



Meeting Recap

Planning & Zoning Regular Meeting

Council Chambers Columbia City Hall 701 E. Broadway
6:00 PM Thursday, June 9, 2016

CALL TO ORDER

(Members Present: Harder, Loe, McMann, Rushing, Strodtman, Stanton, Toohey
Members Absent: Burns, Russell)

APPROVAL OF AGENDA

(Action: Amended to consider tabling request for Case #16-118 out of order.)
(Action: Request to table granted. Case rescheduled for July 7, 2016)

APPROVAL OF MINUTES

(Action: Approved as submitted.)

TABLING REQUESTS

Case #16-118

A request by Caleb Colbert (agent) on behalf of Quonset on Tenth, LLC (owner) to rezone land from M-1 (General Industrial District) to C-2 (Central Business District). The 0.42-acre subject site is located on the northeast corner of Tenth Street and Park Avenue, and is addressed 300 N Tenth Street. (The applicant is requesting that this item be tabled to the July 7 meeting)

(Action: Approved as requested.)

PUBLIC INFORMATION AND COMMENT

Case #16-110

A request by the City of Columbia to adopt a Unified Development Ordinance (UDO) governing subdivision and land use regulations throughout the City of Columbia's corporate limits as requested by the City Council and supported by the City's 2013 comprehensive plan entitled "Columbia Imagined - The Plan for How We Live and Grow." The UDO will replace Chapter 25 (Subdivisions) and Chapter 29 (Zoning) of the City Code as well as incorporate provisions from Chapter 12A (Land Disturbance), Chapter 20 (Planning), Chapter 23 (Signs), and 24 (Streets, Sidewalks, and Public Places) into its contents. This is the third in a series of public information and comment sessions on the proposed UDO. Staff Report to Planning and Zoning Commission Chapter 29-4.1: Dimensional Standards (except M-DT) Chapter 29-4.3: Subdivision Standards Chapter 29-4.6: Storm water & Natural Resources Chapter 29-4.8 & 29-4.9 Design Guidelines & Neighborhood Protection

(Action: Staff report presented. [LINK TO STAFF REPORT](#). It is important to read this staff report in order to understand the wide variety of topics covered during the initial staff presentation which lasted approximately one hour and twenty minutes.)

(Public testimony: A total of 7 presentations were made to the commission relating to the proposed zoning code. The following summarizes points made during those presentations:

It was suggested that the inclusion of neighborhood protections included in this new draft ordinance were important, but that they may need to be strengthened. Suggestions included: adoption of “four-sided design” requirements for multi-family buildings located in neighborhoods, even if not all sides of the building face a public street or right of way; that the placement of mechanical equipment; car storage and other “junk” not be allowed in areas between the multi-family building and surrounding single or two family homes; and more “corridor” planning to determine the nature of the individual neighborhoods.

It was pointed out that although the P&Z meetings are now live-streamed, the camera work focuses too much on the faces of the speakers and not enough on the slides being displayed on the overhead monitors.

Supported the idea of a sidewalk master plan and indicated a preference that not all sidewalk improvements be paid for out of the city coffers, but that individual property owners may need to take more responsibility in some instances.

Asked that the city staff make available the spreadsheet that is being distributed to P&Z members that itemizes new topics brought up at hearings.

A citizen was concerned that a blanket rule requiring contiguous stands of climax forest on newly developed tracts may not be practical or desirable on larger tracts of land. Noted that it may not be possible to match tree stands on one lot to adjoining lots for practical reasons.

Asked that loading docks not be restricted to the rear of buildings in all instances, and be allowed on the sides of buildings. Indicated that such an allowance would reduce the required turning radius for large trucks and could actually reduce the amount of impervious pavement and expense required.

Question about screening requirements between multi-family and single family dwellings, and whether the determination for such requirements was based on use or zoning. Staff indicated that it was determined by the use of the abutting property in this section of the code.

Thanked commission for establishing a method for tracking questions and issues brought up during public testimony, but also inquired about when and how decisions will be made on those issues and questions.

Questions about the timeline for approving the code in light of the creation of a new Task Force on Parking that could have a major impact on the content of the UDO and that the Task Force was not planning to have its final report completed until December, well beyond the target date for approval of the new code originally set. Noted that the code should not be considered in a piecemeal fashion since it is called a “Unified” code and suggested lengthening the overall timeframe to be able to get input from the various task forces and citizens who attend the meetings regularly.

Challenged the idea that the Comprehensive Plan should be a document that is used as the basis for approval of newly required land use maps. Citizen claimed that the Comprehensive plan was vague in some areas, contradictory in others and silent on issues. Stated that the item requiring such should be stricken from the code and that such "catch-all" language should be avoided. Staff indicated that the clause was inserted in case they forgot something, but speaker countered that it is impossible for planners and builders to know what they have to include if same is not specifically stated in the code.

A speaker indicated that the new proposal to determine median front yard setbacks should not be based on the two abutting property setback distances, but on the median of the entire block where the new structure would be built. Indicated that this should be reflected in the new code since older subdivisions may not have homeowner associations or other enforceable covenants that would allow for neighborhood control.

A speaker asked additional questions relating to the linkage between the Comprehensive Plan and the requirement to use same in the creation of a land use map for concept review purposes. Indicated that the Comprehensive Plan is contradictory and shows Discovery Ridge as both a protected sensitive area and a commercially zoned employment district. Wording in zoning code proposal would not allow both to be true. Asked if everything labeled in the Comprehensive Plan as "sensitive area" was really sensitive. Staff admitted that it is not, but that if sensitive areas were identified they should be protected. Further discussion indicated that requiring things that are unknown to either the applicant or the city is arbitrary and moves the decision making process from a ministerial process to a highly subjective and arbitrary process and that that contradicts the stated goal of the new zoning code plan. Staff indicated that some catch all phrasing was included in case they forgot something and that other cities do similar things.

Asked if preservation easements would be defined. Staff admitted that such easements were NOT currently defined and that staff will continue to evaluate this aspect in terms of where the building envelope exists on tracts with sensitive areas; if stream buffer averaging will be allowed; and if alternative building arrangements could accommodate specific challenges.

Questions about tree clearance in the county versus city. Asked if there would be a look back period since code seems to indicate that any property cleared of trees in the past would be required to wait five years before development occurred. Staff indicated that county and city regulations do not match; that there are many legal tree clearance scenarios that could be exceptions; and that aerial photography could help make some of those determinations, although this part of the code was not completely sufficient as a regulation. Suggested that in some cases replanting could offset prior tree clearance.

Speaker responded to earlier questions about the insufficiency of the Comprehensive Plan as a reliable map reference for sensitive areas due to wildlife, historical aspects, etc. Indicated that Missoula, Montana had addressed that same problem by creating multi-layered maps that can reliably answer many of those questions. Another speaker indicated that some baseline data may be available from Mike Griggs and the Green Belt Land Trust.

SUBDIVISIONS

Case #16-101

A request by Engineering Surveys and Services (agent) on behalf of the City of Columbia (owner) for approval of a two-lot final minor plat to be known as "Sixth & Cherry Garage Subdivision", along with an associated variance to Section 2546(b). The 1.6 acre subject site is located on the northwest corner of Sixth Street and Locust Street. (This item was tabled at the May 19, 2016 meeting)

(Action: [STAFF REPORT LINK](#). Staff report indicated that this case involves a property that is intended to transfer to the University of Missouri, but that certain aspects of curb, street and sidewalk requirements cannot easily be met, and therefore the City is requesting a variance from its own regulation requiring truncated corners. The City admits that its own findings do NOT support a variance in this instance, but argued that the rule is not a very good rule considering the circumstances. Compliance would reduce buildable area on the lot and may not result in significant improvement in traffic management.

Considerable discussion ensued and testimony revealed that most corners on blocks in the downtown area are rectangular, not truncated; that some of the plats in the downtown area go back to 1821; and that not gaining the variance now may lead to the city having to pay the new owner of the land to buy back an easement for street construction at some point in the future, which would not be a desirable outcome for the City. Commissioners asked if the rule was a bad rule in the first place, why not change that instead of asking for a variance to a bad rule. Others questioned why they should grant an unwarranted variance to a rule on the books.

Commissioners voted to grant the variance and approve the plat by votes of 5-2 and 6-1 respectively.)

Case #16-105

A request by Crockett Engineering (agent) on behalf of Thomas Richards (owner) for a two-lot final plat to be known as "Russell Subdivision Plat No. 6". The subject site contains 2.94 acres and is addressed as 407 Russell Boulevard.

(Action: [No discussion. Unanimous approval.](#))

Case #16-121

A request by THHinc McClure (applicant) on behalf of Drury Development Corporation (contract purchaser) for approval of a one-lot final minor plat to be known as "Drury Subdivision Plat 1". The 3.49-acre subject site is located at the southwest corner of Keene Street and I-70 Drive SE and addressed as 3100 I-70 Drive SE.

(Action: [Unanimous approval with minimal public or commission discussion.](#))

COMMENTS BY THE PUBLIC

[\(None.\)](#)

COMMENTS OF STAFF

(Announcement that the next meeting of the Planning and Zoning Commission will be held on June 23 and that in addition to consideration of the UDO (Zoning Code) three other issues may be considered. They include a subdivision case at the intersection of Hitt and Broadway; an annexation request by American Truck Repair; and a request from the Millard Family Chapel funeral home.

Topics for discussion at the next meeting regarding the proposed zoning code will center on elements of the downtown M-DT zoning district.)

COMMENTS OF THE COMMISSION

(Commissioners inquired about the original timeline proposed for consideration of the new zoning code in light of the fact that a new Parking Task Force has been formed to study how parking should be dealt with in the downtown and surrounding areas, and asked if the time to consider and gather facts from them and other sources should be extended since that Task Force is not scheduled to have a final report until December. It was also noted that the Task Force on Infrastructure is also running behind and may not have its findings complete by the anticipated August date originally proposed. Staff indicated that it would coordinate with the various Task Forces to determine a better time frame for consideration and would try to determine what parts of the code may be affected by their findings. Staff also noted that the current proposed sidewalk ordinance as proposed is not perfect and may require some amendment along the way. The possibility of additional work sessions for the P&Z Commission was also proposed, but not specifically agreed to.)

NEXT MEETING DATE: June 23, 2016 at 6 pm

ADJOURNMENT

DO NOT COPY