

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
October 20, 2022

Case Number 278-2022

A request by Crockett Engineer Consultants (agent), on behalf of Enrich Properties, LLC (owner), seeking approval of a one-lot final plat. The 0.43-acre site is currently zoned R-MF (Multi-family Dwelling) and within the Benton-Stephens Neighborhood UC-O (Urban Conservation Overlay) District. The site is located on the southern frontage of Hinkson Avenue approximately 750 feet east of the intersection of Hinkson Avenue and Paris Road, and contains the addresses 1504 and 1506 Hinkson Avenue.

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the final plat of "Hinkson Apartments, Plat No. 1" subject to minor technical corrections.

MS. GEUEA JONES: Thank you very much. Before we go to questions for staff, if any Commissioners have had any outside communication about this case, we would ask that you now share it so that we can all have the same information. Seeing none. Questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I'll have a couple of more questions later. I just have a -- like a point of information. In the foretime, in the long, long ago, I lived in Benton-Stephens in the -- the drainage feature was not working. Is this function, to your knowledge?

MR. KELLEY: I don't know. I know when we got the plat in for review, our utilities staff requested the easement over the drainage facility. I don't know much more than that.

MR. MACMANN: All right. Maybe I'll -- I'll talk with them, because I -- it's been there a long time. It just wasn't really -- thanks. Thank you very much.

MS. GEUEA JONES: Thank you. Any other questions for staff? Seeing none, we will go to public comment.

PUBLIC HEARING OPENED.

MS. GEUEA JONES: Are there any members of the public who are here to speak on this case number. If you will please state your name and address for the record. Speak as close into the mike as you can. It moves. We would appreciate it. It helps with those watching at home. Six minutes for a group and three minutes for an individual. Start whenever you're ready.

MR. GREENE: Good evening. Andy Greene with Crockett Engineering, 1000 West Nifong Boulevard, Building No. 1. Brad covered all the points. I wanted to hit on just a couple of -- of extra points on this particular property. The two parcels that exist today are narrower than 60 feet, and so they cannot be built on as they sit, so that leaves the only option to consolidate down into one lot to facilitate the potential future development of an R-MF zoned piece of property. And this property in particular being in Benton-Stephens has a couple of extra controls on it that benefit it, one of those being that I like to bring up is 50 percent open space is a requirement, so this property will have 50 percent left in green space. Architectural controls exist so that it matches what is in the neighborhood. And additionally, stormwater management is required in Benton-Stephens. So with all those criteria being set in stone by the early district, pretty straightforward project, and be happy to answer any questions for you.

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

MR. MACMANN: Did you get any feedback from neighbors -- neighborhood group, anybody?

MR. GREENE: None to date.

MR. MACMANN: All right. Thank you.

MS. GEUEA JONES: Anyone else? Commissioner Loe?

MS. LOE: The report identifies that there's no proposed plan at this time; is that correct? There's no project in mind?

MR. GREENE: We have an idea of what we're going to do, but this is just for the plat. We've determined with the open space requirements and how many parking spaces we need per unit what the density we could get, and we have an idea of that. It's substantially less than what it would be if it wasn't in Benton-Stephens, but other than that, nothing official at this time.

MS. LOE: So the density, if it wasn't in Benton-Stephens might be around seven dwelling units?

MR. GREENE: I believe that's about right. Yeah. Based on the acreage and 2,500 square feet per dwelling unit, .43 divided by --

MR. KELLEY: Yeah. You're correct. It's seven. I think the thing that's probably affecting it the 50 percent open space. That kind of creates a -- I wouldn't say a hard cap, but a soft cap to affecting the number of dwelling units you could have.

MS. LOE: So what would that -- the total dwelling units be with that --

MR. GREENE: Roughly, in half.

MS. LOE: So, three?

MR. GREENE: Right now, we've got a maximum that we can get with the open space requirements at four.

MS. LOE: At four. Thank you.

MS. GEUEA JONES: Commissioner -- I'm sorry. Are you finished, Commissioner Loe? Commissioner Kimbell?

MS. KIMBELL: That -- if that's the route, you're going to be four units altogether?

MR. GREENE: That is the density that we've come up with so far, so we don't have anything

official. We haven't prepared plans or anything but based on just the actual area of the lot and our understanding of the open space requirement, that is essentially the maximum we could get.

MS. KIMBELL: Okay. Thank you.

MR. GREENE: You're welcome.

MS. GEUEA JONES: Anyone else? Commissioner MacMann, did you have something else?

MR. MACMANN: No. I was hoping for the neighborhood to come up and speak, because I had questions for them if they have questions. If they don't, I'll just stand by.

MS. GEUEA JONES: Okay. Thank you very much for your time.

MR. GREENE: Thank you.

MS. GEUEA JONES: Anyone else to speak? Again, name and address, and three minutes for individuals, six minutes for groups.

MR. SHANKER: Rick Shanker, 1829 Cliff Drive. I live in East Campus. I have a property in Benton-Stephens. I am neither for nor against this at this point, but my general concern and inquiry in to you guys is, it seems like we're facing a lot of this and personally and a lot of our neighborhood associations would like to know how we can go about addressing these consolidations of lots that turn into multi-family, and either may make the properties around them more valuable or less valuable, but it seems the trend is instead of single-family dwellings, that there's multi-family units. I don't know if it needs to be a reexamination of the universal codes, or if we need to look at how these things are plotted together, but I would appreciate -- and I'll probably talk with Mike, because he's my liaison for this group -- how we can talk about this because it seems like this is occurring again and again. In East Campus, we were faced with this, and the neighborhood association got together, and so far as I know, they -- it has diminished in its scope. But I hope you guys will consider a vigorous discussion of this in the future. Thank you.

MS. GEUEA JONES: Thank you. If you would wait just one moment, Mr. Shanker. Sorry. I just have to ask. Does anyone have questions? Commissioner Wilson?

MS. WILSON: He answered it.

MS. GEUEA JONES: Commissioner Stanton then?

MR. STANTON: I'll talk to you after if you like, and we'll -- and I'll talk after.

MR. SHANKER: No. No. No. No. Go ahead.

MR. STANTON: My experience, your neighborhood association has been very active in looking at rezoning and making sure that, like, zoning R-1 and, you know, kind of protecting, creating a buffer zone around your -- your residents. So that's one remedy, you know, kind of get together with your neighbors and review your zoning. I'm sure you've done all of this, but --

MR. SHANKER: I'm not quite clear what you're suggesting.

MR. STANTON: Zoning. Like, if you're R-1 --

MR. SHANKER: Oh, right. Right. Right.

MR. STANTON: -- and making R-1s all the way around.

MR. SHANKER: Right.

MR. STANTON: If you have R-2s, making them R-1s. If you've got all these --

MR. SHANKER: And there has been efforts in the past in various neighborhoods. This isn't happening just in Benton. It's not just happening in East Campus. It's happening in the first ward; it's happening all over. And I have no -- I'm -- used to be real active in the building community, so I'm not trying to cut any builders off or anything like that. But there just seems to be this trend that I hope that the community will look at. But thanks for your question. I appreciate it.

MS. GEUEA JONES: Anyone else? Commissioner Wilson?

MR. SHANKER: Hi.

MS. WILSON: Hi. How are you this evening?

MR. SHANKER: If I was any better, I couldn't stand it.

MS. WILSON: I feel you on that. My question is just curiosity and ignorance. What is problematic in your opinion about multi-family housing?

MR. SHANKER: I assume that in certain settings, it's great, but a lot of times, it deteriorates neighborhoods. And I understand that people who own lots -- I am a landlord, so I understand this. But by the same token, my specialty in land -- landlordship, if that's a word, is to have single-family dwellings. I think it builds neighborhoods, whereas I don't know if multi-family does as much, and that's one of the main concerns that I have, plus density, et cetera. And I know there's been a trend to pack more people in, but it does, if you look around Columbia, it does sometimes deteriorate the neighborhood also. Thank you.

MS. GEUEA JONES: Thank you very much. The next person, please come forward.

MR. NORGARD: Good evening, Peter Norgard, 1602 Hinkson Avenue. I do live in Benton-Stephens, just up the street actually. A little bit like Rick, I don't know if I'm for or against this because this is just a replat. But I guess I would say I'm against the consolidation trend. I feel like this consolidation trend that we're talking about here, taking two lots into one, is sort of like turning over a precedent. You know, we have a neighborhood that exists a certain way for a very long period of time. We come to expect that it's that way, and then, all of a sudden, it changes, and it creates a sense of uncertainty, instability for those who live there, who bought there, who own houses there, who are concerned about the value of their homes with time. Well, maybe not even concerned about the value of their homes but concerned about the nature of their neighbors. To answer your question about how does multi-family -- how you feel about it, if it's good or bad, I don't feel one way or the other about it, but I can tell you that the type of tenants that typically come to live in the investment properties in Benton-Stephens come from more money than I did, and tend to treat the neighborhood like it's a toy. They don't treat it with the same respect that somebody that bought a house there would. So I guess that's one of the concerns we have. And I would also say that, to follow on Rick's comments, this consolidation issue disproportionately affects neighborhoods that are older or lower income, older for the -- the reason that oftentimes the lots are smaller. Like the gentleman from Crockett pointed out, these are narrower lots, and no -- under the

current standards, you probably couldn't build just anything you wanted, but you could build a single-family home, you could get a variance request. There are all sorts of mechanisms that we might be able to implement, but to say that an R-MF is the only way to go because -- or to consolidate is the only thing we can do because the lot is too small is -- that's not entirely true. So I would just point that out. I don't really have anything more to say other than I -- I oppose this on principle, not necessarily on the project.

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

MR. MACMANN: Thank you, Madam Chair. Peter, good to see you. Commissioner Loe and others among us have been pondering development -- newer development codes or more appropriate development codes for the older neighborhoods where you could build something of use and of value on these more narrow lots because it's west side, Benton-Stephens, East Campus. It's, you know, 53, 55, 57, it ain't 60, and it ain't 70. They might be 140 feet long, but they're too narrow. You would be favor of that type of transition for the older, some people call, central neighborhoods?

MR. NORGDARD: Are you talking about the so-called Brownfield Development Code?

MR. MACMANN: It would be Brown -- it would be a set of -- our UDC, which we rewrote in 2016, is really good at Greenfield. That's what it was based on. It doesn't really easily shoehorn, if you will, into the Brownfield development.

MR. NORGDARD: To answer your question, yeah. I think I would -- I think members of our neighborhood -- the reason you don't see a lot of people from Benton-Stephens here is because we fought this battle for 15 years, and they've just given up --

MR. MACMANN: Oh, yeah.

MR. NORGDARD: -- because it seems like it always goes in favor of greater and greater density, less and less neighborhoodiness [sic], if that can -- if we can say that word. And so, yeah. This idea of trying to infill previously established neighborhoods in a different way than we deal with new neighborhoods, I think would be something a lot of people, particularly central city neighborhoods, would be interested in seeing.

MR. MACMANN: Let me ask -- I'm going to asking you one more question, as we are taking Mr. Crockett's time -- his engineer's time. One of the things that's been put forward is not just a more narrow lot, but a smaller lot. I think Hubble, like 4,000-ish square feet. Do you think that size of lot, something around there, would be appropriate in Benton-Stephens?

MR. NORGDARD: I think it would fit the footprint of a lot of the lots that we typically have. There would be issues with the longer lots. Like you say, a lot of them are 100, 140 feet deep, but if you can address that, sure. I think that would be a way to accommodate the density that the master plan for the City wants to see, while still retaining neighborhood characteristics that are desirable, and not having these faceless apartment buildings. And not to say that this project is going to be a faceless apartment building. I have no idea what it's going to be.

MR. MACMANN: We do have a fair share of those, though.

MR. NORGDARD: But we have -- we have a lot of those in our neighborhood already, and we

have some rules that could be applied that would be more amenable to neighborhoods, the people that live there, and yeah. I think we would be interested.

MR. MACMANN: All right. Thank you for helping us kick start that. Thank you, Madam Chair.

MS. GEUEA JONES: Any other questions? Thank you very much for your time. Oh, sorry. Sorry. Commissioner Placier? I looked a little too quick.

MS. PLACIER: Yeah. I just wanted to point out that in many cities, multi-family is not -- is not contradictory to neighborhoodness [sic] as -- or whatever, to community. And so, yeah. The depth of the lots is a problem. Does -- has Benton-Stephens talked about what in terms of -- I don't know if you wanted to call it stylistic, the look, that would be a better fit than the facelessness.

MR. NORGARD: We have attempted, when the UDC was overhauled, we had an opportunity to submit a new overlay -- urban conservation overlay. We -- we intensified some of the requirements. We got pushed back on others. Do we want to specify the color of your house and the shape of the gables? No. I don't think we want to do that, but, you know, we do want neighborhood protections. And so when we asked for neighborhood protections, and then it's surrounded by R-MF, and so they don't have to have protections, that's a concern, you know. So I -- the type of investment property, multi-family that is common to East Campus, Benton-Stephens, West Ash, North Central, those are different type of multi-family than I think was envisioned by the UDC.

MS. PLACIER: Thank you.

MS. GEUEA JONES: Anyone else? All right. Seeing none, thank you. Anyone else to speak on this case? Going once, going twice. All right. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Commissioner Burns?

MS. BURNS: Can I ask staff again a question? I know that this is a platting action, and it doesn't seek any design adjustments. If the -- if this is approved and no design adjustments or variances are asked on the -- when the -- what am I trying to say?

MR. MACMANN: Building permits?

MS. BURNS: Yeah. -- building permits are asked, will it come back through us? I guess that's what I'm asking. What would trigger it -- what would trigger it to come back through us?

MR. KELLEY: Nothing. If they had a final plat, this is a legal lot, they already have the zoning, so --

MS. BURNS: So that's -- this is -- okay. Thank you.

MS. GEUEA JONES: Any other Commissioner discussion, comments? I would take a motion if someone is ready.

MR. ZENNER: And I just want to add one thing here, so we make very clear for the public record. If these were lots that were legally platted, that had a plat or had a survey associated with them, the ability to be able to construct a single-family structure on the lot, even though it was substandard, would exist. The Code already has that built into it. In this particular instance, these lots are not legal.

They were deed described with no survey associated with them and therefore, it is a requirement that in order to obtain a building permit, you have to contain -- you have to create a legal lot. The minimum lot width standards within our zoning ordinance specify 60 feet is the minimum in the R-MF zoning district. That is an opportunity that we may be able to look at as we revise codes, that potentially reducing that similar to what we allow for a cottage-style development, which would allow 30-foot-wide lots for single family development, with a smaller minimum lot area to preserve residential character. But the Code, as it exists, does permit legal substandard lots to be developed with residential development consistent with that allowed in its zoning class, notwithstanding the nonconformities that exist. So if you have a narrow lot, you can build on that lot provided you can meet all other dimensional standards, such as setbacks and the like. But if you don't have a legal lot, you cannot, at this time, based on the way that our Code is structured, be able to obtain a building permit, and we won't allow you to create a lot that is not legal.

MS. GEUEA JONES: So even without consolidation, they could not build a single-family home?

MR. ZENNER: Not at this time.

MS. GEUEA JONES: Yes. That's -- that's what I thought.

MR. ZENNER: That, I think, is the issue that Mr. Norgard, as well as our other speaker, is indicating, that may need to be addressed because that is the problem that we are experiencing in the neighborhoods that Mr. Shanker refers to in East Campus, North Central, where we have lots that have been deed created, but not a survey. And once the single-family home is removed, the only way really to accommodate redevelopment without any other modifications to the Code, is to consolidate. And that is obviously becoming a more prevalent problem.

MS. GEUEA JONES: Any -- Commissioner Loe?

MS. LOE: Just point of clarification. A single-family lot, the minimum width is 60 feet. So even if this was an R-1, they wouldn't be -- and it hadn't been platted, they would be having an issue -- or consolidation, so --

MR. ZENNER: They would still have to --

MR. KELLEY: Right. The parcels here are about 50-ish feet each.

MS. LOE: Thank you.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Sorry I'm standing up. I have a charley horse. Just for clarity sake, and I know we're taking the applicant's time. It was my point in bringing this up to not only allow the community to be developed, but also to encourage and make it worthwhile for the developers to do that. That's -- you know, this is part of this discussion. Thanks.

MS. GEUEA JONES: With that, are there any other Commissioner comments? Is anyone ready to make a motion? Commissioner Stanton?

MR. STANTON: As it relates to Case 278-2022, I move to approve the final plat of Hinkson Apartments Plat No. 1.

MS. GEUEA JONES: Do I see a second?

MS. BURNS: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Burns.

Commissioner Loe, may we have a roll call.

MS. LOE: Yes, Madam Chair.

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

MS. LOE: Eight votes in support, none against.

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