



## Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall  
6:00 PM Thursday, July 7, 2016

**CALL TO ORDER** (Members Present: Burns, Harder, Loe, McMann, Rushing, Toohy Stanton)  
(Members Absent: Strodman, Russell)

**APPROVAL OF AGENDA** (X)  
**APPROVAL OF MINUTES** (X)

### TABLING REQUEUSTS

#### 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 this item be tabled to the August 18 meeting. This is the applicant's second request to table.)

(Action: Case tabled until August 18.)

### 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. Staff Report to Planning and Zoning Commission Chap. 29-4 and 29-5 (May 2016) Chap. 29-7 (May 2016) Chap. 29-10 (May 2016)

(Action: Staff report provided by Pat Zenner.

[LINK TO STAFF REPORT](#)

Highlights from this presentation include:

- Properties may be eligible for parking credits if alternative parking is available in a public garage within 1,000 feet or on street within 250 feet.
- Changes to residential driveways limit size of driveway to 500 sq./ft. of 30% of REQUIRED front yard

- Private parking garages are allowed but have limitations on first floor and setbacks
- Drive through facilities have reduced stacking requirements and some limitations on orientation
- Property edge screening has been enhanced and may require different levels of screening depending on adjacent properties
- New tree preservation rules require preservation of climax forest in contiguous areas (and segregation) as well as significant trees (20" in diameter)
- New rules apply to upgrades to property, but exact interpretation of rules is not well-defined
- Landscaping professionals may submit landscaping plans rather than limiting same to certified arborists
- Climax forest preservation suggests 25% in clustered group. May be subject to change but minimum stand not yet defined
- Rules governing delay on development on pre-clearing are still being discussed to enable compliance for legal tree clearing activities in county
- Minimum standards for tree planting in M-DT area DO exist at the rate of 1 tree per 800 sq./ft. of public/private open space
- Required street trees do not count for other green space requirements
- Transitional property screening chart is difficult to understand and may require modification
- Parking lot landscaping requirements are changing, but reductions in parking spaces or planting of additional trees may provide incentive space reductions from requirements. Current regulations lack clarity and rationale
- Alterations and adjustments are built into new code at discretion of Director, but rules are not yet well defined
- Some redevelopment of existing properties may trigger compliance with new code even on properties with compliant use
- New lighting provisions require FULL cut off lighting and limits pole height to 28 feet. Additional energy conservation concepts are also reflected in new code.
- Sign code has not changed and was considered to be outside the scope of the Clarion consulting contract.
- Sorority and fraternity parking minimums have changed to allow 1 parking space per bed

Comments from the public were then invited. Speakers discussed the following general topics:

- Need more flexibility in application of parking rules. Current minimums are not always well-suited to some businesses, and the establishment of parking MAXIMUMS, which had not existed before, is detrimental to some businesses, particularly large retail, restaurants, medical offices and some entertainment venues. Suggested elimination of maximum or allowance to be able to build up to 200% of minimum.
- Suggested that off-street loading designated parking is not needed in situations where shared parking lots are utilized, most often in non-downtown areas like the Forum Shopping Center.
- Suggested that many of the new rules are based on the growth in popularity of the public transit system in Columbia. Speaker believes that it is not popular now and will not improve much in the future and that new rules should not be predicated on the dream of better bus service.
- Speaker presented evidence to the Commission that indicated non-resident property owners in the East Campus area have been systematically excluded from meetings and discussions relating to the creation of a new overlay district for East Campus. Indicated that non-resident owners are excluded from serving as president of the neighborhood association; that the list of people appointed to the committee rewriting the overlay code is a mystery; and that the city council representative from the area has been presented with a formal letter indicating that this

process is unfair and illegal. Also asked that any request to add a new East Campus Overlay plan to the new code should be rejected until the situation is addressed and corrected. Staff indicated that they have been made aware of the situation and indicated that no amendment to the code can be made without full public discussion.

- Speaker addressed the sign provisions in the new code. Indicated that they are out of date and could provide grounds for a legal challenge if they are content-based. Objected to the ban on illuminated signs and suggested that a recent Supreme Court ruling does not allow exclusion based on type of sign.
- Speaker pointed out some inconsistencies in new tree preservation and landscaping code. Asked if placement of street trees in city right-of-way posed problems with tree roots and utilities and if this was a change in policy. Staff indicated that there needed to be more discussion about this but that right now the code indicated trees in easements.
- Clarification of requirement for trees in M-DT area equaling one tree for every 800 sq./ft. of private or public required open space. Staff indicated that was a requirement if the public/private open space part of the code stood and that trees could be placed in parking setback areas, sidewalks or other building cuts.
- Speaker asked for clarification if street trees were planted in parking setback would that then allow parking setback areas to be counted as private or public open space. Staff indicated no, but speaker asked for that policy to be reconsidered.
- Asked for clarification about tree preservation and asked for more flexibility in terms of what could be counted; for inclusion of significant trees in total tree preservation numbers and percentages.; for inclusion of climax forest stands in stream buffers and sensitive areas to be recognized; and for flexibility to be built into the rule. Staff responded that there are some areas for bonuses to be declared and for some administrative relief to be granted.
- Speaker reiterated support for eliminating the parking maximum rule or increasing allowable parking to be built to 200% of minimum requirement.
- Speaker indicated that broader planning scenarios should be considered as new code is adopted and that the city clerk keep track of all administrative decisions that are made in terms of variances to rules granted by the director.
- Speaker indicated that timing of code consideration by council was bad since it coincided with city budget hearings.
- Speaker indicated that eliminating maximum parking rule was not a good idea and that an option for administrative relief could possibly be a better way to handle cases where more parking was desired.
- Thought the code should be more goal oriented rather than simply prescriptive and asked for inclusion of rationale in document to guide sensible development, particularly in terms of the tree preservation, landscaping and parking issues.
- Speaker indicated that architectural diversity should be recognized and agreed with previous speaker that rules that are too strict do not promote that kind of diversity.
- Speaker questioned whether this whole code overhaul was really necessary at this point in time and thought that even though the code is old, it might be a more workable document than the new one being proposed.
- Speaker indicated that eliminating the maximum parking requirement was a good idea and that it would be self-regulating. Building parking is an expense and if businesses don't really need additional parking they will stay with the minimum requirement. No need to regulate it at top end.

- Speaker suggested that most of the code is designed for greenfield development situations and that exemptions for existing structures and situations should be built into code such as have been proposed for downtown and the Business Loop.

Commission thanked the speakers who attended the evening's meeting and moved on to the next order of business after a short recess.

## SUBDIVISIONS

### Case # 16-149

A request by Habitat for Humanity (owner) for a variance from Section 25-48 of the Subdivision Regulations pertaining to the requirement to install sidewalks on property platted prior to 2001. The subject site is located on the south side of Jamesdale Road, approximately 500 feet east of Brown Station Road, and is addressed 3406 Jamesdale Road.

(Action: Staff report. Testimony indicated that topography of area suggested that sidewalk could be better placed across the street. Also indicated that cost to construct sidewalk on a property used for Habitat for Humanity home was excessive. Commission voted to approve request unanimously.

## PUBLIC HEARINGS AND SUBDIVISIONS

### Case # 16-142

A request by G&E HC REIT II Columbia C/O American Healthcare, and Schaumburg Properties, LLC (property owners) to rezone land from R-3 (Medium Density Multiple-Family Dwelling District) and C-3 (General Business District) to O-P (Planned Office District); and to approve a major amendment to the Landmark Hospital O-P development plan. The 5.19-acre subject site includes the existing 4.7-acre Landmark Hospital site on the northeast corner of Old 63 and Alfred Street, and a proposed 0.49-acre off-site parking area located on the west side of Old 63, north of McAlester Street, approximately 320 feet north of the hospital site.

(Action: Staff report. Suggested dividing request into two votes, one for rezoning and one for O-P Plan. Issue centered around need to expand facility, change parking and requirement to change statement of intent under Planned Zoning regulations. Also included blinking crosswalk signalization for access to off-site parking lot.

Rushing asked about new parking. Existing parking will be retained on-site and will not be making substantial changes to that area. McMann asked if expansion would allow for more procedures on-site. Number of beds will remain unchanged. Also asked if this would create a stormwater issue. Staff indicated that proposal will be held to all stormwater regulations prior to issuance of building permit. Also clarified that parking will primarily be for employees. Hospital will pay for it, city will maintain it.

Public testimony ensued.

Speaker indicated that existing parking lot was recently improved and will be adding new landscaping. Indicated that some parking was gravel but won't change significantly. Also indicated that new lot would be primarily used for employees and mostly during the day. New space would include additional procedure space, employee locker space and ancillary spaces. Indicated that facility was licensed and approved to perform all procedures.

Speaker indicated that Columbia Country Club had some concerns about this new development. Runoff was of utmost concern. Stream and pond have existed for years. After construction of the Landmark Hospital, irrigation lines have been exposed, erosion has taken away part of an existing dam. Believe

that additional runoff has come from this facility. Only found out that this was being proposed by accident. Kind of looks like they believe that nothing has to happen stormwater-wise. Stormwater plan in force should be enforced. Request denial of plan as presented. Asked for conditional approval based on 4 stormwater ideals including stormwater channel management and enforcement of current plan. Issue of maintenance was brought up as a possible culprit.

Commissioner asked if applicant would be willing to agree to Country Club 4 points. Only question was lack of understanding regarding Level of 8 included in Country Club's demands. Applicant indicated that if the situation is messed up now, they will address it, but they need to be careful about agreeing to something that they do not quite understand.

Engineer for applicant indicated that there is no increase in impervious surface. Stanton indicated that we could get a win-win situation. Applicant's engineer does not believe that they are causing the problem, and that every two years they have to certify compliance of stormwater plan. Significant discussion ensued about drainage area, with unclear technical areas.

Motion made to approve rezoning. Motion passed unanimously.

#### **Case # 16-144**

A request by Schaumburg Properties, LLC (property owner) for a two-lot replat of R-3 (Medium Density Multiple-Family Dwelling District) and C-3 (General Business District) zoned land. The 0.96-acre subject site is located on the west side of Old 63, north of McAlester Street, and is addressed 805 Old 63.

(Action: Motion made for subdivision approval. Motion passed unanimously.)

### **PUBLIC HEARINGS**

#### **Case # 16-134**

A request by Columbia Civil Engineering Group (applicant) on behalf of P1316, LLC (owner) for approval of a major amendment to the "Discovery Office Park North" C-P development plan to accommodate a building expansion. The 5.02-acre subject property is located at the northwest corner of Ponderosa Street and Philips Farm Road, and is also known as Lot 1 of Discovery Park Subdivision Plat 2-B.\

(Action: Staff report indicated that there were changes in terms of loading areas and that overall impervious surface would not be increased. Access was changed. Design parameters were changed and proposal is amended from original request.)

Commissioners asked if there was a reduction in open space. Staff indicated that there was a significant decrease in open space. Commissioner asked about drop off and what would prevent water from running into residential area. Staff indicated that this area was annexed before the new stormwater ordinance was adopted but that the way the agreement was set up allowed for very specific trade-offs as long as minimum requirements were met.

Public hearing ensued.

Representative for applicant provided testimony. Addressed the comment from Rushing about slope from new development to residential and indicated that slope would be more gentle. Indicated that discharge would not exceed any more to north than already being discharged. Indicated that low impact BMPs would be incorporated into site including downspout management, discharge to front, and placement of loading docks for ancillary docks only without high impact use.

Additional discussion focused on details of project that had been discussed on some level earlier.

Motion to approve was made as submitted. Unanimously approved by commissioners.

**COMMENTS OF THE PUBLIC**

(None.)

**COMMENTS OF THE STAFF**

(Action: Staff announced next meeting July 21. Several items on agenda including 3 subdivision items: KittyHawk, CreekRidge and Hendren Hills (maybe).

Responded to concerns about Overlay Districts from East Campus. Zenner indicated that they were asked to provide information to neighborhood associations about the new zoning code. Staff told neighborhoods that now would be the time if they wanted to change. Benton Stephens turned in their changes since about May 19. East Campus has not provided any new information. Staff indicated that if they don't know what is being proposed, they can't act. Indicated that they will not proceed forward with ANY changes until they receive a document, and if they don't follow the rules, it will not be considered. It cannot be slipped in at the last minute. If there is an amendment to the zoning code, it MUST come through P&Z. that includes East Campus Overlay suggestions. P&Z can suggest denial if rules are not followed. Staff can't control who does what in the neighborhoods, but if they don't have a document before this goes to council, there may need to be a different hearing held.

**COMMENTS OF THE COMMISSION**

(None.)

NEXT MEETING DATE - JULY 21, 2016 @ 6 pm

**ADJOURNMENT**

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