

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
March 7, 2024

Case Number 91-2024

A request by A Civil Group (agent), on behalf of Cinnamon Hill, LLC (Owner), for approval of a PD Plan for Lot 108A of the Crosscreek Center C-P Plan to be known as "Fresh Karma PD Plan". The PD plan is proposing the construction of a two-story 5,200 square foot commercial building and a one-story 4,500 square foot comprehensive marijuana dispensary. Associated with this request are two revisions to the approved Statement of Intent(SOI) for Crosscreek Center. The first SOI revision seeks to add a "comprehensive marijuana facility" as a permitted use development-wide and remove a conflicting restricted use within the existing SOI. The second SOI revision seeks to increase allowed on-site signage for Lot 108A specifically. The two-acre subject site is located at the northeast corner of Stadium Boulevard and Highway 63N, and includes the address 1407 Cinnamon Hill Lane.

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

Staff report was given by Mr. Kiaan Ahamed of the Planning and Development Department. Staff recommends that the following recommended actions are to be taken:

- (1) Approve the requested revisions to the 2008 Statement of Intent "permitted use" list by inclusion of "comprehensive marijuana dispensary facility" and deletion of "head shops and stores selling drug paraphernalia" as well as allowing one (1) additional freestanding monument sign on Lot 108A only.
- (2) approve the proposed "Fresh Karma PD Plan" subject to technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclosure so now. Seeing none. Questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Quick question, you said 75 parking places?

MR. AHAMED: Seventy-five parking spaces along with eight bicycle spaces, so that would be 83 total.

MR. MACMANN: All right. For a 4,000 square foot building.

MR. ZENNER: And -- and the spec building to the north.

MR. AHAMED: Uh-huh.

MR. MACMANN: All right. Fair enough, at the moment. I noticed there on the site plan a pressurized sewer service -- sewer line is mentioned. Are they having to pump this stuff somewhere?

MR. ZENNER: It does drain to the -- if I am not incorrect -- to the southeast corner of the property, and then it does need to be pumped from the southeast to Cinnamon Hill, and likewise, there would be a similar scenario, if I am not incorrect, for the spec building that is being proposed.

MR. MACMANN: Next question. Do we have to pump it again after it comes off -- are we pumping this?

MR. ZENNER: No. It is the responsibility --

MR. MACMANN: That's the sufficient pumpage. I just -- you know, we get -- I'm loathed to get involved in pushing someone else's sewage for them -- well by paying for it, yeah.

MR. ZENNER: It is pumped from the southeast corner of the site to our gravity line that runs down Cinnamon Hill.

MR. MACMANN: All right. As long as we're not paying for it. Thank you, gentlemen.

MR. ZENNER: And if I may, if there are additional questions, two motions would be warranted here, the first motion being as it relates to the Statement of Intent revisions, the second motion being as it relates to the Fresh Karma PD Plan.

MS. GEUEA JONES: Any other questions for staff? I have a question. Did either the applicant or staff discuss the possibility of turning this into a straight zoning, because I believe M-C would allow them. Is it a lot problem or --

MR. ZENNER: Well, it -- so this is one of the last two lots that are available for development -- that are realistically available for development. And no, there was no conversation as it related to converting this to a straight zone given that the nature of this development has been in plan for everything. The existing site plan that was approved for this about a year ago and an amendment to the Statement of Intent at that point for the hotel, actually we're returning this to just a little bit larger than the 7,200 square foot building that was originally approved. So we're trying to get through this project. There was a very lengthy discussion with law as it related to how do we amend the Statement of Intent, because so much has occurred out here. And so the approach that we are looking at is to retain it as a planned district for the purposes of just being consistent for all of the other lots, and then to keep the revision to the Statement of Intent consistent with what we have done in the prior Statement of Intent revisions which is isolating the paragraphs within the SOI from 2008 and making the changes accordingly. And that is how we handled the increase in the development's overall square footage with the hotel, and it is how we have handled the introduction of hotels that were previously not clearly clarified as well. So we're trying to keep this one as consistent as we have previously as much as we know. We would all like to be able to be out of the business of planned district. This just seemed a little bit cleaner to keep it this way.

MS. GEUEA JONES: Good answer. I just had to ask.

MR. ZENNER: I appreciate it.

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

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public would like to come up, come on up. We'll

open public hearing.

MR. GEBHARDT: Good evening. My name is Jay Gebhardt with A Civil Group. I have a PowerPoint to talk about the signs, if anyone has questions about that in more detail. But to answer your question, Sharon, a little differently than Pat, it was 16 years ago when I did the zoning. It was one of the most difficult projects I've ever worked on, and the neighbors were intensely involved at that time. And there was promises and agreements made through that planned district. So when I came back a year ago and was doing the hotel on this site, I did ask about going -- getting rid of it, and everyone felt like at the time there was -- is just too much baggage to discard with the M-C that had already been discussed and agreed to and that. And, Mike, as far the sewer, that's a private pump station that -- and we didn't design the sewer in Cinnamon Hill, but it's only four feet deep. There's 22 feet of fall across the site, so there's no sewer on Stadium at all down there, so we had to pump it back up -- either that or raise the site, you know, extremely to make it drain.

MR. MACMANN: If I may?

MS. GEUEA JONES: Are you done?

MR. GEBHARDT: Yeah. Yeah.

MS. GEUEA JONES: Thank you. Commissioner MacMann?

MR. MACMANN: Thank you. I just want to -- given the issue we've had with other neighborhoods and areas that have pumping stations in them and then we're paying for them, and people aren't happy with what we are paying for, I just needed to cover that base.

MR. GEBHARDT: Sure. No problem.

MR. MACMANN: Thanks.

MS. GEUEA JONES: Any other questions? Commissioner Loe?

MS. LOE: Mr. Gebhardt, just a quick question about accessible route to the one-story building. I see that's there's an accessible route from the public sidewalk to the two-story building, but I wasn't -- I didn't see it marked or shown really. I couldn't find it for the one-story building.

MR. GEBHARDT: To the public -- to the public way, is what you're --

MS. LOE: To the public way; correct.

MR. GEBHARDT: You know, that's a good question, Sara. I -- I don't have the answer for that. I think when the construction plans are done, we'll have to address that fully for that. I don't know if that's an actual requirement of the PD plan.

MS. LOE: That's part of the reason, since we're approving a PD plan. Okay.

MR. GEBHARDT: But I will be held to that standard when I do the construction plans.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions? Commissioner Placier?

MS. PLACIER: Yeah. You said or the staff report said that you were unable to reach the neighborhood associations. I was looking around and thinking what could that be. I guess those two apartment areas?

MR. GEBHARDT: No, Ms. Placier. So when this was done in 2008, the Shepherd Neighborhood Association on to the west of 63 was extremely involved. And then Timber Hill above us to the north was extremely involved. And part of that mitigation that I was talking about with that is that we're required to notify them. And so we -- when we did the hotel a year ago, we -- we reached out and we got no response the first time. The second time, one of them responded and said they didn't have any comments. And so this time around, we contacted the same group, and we didn't get anything, so -- but we did provide documentation to staff that we did, you know try, so --

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Can you talk to me a bit about the parking? How do you get to 83 spaces again? And --

MR. GEBHARDT: So the spec building to the north is a two-story building --

MS. CARROLL: Uh-huh.

MR. GEBHARDT: -- 5,200 square feet footprint, 10,400 square feet of building. And then the dispensary is 4,500 square feet. So when you do the math and the minimum requirements, you come up with the 76 required. We've done the 75, plus we're allowed to count the bikes toward it, so we've got one of those required spaces is a bike space, and then the others are extra, but they're bike spaces, not additional parking spaces.

MS. CARROLL: Okay. Thanks.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Just real quick on this -- if you can answer this question, that's fine. I'll ask it loud and maybe staff will answer it. Cinnamon Hill and the other one, are those HOAs or neighborhood associations; do you know?

MR. GEBHARDT: Cinnamon Hill --

MR. MACMANN: That you contacted but --

MR. GEBHARDT: Oh. Timber Hill? They're neighborhood associations.

MR. MACMANN: They are neighborhood associations?

MR. GEBHARDT: Uh-huh.

MR. MACMANN: Okay. That answers the question for me, actually. Thank you very much.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you very much.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Any other members of the public to speak on this case? Seeing none.

PUBLIC HEARING CLOSED.

MS. GEUEA HONES: Is there any Commissioner comment on the case? Seeing none. Would someone like to make a motion on the SOI first. Correct? Yes, I'm getting a nod.

MR. MACMANN: That was my question.

MS. GEUEA JONES: Commissioner MacMann, go ahead.

MR. MACMANN: And the -- just to clarify, I'm going to run this by staff, if you don't mind, Madam

Chair.

MS. GEUEA JONES: Yes.

MR. MACMANN: Just to clarify, it would be a motion to approve the SOI revision first, then move on to the PD plan?

MR. ZENNER: That is correct, sir.

MR. MACMANN: All right. Thank you. In the matter of Karma Plan PD SOI revision, I move to approve.

MR. DUNN: Second.

MS. GEUEA JONES: Motion made by Commissioner MacMann; seconded by Commissioner Dunn. 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: Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Wilson, Ms. Loe, Mr. Stanton. Motion carries 8-0.

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

MS. GEUEA JONES: Is there a further motion in this case? Commissioner MacMann?

MR. MACMANN: In the matter of "Fresh Karma PD Plan," PD Plan approval, Case 91-2024, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: The motion was made by Commissioner MacMann, seconded by Commissioner Stanton. Is there any discussion on the motion? Commissioner Dunn?

MR. DUNN: Do we need to make any special notations about his commitment to add that sidewalk?

MR. ZENNER: That is a construction plan requirement. They will have to provide accessible route.

MR. DUNN: Thank you.

MS. GEUEA JONES: Any further discussion on the motion?

MS. CARROLL: Do we need subject to technical corrections on that one?

MS. GEUEA JONES: Can you say that into the mic?

MS. CARROLL: Do we need subject to technical corrections on that one?

MR. MACMANN: I will accept that amendment, just in case.

MS. GEUEA JONES: Commissioner Stanton, do you accept the amendment on -- I get a thumbs up from Commissioner Stanton. The motion has been amended to include subject to technical corrections. Any further discussion? Seeing none. Commissioner Carroll, whenever you ready, we could have a roll call.

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

carries 8-0.

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

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