

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
November 10, 2022

Case Number 009-2023

A request by the Columbia Historic Preservation Commission (agent), on behalf of the City of Columbia (owner), seeking to establish a historic preservation overlay district including properties addressed as 910 and 912 E. Walnut, and designating both existing structures as historic landmarks.

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

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

- Approval of the proposed zoning map amendment, placing the properties at 910 & 912 E. Walnut, to be known as the C.F. Crane Building (910) and the William O. Fischer Building (912), within a Historic Preservation Overlay District (HP-O).
- Approval of the designation of both 910 & 912 E. Walnut as local historic landmark structures.
- Approval of the proposed landmark restrictions regulating the removal or modification of exterior elements of both 910 & 912 E. Walnut as well as the named interior elements of 910 E. Walnut as detailed in the "Petition for Historic Landmark & District Designation" and summarized above.
- Approval of the proposed deed restrictions regulating the removal or modification of exterior elements of both 910 & 912 E. Walnut as well as the named interior elements of 910 E. Walnut as detailed in the "Petition for Historic Landmark & District Designation" and summarized above.

MS. GEUEA JONES: Before we get to questions for staff, did any Commissioners receive outside information they -- on this case that they would share with the rest of the Commission at this time? Seeing none. Questions for staff? Commissioner Loe?

MS. LOE: Mr. Zenner, regarding the HP-O, I see it's -- the subject site documented on map -- or the aerial image. Let's say in the designation -- petition for designation, I don't see any written description identifying what encompasses the overlay zone.

MR. ZENNER: That would be the -- the deed description -- the deed description or the platted legal description that we have that will be prepared that is -- let me put this -- that has been prepared by our City surveyor that defines the boundaries of this property as it was acquired by the City. That will actually become part of the ordinance prepared by the legal department for the purposes of designation. So what is defined in the hatched area is meant to represent the exterior boundaries of the parcel as shown on our assessor maps and our GIS mapping. So it is only defining those particular areas that are

within -- outside of the Walnut Street right-of-way, outside of the public alley right-of-way that runs east-west and then the two buildings that abut it on either side.

MS. LOE: So there is additional language that we didn't receive -- or that is still being developed?

MR. ZENNER: No. That is probably -- because I haven't -- I haven't looked at the application specifically, ma'am. That is probably included within the actual application -- the petition that was prepared by our staff, acknowledged by the HPC and authorized by the City manager. It will have a legal description of this property. It's just we don't include legal descriptions in any other type of project that we present to you. When we do a rezoning request, we don't give you the legal description of that land. So this is no different. This is basically an overlay designation similar to any other rezoning action.

MS. LOE: Thank you.

MS. GEUEA JONES: Any further questions for staff? Commissioner MacMann?

MR. MACMANN: A comment and two questions. Just because I -- I'm pretty sure those are , serif's moldings, probably 1905, 1910 and added on later. They don't make that stuff anymore, and it's -- it's going -- (inaudible). Commissioner Loe is giving me the side eye. It was probably replaced there like the stair rails -- the baluster going up, that's not original. The sewer is in that little bitty alley as we go to the west -- is there where that sanitary sewer is? There's an alley that's like -- of the space between the buildings -- up against the Kroenke property. And I'm --

MR. MACMANN: You keep getting turned around --

MR. ZENNER: I know I keep getting turned around.

MR. MACMANN: -- on this property.

MR. ZENNER: The west is to the left-hand side of this graphic.

MR. MACMANN: On this graphic, yes sir.

MR. ZENNER: And for some odd reason to me, if I recall correctly, the sewer -- the connection of the sewer is actually on the right-hand side of this graphic.

MR. MACMANN: Oh. So like underneath or something?

MR. ZENNER: Yes. And so that is part of the problem that did not allow this property to be divided, because the sewer -- there is an -- if I'm not incorrect, there is either an elevation change in the property or it is actually underneath the footer or within the wall area. Because our sanitary staff had to go out, they had to scope the sewer line to find out if we could line it --

MR. MACMANN: Uh huh.

MR. ZENNER: -- to preserve it. And it was such a -- such an extent that to do anything with that -- if we were to do any type of in situ reinforcement, or anything else, it was potentially going to compromise that pipe. So if it has to be replaced, it is going to have to be replaced entirely on the parcel, and we do not allow -- we don't allow the creation of common collectors. So if we platted the secondary lot here --

MR. MACMANN: Are we sure it's not a common collector?

MR. ZENNER: It is not. It is so close to the adjoining property line, any work within it would require it to probably damage the adjoining property is what I have been told.

MR. MACMANN: That is where I was going. Is this a common collector?

MR. ZENNER: No, I don't believe it is. T

MR. MACMANN: there is no restriction on the deed mandating -- okay. I just want to make sure we weren't --

MR. ZENNER: There will be other challenges associated with the improvement --

MR. MACMANN: Okay.

MR. ZENNER: -- and reuse of these structures. And that is something that will be addressed as a part of the future sale most likely, as contingencies or conditions --

MR. MACMANN: A lot of contingencies --

MR. ZENNER: -- for the purchaser.

MR. MACMANN: I have -- I have one more question for you and Ms. Thompson. How many motions are we doing here?

MR. ZENNER: I think you could do one motion for the designation. If you want to do two for designation --

MR. MACMANN: I just wanted --

MR. ZENNER: -- designation as HP-O and --

MR. MACMANN: -- to be clear, because going on -- later on this is going to be -- any buyer is going to have a lot of things to look at. That's all.

MR. ZENNER: And again -- I'll go back to the point --

MS. GEUEA JONES: Counselor -- Counselor Thompson?

MS. THOMPSON: I think given that these are four separate issues, go ahead and make four separate motions for the sake of clarity.

MS. GEUEA JONES: Thank you.

MR. MACMANN: Thank you.

MS. GEUEA JONES: Sorry, Mr. Zenner. Go ahead.

MR. ZENNER: No, I was -- you can't approve an overlay without having a landmark structure. So keep that in mind. So in the order of operations what I would probably suggest is the way that the bullets are laid out -- the four primary bullets are the way that the motions need to be structured. If you agree to establish the HP-O overlay, that's great; then you can basically designate those landmarks. Actually I would say it goes the opposite direction, establish the landmarks, then establish the HP-O, please.

MR. MACMANN: Two, one, three, four.

MR. ZENNER: Yeah.

MR. MACMANN: I have no further questions, Madam Chair.

MS. GEUEA JONES: Commissioner Burns?

MS. BURNS: From the conversation, I understand obviously the City owns this. The City is interested in selling it. HPC is interested in protecting some of these characteristics that we have been discussing. So the City if limiting itself, which is their choice, does this set any precedent for any other properties? If we create an overlay here, does that open a door to other properties downtown in the MDT for historic overlays?

MR. ZENNER: Historical overlays -- we have four other historic overlays within the city of Columbia at this point. All of them are self-initiated. We do not have any, if I am correct, any historic districts -- we have historic districts, and we have many that are on the national register of places that are historic districts. We do not have any historic districts in the nature of how the HP-O overlay was envisioned. So I don't think we are setting any precedence here. The City, as a property owner, which is exactly how all of our other ones are, is availing themselves of this particular process. And your observation is very correct. We are openly going in and applying standards on our own land that may impact its ability to be conveyed at a later date. However, this is what Council asked the HPC to do, and the HPC is just coming back around through the process and doing what they have been asked. Commission has -- Commission has the authority to advise Council how they see appropriate in this matter.

MS. BURNS: I don't attempt to advise. I just want to make sure that we are not setting a precedence here for something that we don't see right now.

MR. ZENNER: I don't think that it is setting a precedence since the property owner will either approach HPC or HPC will approach the property owner to designate that property for a purpose. So we are not forcibly going on and applying HP-Os on people's property without them agreeing.

MS. BURNS: Okay. Thank you.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: I am certainly not an expert on this, and I wish somebody from Historic Preservation or Rusty had been here, because the exterior elements of 912 look undistinguished or unhistorical or something. They look like they have been changed over time, but the idea that a new owner would have to preserve that exact look seems a little bit strange. But I will go with it if that is what preservation asks.

MS. GEUEA JONES: Anyone else before I go back to Commissioner Loe? Commissioner Loe?

MS. LOE: I appreciate the report with the additional due diligence providing better documentation about the historic value. That is something I at least was looking for previously. To Commissioner Burns point, a petition to designate the landmark may only be made by the owner of the proposed landmark. A petition to designate a historic district may be made only by owners of at least 60 percent of the Boone County Tax Map Parcels in the proposed historic district.

MS. BURNS: Okay. Thanks.

MS. GEUEA JONES: Any other Commissioner questions for staff? Seeing none.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Seeing no public to make comments.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments on this case? I would entertain the first of many motions. And I wrote down the map if you would like assistance, Commissioner. Commissioner. MacMann?

MR. MACMANN: I have a comment. I was told -- and I am not speaking out of school or something -- that 912, while it is known as significant, if you allow 912 to be torn down, it would directly affect 910. I think that was their thinking.

MS. PLACIER: Oh. Okay. Well, it says no --

MR. MACMANN: If you keep --

MS. PLACIER: -- has all exterior --

MR. MACMANN: Right. Yeah. If you keep the exterior the same, you don't tear that building down.

MS. PLACIER: True. True. I just --

MR. MACMANN: They have changed the window over time. That is a new window. If there are no other comments or concerns from my fellow Commissioners, I have some motions. In the matter of Case 009-2023, I move to make these two properties, 910 and 912 East Walnut, establish a local landmark status for both properties.

MR. STANTON: Second.

MS. GEUEA JONES: Move by Commissioner MacMann, seconded by Commissioner Stanton. Any discussion on the motion? Seeing none; may we please have a roll call

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Low, Ms. Kimbell, Mr. Stanton, Ms. Burns, Mr. MacMann. Motion carries 8-0.

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

MS. GEUEA JONES: That recommendation will be forwarded to City Council. Any other motions on this case? Commissioner MacMann?

MR. MACMANN: In the matter of Case 009-2023 proposing a zoning map amendment for HP-O for this property, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Any discussion on the motion? Seeing none. May we please have a roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Loe, Mr. Stanton, Ms. Burns, Mr. MacMann. Motion carries 8-0.

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

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

other motions on this case? Commissioner MacMann?

MR. MACMANN: In the matter of Case 009-2023, I move to apply the following proposed landmark recom-- regulations -- excuse me -- all exterior elements of both 910 and 912 as listed in the staff report -- it is complete, Mr. Zenner -- and the interior elements of 910 as detailed in the petition. I so move to approve both.

MS. GEUEA JONES: There is a motion. Is there a second?

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Loe. 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. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Loe, Mr. Stanton, Ms. Burns, Mr. MacMann. Motion carries 8-0.

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

MS. GEUEA JONES: That recommendation will be forwarded to City Council. Is there any other motion on the case? Commissioner MacMann?

MR. MACMANN: In the matter of Case 009-2023, I move that the landmark regulations be mirrored in the propos-- in the deed restrictions for this property.

MR. STANTON: Second.

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

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Loe, Mr. Stanton, Ms. Burns, Mr. MacMann. Motion carries 8-0.

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

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