

MS. GEUEA JONES: Thank you, sir. Your time is up but thank you very much.

MR. WEBER: All right.

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

MR. MAYFIELD: Tony Mayfield; I'm at 6901 East Summers Lane. Our property has probably -- shares about 1,500 feet of alignment there right in the middle of the development, kind of sitting between the R-1 and the R-2. My comment would be really along the lines of Steven's, is realizing that the city of Columbia is coming east, and realizing that there is growth. And -- but I would -- I'd just ask, we moved from Thornbrook to come out into Boone County. And the one thing that I would ask is, you know, the Columbia Imagined, I think you have to imagine infrastructure, water, utilities. You have to imagine the

proper throughways, the easements, the ingress and egress. And that has to be done really before, as my gentleman colleague just spoke before, is there has to be an established infrastructure to kind of provide appropriate city planning for these types of neighborhoods before the actual density comes in. So I'm opposed personally to the R-2, you can imagine. We do realize that there are a lot of, you know, it's a great area to live in, so -- so really the R-1 provides some good housing opportunities, but the R-2 would bring higher density and, again, with a road system that currently would not be able to -- to accommodate it -- (inaudible). Appreciate it. Any questions?

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

MR. MAYFIELD: Thank you.

MS. GEUEA JONES: Next? And if you want to go next, feel free to move forward. We don't really do the line-up thing, although we can, but don't -- don't be shy, promise. Hi, please go ahead.

MR. KILEY: My name is Richard Kiley. My wife, Rebecca, and I are at 1120 South Olivet. It is kind of the northeast corner of what the proposal is here. So I'll move through this quickly. First, I'm pro-growth for the city of Columbia. I think growth is key to the future and success of Columbia and Boone County, and we welcome more families in our neighborhood. However, we must make sure the decisions we make today, if the City of Columbia planned progress and do so in a realistic and common sense manner. We won't be able to correct the decision once the desert -- once the dirt begins to move. So I'm suggesting we use caution and prudence. With that, annexation is fine from my perspective. R-1 rezoning is fine, but I don't really see the necessity for R-2 rezoning at this point. It just doesn't make sense for what is out there today. So please don't assume there is no neighborhood on South Olivet today. I'm going way out on a limb here, but I'm guessing most of you have lived today in a much more suburban or urban environment in the city of Columbia. There is so much diversity in Columbia neighborhoods today. That adds to the beauty of the city. That diversity includes urban, suburban, and rural neighborhoods. On South Olivet today, R-2 is not appropriate. If you look at the map, we are closer to the rural Callaway County line than we are to downtown Columbia. We are a long way from downtown Columbia. We are farms and single-family homes, and fescue horse and cattle pastures for miles. Will that change? Perhaps. But there's no hurry to demand R-2 rezoning today. It's premature. One size doesn't necessarily fit all in this case. The staff has been very courteous during the petition and question process, and I thank them very much. But when I read the report, it seems to focus on infrastructure. That's only a part of the issue here. Have any of you taken a drive down South Olivet recently? It's single-family homes at five to ten acre lots and corn and soybean fields and fescue pastures and lots of wildlife. There was a bald eagle in our yard earlier this week. In fact, the subject property this last few years has been home to a small herd of cows and calves. It's a beautiful area. I don't really understand the speculation required for R-2 rezoning at this point in time and ask you to defer that question until later. Assured by the owner there is no developer currently involved with the property, nor is it even for sale that

they have shared. We have idea whether a specific planned development will look like at this point, and that begs the question what's the hurry to move to R-2 right now. If the property is sold to a developer, wouldn't it be prudent to understand how they plan to develop the property. Columbia Imagined, as adopted by the City Council, has a stated goal listed under the land use and growth management objective. It states goal one, the personality and character of neighborhoods is preserved. We have a neighborhood in place today. R-2 will change that neighborhood significantly and it will be irreversible. There are many seniors living in the vicinity, as well, many directly adjacent to the subject property. They will have to suffer without recourse. Further, the stated goal of the land use and growth management category by the City of Columbia is to promote and protect existing neighborhoods. Again, speculative R-2 zoning will not maintain the character of the neighborhood. Approximately ten to twelve years ago --

MS. GEUEA JONES: Sorry. Sorry sir.

MR. KILEY: Can I have a summary paragraph then?

MS. GEUEA JONES: Please.

MR. KILEY: Okay. I'm sorry for the length. The owners have stated in a recent public meeting and various communications that they have no current plans to develop or sell the property. We would know much more accurately in one or three years what South Olivet neighborhood will look like. If it doesn't develop, R-2 is clearly out of place. If it does develop, R-2 is a reasonable option at that time. Developers with specific plans could come forward before this Commission. They do it all the time, and you can make a decision on R-2 at that time. So we respectfully request that you -- if you cease the need to annex and go with R-1, but deny R-2 at this time. Thank you.

MS. GEUEA JONES: Thank you very much. Are there any questions for this speaker? Seeing none. I do want to clarify. We don't make annexation decisions. That's only City Council, so any vote we take tonight is purely on zoning, not annexation.

MR. KILEY: I referred generically to the City of Columbia as annexation. My apologies.

MS. GEUEA JONES: And it wasn't directed at you. I normally remember to say that at the beginning. I forgot, so I just wanted to be clear. But thank you very much for being here tonight.

MR. KILEY: Thank you.

MS. GEUEA JONES: Anyone else to speak?

MS. SMITH: Good evening. I'm Donna Riley Smith.

MS. GEUEA JONES: Would you pull the mic down towards you. I'm sorry. Thank you.

MS. SMITH: I'm Donna Riley Smith, and I live at 1134 Shore Acres Loop currently. I'm writing in regard to City of Columbia Case Number 54-2024. Due to circumstances beyond my control, I was unable to sign the petition against the proposed zoning for the acreage at 1301 South Olivet Road. I own property within 185 feet adjacent to the south of the proposed site. I oppose rezoning Tract 1, 30 acres as R-2, as a means to preserve and protect this vital rural segment of Columbia, Missouri. I would like you to take the opportunity to reflect on a land use and growth management goal that discourages sprawl and

encourages density in the city core. The limited infrastructure in the Olivet area is and has been appealing for past and current property owners. After all, Turner Farm Road remains a dirt road maintained with a road grader and gravel. A Boone County Commissioner recently stated that even the paved roads in this area are glorified cow paths. Rural settings are attractive to many sittings -- to many citizens, but becoming less available in our diverse community of Columbia, Missouri. The Civil Group requesting this zoning mentions the desire for a development similar to neighboring Old Hawthorne. I remind you that Old Hawthorne was a planned community with hundreds of acres. We are talking about 67.59 acres in an area that is already home to a multitude of diverse families. I realize that growth is inevitable even in rural areas, and I am saddened to think that nine acres purchased several years ago to someday have a house in a rural idyllic setting may not come to fruition. When making your decision, please think about the families that currently reside in this area. They purchased their property when the 67.59 acres, the area in concern, was zoned Boone County agriculture. I doubt any of them even considered the possibility that in their lifetime there may be 120 new neighbors within 67.59 acres. They didn't think about wanting or needing a bus route or a bike lane to go to town. H-A-R-D [sic], Harg, is written on the water tower near the corner of WW and Olivet. If you live here, you know that Harg was once a vibrant rural community on the outskirts of Columbia. Harg is a reminder of our real roots in this area. The original Olivet Church is 150 years old, and still stands. Even though much has changed, much has been preserved. We are still on the outskirts, still rural, and would like to maintain that status.

MS. GEUEA JONES: Thank you very much, ma'am. Any questions for this speaker? Seeing none. Thank you. Next? Anyone else to speak? Going once, going twice. Okay. With that, we will close the public hearing.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments on this case? Commissioner Wilson?

MS. WILSON: I have a question that is probably for Planner Zenner, which is with the proposal that we have, that's a straight up or down vote for both. Right?

MR. ZENNER: As Chairman Geuea Jones had asked, you have the option to make comment. You could split the vote if you would like, given that the conversation that you have had this evening, that message would be presented to City Council. The applicant has the opportunity to request consideration of an amended application to downzone all of the property or zone all of the property to R-1, meaning that the R-2 would be downzoned. If they choose not to do that, the recommendation on these two distinct pieces of this property can be separated in your motion.

MS. WILSON: I guess my next question would be if we wanted to split, we would have to create an amendment to do that?

MS. GEUEA JONES: I don't know that we would have to reduce it to writing at this stage. We could just -- so the way that would normally work is someone would make a motion to divide the question. And that division would be based on the tract zoned R-1 and tract zoned R-2. And then we would take

separate votes on each half of the question. Any other Commissioner comment? Commissioner Stanton?

MR. STANTON: Hearing all the testimony, I definitely understand where the neighbors are coming from, and I'm sure they have strong feelings about landowners' rights. And to my knowledge, the family that is proposing these changes is or was a member of this very community, and they're exercising their landowner rights. Nothing in -- the way I look at it is, okay, R-2, yes, allows more density, but does not prevent you from having R-1 homes. It's a tactical -- tactical way to divide your property. There's a lot of R-2 in town that has single-family homes. It doesn't mean if it's R-2 that it has to be multi-family. The market may dictate that those R-2 lots be used for R-1 homes. I do understand the infrastructure issue, and I definitely understand why R-1 is abutted to Old Hawthorne, because if he had put R-2 by Old Hawthorne, this whole place would be full, and we would have to go outside. So I understand why he put R-1 right next to Old Hawthorne. So it's -- it's about property rights, their neighbors' right to realize their land to the best of their ability, and I would assume through the strong conviction of that and property rights in this area, if someone were to try to tell anybody else in this neighborhood to -- what they could or couldn't do with their property, I think we have an equally vibrant discussion. So I'm kind of weighing both, that person's right to do what he wants with that land, and all they're doing is really just thinking ahead of time. There is no plat, there is no -- I mean, you know, they're thinking for the future and their family's future. And if you -- if anybody else in this area were to say, hey, I want to keep mine rural or, you know, A-1 or R-1, and someone said, no, you couldn't do that, they would be equally upset. So I'm kind of really trying to weigh, you know, what I've heard here and what really is the major driver of where the protest with this really is. I get it. You might be scared there might be a bunch of apartments out there. I get it. I don't think that would happen. I don't think the infrastructure -- I just don't think it would happen. I don't think you guys would let it happen, because it would still have to -- it would still have to come before us for plats. It would still have to come before us for the infrastructure, traffic studies, all of that, and you, ladies and gentlemen, would be right back in here kicking up dust again, which is why we have this process. But I'm really weighing the fact, what if someone told you what you could or couldn't do with your legacy property and how you would think about handing that over to your family in the future. If someone was trying to dictate what you would do, how would that discussion go? And that's kind of where I'm -- I'm hung up on.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Carroll and then Commissioner MacMann.

MS. CARROLL: Yeah. This application is pushing on some of -- I don't know -- the core values that I have that are contradictory in some cases on analyzing these kinds of rezoning. I don't favor the slow outgrowth of R-1. I don't favor increasing the amount of R-1 district through annexation. I don't believe that that supports conservation well, for example. I think that including a diversity in housing types through R-2 might do better at that, in fact. I don't tend to think that R-2 only belongs in the core of the

city. I think people need diverse housing types from all kinds of backgrounds for all kinds of reasons, and it uses the land in a way that is more purposeful and takes up less away from our delicate areas. That said, I worry about the infrastructure on this piece of property in general, the future of the roads, specifically. I think this is problematic and, to me, this would not be a great example of something to be annexed. That's where I think we're getting the cart ahead of the horse. I don't think the problem is the zoning, I think the problem is the annexation. We don't vote on the annexation. That's what you have to take up with City Council. That's my two cents on this case.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I am more than willing to move to divide the question to provide clarity for us and clarity for the Council moving forward, just to see exactly where everyone is at and why they're there. That said, a little story time. I grew up in West County, St. Louis, then in West County, St. Charles. And when I was there and I was a kid, it was an endless sea of R-1. And I've been on this Commission now for almost eight years, and I've seen R-1, R-1, R-1, R-1. And often what we have to do, is we have to go back and fix it. We can have every philosophical views on that. Diversity of housing and diversity of citizens is extremely important. I think you could -- or folks here approach Council about the annexation issue. One of the things they -- they gain by annexation is City utilities, and that will hopefully set, fingers crossed, address the infrastructure issues, and you do have an area plan in place, also. That said, I've rambled enough. I will be more than willing to make that motion to divide if we're done -- when we're done having this conversation.

MS. GEUEA JONES: Commissioner Placier, did you have a comment?

MS. PLACIER: Yeah. I think this map says it all. I'm sure that the people on Olivet, looking at the situation without that proposed annexation, thought there was a big area of buffer between themselves and what is in -- looks amazingly dense Old Hawthorne. When I first joined the Commission, we had an Old Hawthorne proposal in almost every meeting. I thought when will we be done with Old Hawthorne. Old Hawthorne has grown and grown and grown. Old Hawthorne could, I suppose, have expanded into this area. But I can see why, over the years, you thought, well, there's all this space between us and Old Hawthorne, that's as far as it's going to go. That's as far as Columbia is going to go. And yet we have this East Area Plan. Now, the East Area Plan does not mandate annexation of areas outside the city boundaries. I just heard Joe Biden there. So, you know, and besides which, we don't control annexation. We only look at the proper use of land once annexed into the city, and we often get proposals like this that it assumes annexation will be approved and so they bring it to us as kind of a fast track. So it could all go through in one City Council meeting. They'll take care of the annexation first, and then look at the zoning and look at our decision on the zoning piece of it. We have had nothing to do with the annexation. My -- I guess I would be, if I lived on Olivet, I would be just as happy to leave the boundary of Columbia at Old Hawthorne and say that was enough of that, going out that way, but -- until we have a better plan for that area. So I do understand how you must have been feeling about that. There's a stark contrast between

Old Hawthorne and the areas to the east of it. And we have a tough -- tough decision to make.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I believe there's a difference between requesting a change of zoning and developing your property within the existing zoning that you have. So if the owner of this property wished to develop their property at ten acres a lot as is allowed by the A-1 zoning, we wouldn't be here tonight. I also believe in character of a neighborhood. I think this Commission believes in character. It's something we talk about a lot. As someone who owns rural property, I understand that it's difficult to define and defend conservation areas, so I'm very sensitive to that. I also think that the character along Richland and Fulton Gravel is different than Olivet. We've already seen this type of development along those roads, so, to me, this is a significant change to that area south of Richland. We've talked about infrastructure with an emphasis on roads, but some speakers have brought up the lack of public transportation, the lack of trails. I also was thinking I don't know if parks are planned in this area. I don't know -- I haven't seen real commercial grocery store growth in this area. If we put -- if we agree to this, are we saying why not go to Millersburg for that growth, because property is cheaper than there, and maybe their taxes are less. So, to me, this does feel both speculative and very premature. I understand development on the perimeter of the city will leapfrog, but I feel like there's a lot of potential property that we're bypassing that I want to see more of that infrastructure development following before we push this out more. I think we're -- we're starting to strain our ability, so I will not support this, either R-1 or R-2.

MS. GEUEA JONES: I think -- I think that it is important to look at not just the immediate surrounding areas, but the trends moving that way, as well as the trends in development generally. And I think a lot of the trends in development generally are toward a major intersection, you have more dense housing, and the same developer has developed an entire neighborhood plan where housing gets less dense as you move towards the interior of that neighborhood, which is probably what is being envisioned here. I think that vision is ten, fifteen years down the road, probably. I understand folks are -- are setting themselves up for the future, and wanting to get better utilities, which makes sense, and all of these things. Had it not been -- and I understand procedurally the formal petition does not affect the way our vote works -- we get a lot of neighborhood comments on a lot of different cases. Rarely does anyone take the step to actually gather the signatures and get the formal petition. To me, that means there is a deeper level of opposition, specifically to the R-2. And there's a saying in your -- in your law school classes when you start talking about constitutional rights which is one person's rights end where the other person's rights begin. And there is often an attempt or a responsibility on the part of government actors to balance the rights of everyone. And I -- I think in this case, that balance would be R-1 zoning, especially since we're not looking at this -- this is a plan for the future. This isn't a plan for we're going to break ground next week, we've already got people coming in, we've already got materials bought, we've already got, you know, plans drawn up. We're not at that point. And so I think the balancing of rights in this case is leading me towards saying R-1 is probably correct. It's probably looking further down the road than the next five

years, but it's probably where this whole area is going to eventually end up with a neighborhood node down at the end, just given the way that Columbia tends to look and grow in our more suburban neighborhoods. R-2, I think I would probably be okay with were it not for the neighborhood opposition. But their property rights have to be taken into account, as well. And if the use and enjoyment of their property is going to be negatively impacted to the extent that they are willing to go the extra step, to make this a formal protest, then I can't ignore that, and have to take that into account when making my decision. So I -- I think these are two distinct problems, and I would like to see a division of the question, but I yield to my fellow Commissioners in how they want to deal with that. Commissioner Placier?

MS. PLACIER: Yeah. I just had a question. Since we are -- we have nothing to do with the annexation part.

MS. GEUEA JONES: Correct.

MS. PLACIER: The annexation part could go forward to City -- it can't go forward to City Council?

MS. GEUEA JONES: I -- I don't think so. I think we have to decided what the zoning would be --

MS. PLACIER: Oh.

MS. GEUEA JONES: -- before they could vote on annexation.

MS. PLACIER: So it has to be linked to zoning. Sorry.

MS. GEUEA JONES: Yes.

MS. CARROLL: We can unlink it on the agenda.

MS. GEUEA JONES: Well, we can unlink it on the agenda, but they can't take an annexation vote until we determine zoning.

MS. PLACIER: Okay. Got you.

MS. GEUEA JONES: Correct? I'm getting nods. Okay. Commissioner Stanton?

MR. STANTON: I think this conversation has been great. I'm ready to make a motion and put it on the table as it. We voted and our votes will dictate how our conversation has went. It goes in front of City Council. They have another -- they have another venue to discuss it. I don't know how it's going to break, but, of course, there's -- there's division here. I don't think we need to parse it unless someone, like, gives me a symbol that they want to do that. I don't see it. Okay. So I want to vote it as is, up or down, and we just take the vote and let our votes kind of dictate it.

MS. GEUEA JONES: You're free to make a motion.

MR. STANTON: Okay. As it relates to 1301 South Olivet Road, permanent zoning, Case 54-2024, I move to approve the recommended permanent zoning as follows: R-1 for 37.59 acres for Tract 2; R-2 for 30.00 acres, for Tract 1.

MS. LOE: Second.

MS. GEUEA JONES: The motion to approve the case as stated has been made by Commissioner Stanton and seconded by Commissioner Loe. Is there any discussion on the motion? Commissioner Wilson?

MS. WILSON: Yes. I would like to amend to split the question.

MS. GEUEA JONES: You move to divide the question?

MS. WILSON: Yes.

MS. GEUEA JONES: Commissioner Wilson had moved to divide the question. Is there a second on that motion? Commissioner MacMann?

MR. MACMANN: I second.

MS. GEUEA JONES: Commissioner MacMann has seconded Commissioner Wilson's motion to divide the previous question. Is there any discussion on Commissioner Wilson's motion? Commissioner Stanton?

MR. STANTON: Yes. Isn't my motion on the table?

MS. GEUEA JONES: The motion --

MR. STANTON: How can you -- is that an amendment or don't you vote what I have already got on the table?

MS. GEUEA JONES: A motion to divide the question must be made after the initial question has been offered -- has been moved unless someone wants to correct my remembrance of procedure. I believe that's correct, though. Yes. I'm getting nods.

MR. ZENNER: I think you are correct. You need to have a motion on the -- you have to have a vote on the division of the question.

MS. GEUEA JONES: Correct. So we are now on the division of a question before we vote on your motion, which is the underlying motion that was divided. So we are on Commissioner Wilson's motion to divide the question. Is there any discussion on that motion? Commissioner MacMann?

MR. MACMANN: For clarity, is our next vote to just divide or to divide it into what and what?

MS. GEUEA JONES: The -- oh. That is a good point. The way I understood Commissioner Wilson's motion was to divide the question between the two tracts, Tract 2, which would be R-1, 37.59 acres, and Tract 1, which would be R-2, 30 acres. You did not make that easy.

MS. WILSON: That is correct.

MR. MACMANN: All right. That's my understanding of what I seconded. Also, what's the procedure for voting on that

MS. GEUEA JONES: So we will take a vote on whether or not to divide the question. If that vote is successful, we will then take a vote on Part 1, which will be Tract 2, the R-1 tract. And then regardless of the outcome of that vote, we will then take another vote on Tract 1, which is the R-2 tract. If Commissioner Wilson's motion fails, we will then go back to the motion which is the case as presented by staff. Is everyone clear? I know this is --

MS. CARROLL: We will go back to the motion that Commissioner Stanton made?

MS. GEUEA JONES: Correct.

MS. CARROLL: To be clear.

MR. STANTON: It sounds like some lawyer Jedi mind tricks going on up here.

MR. MACMANN: I'm ready to vote.

MR. STANTON: Okay. Let's go.

MS. GEUEA JONES: Okay. So one more time, just so we all know before we go to roll call. This -- this vote is clearly just on whether or not we will divide the question. Commissioner Carroll, when you're ready.

MS. CARROLL: Okay.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Wilson. Voting No: Ms. Loe, Mr. Stanton, Ms. Placier. Motion carries 4-3.

MS. CARROLL: We have four yes and three no. The motion to divide the question is approved.

MS. GEUEA JONES: Thank you. So we will now take a vote on Part 1, which is the R-1, Tract Number 2, of 37.59 acres. Is there any question about what we're about to vote on? Commissioner MacMann?

MR. MACMANN: The question will be asked shall Tract 2 be R-1, something along those lines?

MS. GEUEA JONES: Something along those lines. The motion as originally made by Commissioner Stanton is the way the verbiage will appear. We are merely drawing the line between the two parts.

MR. MACMANN: I'm ready.

MS. GEUEA JONES: Okay. Commissioner Carroll. In your notes, I would just say Tract Number 2. Yeah. Whenever you're ready.

MS. CARROLL: Okay.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. MacMann, Ms. Geuea Jones, Ms. Wilson. Voting No: Ms. Loe, Ms. Carroll, Ms. Placier. Motion carries 4-3.

MS. CARROLL: We have four yes votes, and three no votes.

MS. GEUEA JONES: Part 1 has been recommended for approval. We will now move to Part 2, which is Tract Number 1, the R-2 zoning of 30 acres. Are there any questions about what we are about to vote on? Seeing none. Commissioner Carroll?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann. Voting No: Ms. Loe, Mr. Stanton, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Wilson. Motion fails 6-1.

MS. CARROLL: We have one yes and six no votes. The motion is defeated.

MS. GEUEA JONES: Thank you. Those recommendations will be moved to City Council.

MR. ZENNER: The item automatically will be placed on Old Business.

MS. GEUEA JONES: Thank you. Any other business on this case?

MR. STANTON: Yes.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Okay. So this automatically will go to consent where it will be debated or not?

MS. GEUEA JONES: It will not be on consent --

MR. STANTON: Okay.

MS. GEUEA JONES: -- it will go on old business.

MR. STANTON: Okay. I just wanted to make this statement. The applicant wanted this, we didn't -- he didn't have time to talk to these -- to the person he's representing. We made this decision for him when he came, and I looked at him, and I didn't see any wiggle. He wasn't willing to move on his position. We have made a decision for him that he hadn't had time to talk to talk to his constituents about. He was ready to live or die by what we -- what he's came here to present. I just feel like we -- I don't know -- forced his hand. I mean, live or die by what he came up to apply for the whole thing. I feel like I've stated my -- everybody needs to take law classes, so I can do the same thing. That was pretty cool. I liked it, it was pretty cool, but I just feel like we just -- we should have just voted up or down. This is my decision.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Previously, we have discussed changes to proposals with the applicant, and I was bothered that we did not do that with this one.

MR. STANTON: Well, I looked at --

MS. LOE: It's part of the reason I did not support the split vote.

MS. GEUEA JONES: I would say that the difference here is we aren't the final decision-makers. And I think that when we send stuff to City Council, it's important that we are clear, but by all means, noted. Any other comments on this case before we move on?

MS. CARROLL: (Inaudible.)

MS. GEUEA JONES: We don't have to. It's automatic. Okay. Seeing none. I believe we are ready to move on.

Case Number 70-2024

A request by McClure Engineering Company (agent) on behalf of Jesus House Columbia (owner) for approval to rezone 0.77 acres of property from the PD (Planned Development) district to the M-OF (Mixed-Use Office) district to allow for a planned expansion of their existing religious institution building without a required PD plan amendment. The subject site is located at the southwest corner at West Sexton Road and North Garth Avenue, and includes the address 611 North Garth Avenue.

MS. GEUEA JONES: May we please have a staff report? Could you please move to the lobby? Thank you. Go ahead.

Staff report was given by Mr. Kiann Ahamed of the Planning and Development Department. Staff

recommends approval of the requested rezoning to the M-OF district.

MS. GEUEA JONES: We're going to stand at ease for a few minutes until we have a quorum again. But that was a lovely report. Thank you.

MR. AHAMED: Thank you.

MS. GEUEA JONES: Okay. Before -- we now have a quorum again in the room. Before we go to questions for staff, if any of my fellow Commissioners would -- have had contact with any parties to this case outside of a public hearing, please disclose so now. Seeing none. Are there any questions for staff? Commissioner Placier?

MS. PLACIER: Yes. And this was some confusion from some news I had seen previously, and also something in the report, that the City had bought that corner. And yet on this map, that's one of the lots in the plan. So what is going on?

MR. AHAMED: Right. So these properties that's within the shaded area is owned by Jesus House Columbia. The properties to the west over here are owned by the City of Columbia.

MS. PLACIER: Ah. Okay.

MR. AHAMED: Uh-huh.

MS. PLACIER: I think the plan said something about the City owning the corner, and I thought, ah, it doesn't look like -- okay.

MR. AHAMED: Confusion.

MS. PLACIER: I got you. Thank you.

MS. GEUEA JONES: Any other questions for staff? Commissioner Wilson?

MS. WILSON: Is -- is this the corner where we once heard that there's going to be a roundabout put in the future?

MR. ZENNER: That is correct. So immediately to the northeast of this particular parcel is the Kinney Point project, which is CHA. And as many of you aware from the aerial, the building immediately to the east of that is Oak Tower. So, yes, this is the location where a roundabout would be required or is planned. The platting action that Kiann had noted that is in Case Number 69-2024, dedication of the required right-of-way to accommodate that roundabout would be included in it. This is -- and rights-of-way are not "zoned", so the action here at hand really does nothing to stymy our ability to be able to get that right-of-way.

MS. GEUEA JONES: Any other questions for staff? Seeing -- oh. Commissioner MacMann, go ahead.

MR. MACMANN: I just have a point of information re Commissioner Wilson's last comment. While Roads and Streets does want to do that, they may well have some intense problems. There's a -- on the corner that represents Oak Towers, there's the ground source heat pumps that go all the way down. And when you go all the way northeast, you run into the bioswale beginning of the area there, so I'm not sure -- I'm not sure what the neighborhood thinks about it, either. I'm not sure. While Roads and

Streets would love to put that there, I'm not sure that's really ever going to happen. But these folks are going -- to be clear, these folks will have to dedicate a right-of-way. Correct?

MR. ZENNER: That is correct.

MR. MACMANN: All right. Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. We will open the floor for public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward.

MR. FULLER: Good evening. Ryan Fuller with McClure Engineering, 1001 West Broadway. We're working with Pastor Femi and the Jesus House Church for this rezoning. After our concept review with staff, we really mulled over the question of what do we do with zoning here, with it being an old -- an old approved plan, we had to rezone it to something. In looking at the plans that we have for the expansion, we felt like we would be able to accommodate that plan for the expanded assembly space with the M-OF zoning. There were trade-offs for both PD, M-OF, residential districts. Ultimately, it came down the setbacks with the orientation of this lot and the setbacks required by residential just would restrict that expansion. Other than that, the staff report does a good job to summarize our request, but I'm happy to answer any other questions that you may have.

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

MR. FULLER: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case, please come forward? Seeing none.

PUBLIC HEARING CLOSED.

MS. GEUEA JONES: Are there any Commissioner comments? Commissioner MacMann?

MR. MACMANN: I have a request of our audience. May I make that? It may require someone speaking?

MS. GEUEA JONES: Sure. We can reopen public comment.

MR. MACMANN: Ms. Kelley, could you come to the dais, please?

PUBLIC HEARING REOPENED

MS. GEUEA JONES: Please state your name and address for the record.

MS. KELLEY: I'm Pat Kelley, 1007 Grand Avenue. And I was not here to give a neighborhood opinion simply because -- and it's not for want that Femi Ogungbade has not reached out to us. He has. He's been to a meeting. We just haven't had a formal discussion. I -- I've talked to him a little bit about some of his plans for the area, and, at this point, Tree Board of Columbia is talking about planting a micro-forest there. We've seeded a rain garden behind that area, and we've just applied for a grant for some more native garden space. And so I think their plans will work well with what we would like to see there, and he's interested in helping with this neighborhood. The only question I have is it doesn't seem like the

neighborhood is as protected if we're going from a planned designation to, I guess, the M-OF would be more of an open designation. So if somebody moves in who we don't like so well, perhaps we wouldn't be so protected. That would be my only question.

MR. MACMANN: May I ask you a question, Ms. Kelley?

MS. KELLEY: Oh, I'm -- yes.

MS. GEUEA JONES: Go ahead, Commissioner MacMann.

MR. MACMANN: Sorry?

MS. GEUEA JONES: Go ahead.

MR. MACMANN: Madam Chair, may I ask Ms. Kelley a question?

MS. GEUEA JONES: Yes.

MR. MACMANN: It would seem from my experience, and I do not live in the neighborhood, but I try to keep up with what's going on. Do you all get along with your neighbors there? Your -- the Jesus House people and your --

MS. KELLEY: Do we all -- the people who live in Ridgeway neighborhood, do we all get along?

MR. MACMANN: No. With -- you were concerned about not knowing what's going to happen on this piece of property. My question is, do you get along with the church and do you trust them to go forward in a --

MS. KELLEY: Yes. Oh, yes.

MR. MACMANN: All right. That's really the only question I had.

MS. KELLEY: Okay. All right. Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Seeing none. Thank you for coming forward.

MR. MACMANN: Thank you for your discretion, Madam Chair.

MS. GEUEA JONES: Always, sir. Any other public comment. If not, we will close public comment again.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments? Seeing none. Would anyone like to make a motion on this case? Commissioner MacMann?

MR. MACMANN: Thank you. In the matter of Jesus House rezoning, Case 70-2024, I move to rezone this area from PD to M-OF.

MR. STANTON: Second.

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

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Wilson. Motion carries 7-0.

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

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

VII. PUBLIC COMMENTS

MS. GEUEA JONES: Are there any general public comments for the evening? Seeing none.

VIII. STAFF COMMENTS.

MS. GEUEA JONES: Mr. Zenner, do you have any staff comments?

MR. ZENNER: Not let a meeting end without them. You have another meeting coming up on February 22nd. We will have a work session at our regular appointed 5:30 time. We will be back on topic to discuss amendments to the UDC as it relates to small and medium-sized lots, and that general integration project that we are talking about. We also have a number of cases on your 7:00 p.m. meeting. The list does not seem to get longer, it just gets moved meeting to meeting now. We have a number of projects that just keep the languish and we can't get them before you even though we've presented them previously. So you have potentially two subdivision actions. The first subdivision action is a City initiated final plat for Cosmo Park. We are continuing to work with our City surveyor who is the surveyor of record. He has been a very busy man, so I am not quite sure 48-24 will be on your agenda, but I do know 60-24 will be on your agenda, and this is directly to the northwest of the roundabout at Scott Boulevard, Vawter School Road, and Brushwood Lake. It is a parcel of property that many of you may have driven past when it was being used as a landscape fill location directly across from Fire Station Number 16, Boone County Fire Station 16. They are looking to do an entertainment venue there, a restaurant with some outdoor entertainment activity. This is a final plat because it is not a legal lot. And so it is only a two-lot subdivision plat, it is served by a public utility, but pursuant to our Code, since it has not been platted previously, it must come before the Planning and Zoning Commission. These are one of the few instances where minor development is brought to you for approval, and then it will be sent to City Council. The other two cases are guaranteed presentation topics. The first one is a remanded request from City Council from last year. This is Lot 3B of Cherry Hill. You may remember this particular case. There were some significant discussion as it related to the architectural imbalance of the proposed project, the loss of parking, and the conversion of what was originally shown as a mixed-use building and, unfortunately, there was some information that was not adequately conveyed in the staff report that the building had been fully converted before it had come to you in an earlier plan revision, a minor plan revision to residential. So when it arrived at Council and those facts were provided to the Council via the applicant, the Council agreed to a remand, but a very delayed remand, so we have had this for probably about the last two and a half months. It took them that long to make revisions to the plans, so we will be bringing back that revised remanded document to you to review and to provide a new recommendation to the Council based on all of the information. Like Paul Harvey used to say, now you'll get the rest of the story. And then we have a -- the first development plan approval for the Copperstone Corner commercial development, which is actually diagonal from the Brushwood Lake property. This is for the Diventures Dive Shop on Lot 101 of the project, and we have a concurrent final plat which would be being processed

through the City Council that goes along with creating a legal lot for the Diventures site. That particular project as not only the development plan approval, it does have two design adjustments that are also -- or I should say design exceptions that are being presented with that request, one for front-door orientation, not to Scott, not to Vawter, and then an increase in the overall parking on the project site. So you can understand where we are, there's Cosmo Park on your left. On your right is the Brushwood Lake property. Brushwood Lake runs right through the middle of it, that's why it appears as though there's two parcels. The parcel on the south of Brushwood Lake is actually an encumbered storm-water detention area, but it is still part of the para-tract of land, and therefore needs to be platted. Our property at Cherry Hill on Lot 3B, and then the Copperstone commercial property, that is the entire acreage. The parcel in question that we will be focusing on is in the very northeast corner of the property immediately next to the Addison's across from what will be known as Capital Drive, which is the primary access into the commercial site. I appreciate your comments this evening as it related to our work session topic of dealing with the amendments to the ADU ordinance and use specific standards. As we discussed this evening, the three amendments that were being sought and were requested to be considered by Council of the Commission will be prepared for a public hearing on March 4th, so we will be bringing that to you at that point, and we will also begin to work on the process of preparing amendments as it relates to the elimination of the conditional use requirement within the R-1 zoning district as it relates to ADUs. That will be at a later work session, potentially in March, as we continue to try to close out our issues on our lot integration project. With that, that is all I have to offer for this evening. Thank you.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: I would just like to say on the record so that it is saved for all perpetuity, thank you to the staff for all the work over the years on short-term rentals. I know that we may not be completely done -- done with the topic, but we will appreciate your work and your patience and want to make sure that that is preserved for all time.

MR. ZENNER: Thank you very much. We also appreciate your tenacity through that process. I think we have learned a lot about each other. We have also, I think, learned how to tackle a major, major regulatory initiative. The next big one that we will prepare in the fall for is our Comprehensive Plan as we will endeavor into that hopefully later this calendar year.

MS. GEUEA JONES: Any further comments from any Commissioners? Seeing none.

X. ADJOURNMENT

MS. GEUEA JONES: Commissioner MacMann, did you have a motion.

MR. MACMANN: I do have a motion. Let's go home.

MS. GEUEA JONES: Commissioner MacMann has moved to adjourn.

MR. STANTON: Second.

MS. GEUEA JONES: Commissioner Stanton has seconded. Without objection we stand adjourned.

(The meeting adjourned at 9:21 p.m.)
(Off the record.)