



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, June 22, 2017

CALL TO ORDER (Members Present: Strodman, Burns, MacMann, Stanton, Harder, Toohey, Rushing, Loe)
(Members Absent: Russell)

APPROVAL OF AGENDA (Approved as submitted.)

APPROVAL OF MINUTES (Minutes from June 8, 2017 approved.)

TABLING REQUESTS

Case # 17-132

A request by Crockett Engineering Consultants (agent) on behalf of Phil and Erin Teeple (owners) to rezone 4206 Savoy Drive from R-1 (One-family Dwelling District) and A (Agricultural) to R-MF (Multiple-family Dwelling District). The 3.99-acre subject site is located on the east side of Strawn Road, approximately 900 feet north of Worley Street. (This item was tabled at the June 8, 2017 meeting)

(MacMann indicated that he had received brief comments from both the developer and neighbors regarding this issue in advance of this meeting.)

(Action: This was the second tabling request from the applicant. The request indicated that the applicant had contacted neighbors during the intervening time and that they needed additional time to provide other information to concerned neighbors. Representatives of two area neighborhoods opposed the first tabling, as well as the proposal itself, and also indicated opposition to tabling the item again, preferring immediate consideration and denial of the request. City staff recommended granting the request to table.

The primary points of contention from the neighborhood representatives were limited road access and inappropriate density due to the location of the property. City staff did not recommend approval of the initial proposal.

Engineer appeared on behalf of the applicant to request the tabling of this issue. Explained that a meeting had been held in the home of a neighbor, but that there were questions relating to

Neighborhood Protection clauses in the new development code. Indicated that the request is not uncommon. This is more efficient than withdrawing and resubmitting.

Burns asked why the applicant did not appear at the last meeting. Engineer indicated that he did not appear to ask for the last tabling request because he thought it would be automatically granted. MacMann asked if any progress had been made at the last meeting with neighbors. Engineer deferred to client who did attend the neighborhood meeting.

Applicant appeared and indicated that originally, he did not get negative feedback from neighbors, but when he formally presented the idea, neighbors did react negatively. Indicated that he had lived in this area for a long time and that he had seen the neighborhood grow up around him. Asked for the same kind of consideration to build in the area. Also, indicated that neighbors wanted to know what kinds of houses or buildings would be built. The speaker said specific details were not available because he has not drawn specific plans and that it was difficult for people to accept something new without more detail. The speaker also indicated that during the meeting with neighbors, when some people started to engage, one neighbor admonished other neighbors not to even talk to him about what they wanted, then indicated to the applicant that if they go forward they will bring out even more opposition. Applicant believes that more time to consider this is a good idea and repeated the request to table. He again identified the major stumbling block in the negotiations as the lack of an exact plan with drawings and that level of detail. Applicant said he envisioned that the finished product will look like some of the Smithton area developments or maybe some buildings in Vintage Falls.

MacMann asked if the applicant had more time would he be able to provide more answers to more questions? Applicant indicated that he believed this was about land use and that particular building concepts are sometimes hard for people to envision in their minds. He did not know if more time would cause more people to change their minds.

Next speaker appeared on behalf of the Village at Vintage Falls Plat 1 neighborhood group. He opposed the delay and believes that the applicant has had more than enough time already. Indicated that opposition was 100% and that there are already enough apartments in this city and did not ask for more information – contrary to what the applicant said. Speaker believed this was a waste of time. Indicated that the neighbors are opposed to the plan – period.

Next speaker represented another group of the Village at Vintage Falls Plat 2. Indicated that he did not recall anyone asking for more information and reiterated that opposition from his group was complete and strong. Speaker said the applicant did not intend to actually build on this property until his youngest child was graduated from high school which would be 15 years. Wondered why this had to happen now? Indicated that people in this neighborhood bought their property thinking it would be a quiet, senior-living kind of neighborhood and believed this applicant should not have the right to override the wishes of the neighbors.

Next speaker indicated that she was an immediate neighbor and indicated that the applicant had never spoken to her.

Next speaker spoke in opposition to the request to table. Said that staff was against the proposal, but was for the tabling. This neighbor believed that there had been no further substantial communication and believed that this should simply be voted down tonight. Indicated that he personally will not be able to attend the next meeting.

No further speakers came forward.

Loe asked what would happen if they do not grant the tabling request. Staff indicated the case would be heard tonight unless the applicant subsequently withdrew the request for the time being. The case would be put on the Public Hearing portion of the agenda.

Loe indicated that she missed the last meeting, and in looking at the documents believed that what she saw did look preliminary. Staff indicated that no plan is required because it is not Planned Zoning. Staff indicated that this is simply a request to apply zoning to the property. Indicated that she is not sure what is motivating this application if there is really no firm plan in place. Believed that it would be proper to NOT table this item and let the applicant return when plans were more concrete.

Rushing believed that if this were to be approved it would allow an opportunity to do the densest use with the least amenities.

Strodtman said that this is only a land use request and that something might be built in the future, but not necessarily right now and that that concept is allowed.

Burns indicated that she would vote against the request to table.

Stanton indicated that he thought in theory this was really a technical issue and that people have the right to request rezoning. He indicated he would like to hear the case and that the fact that no one from the applicant showed up last time weighs heavily on his decision. Preferred to hear the case, then see if it was worth the trouble to table it.

Staff indicated that this proposal would come back to P&Z when the property was platted, but no plan approval would be required in the future. Such an action would simply create a legal lot out of the parcels and clean up dual zoning designations.

Stanton asked if the applicant simply asked for residential zoning would that quiet the fire? Chair indicated that that was not the request and should not be considered at this time.

**Motion to approve tabling made by Toohey. Motion died for lack of a second.
Motion to deny tabling request made by Burns and seconded by Rushing.**

Toohey asked if it were customary to grant two tablings. Answer was yes, but indication that it was not required.

**Motion to DENY tabling request passed 8-0.
Due to the tabling request denial, the applicant withdrew the entire proposal for the time being. For it to be considered in the future, it will need to be submitted as a new request.**

(Editor's Note: It is rare that an applicant is denied a request to table a proposal, although many proposals have simply been withdrawn by applicants in the past at various stages of the process.)

SUBDIVISION REQUESTS

Case # 17-100

A request by Crockett Engineering Consultants (agent) on behalf of THD-REB Properties, LLC (owner) for approval of a 59-lot preliminary plat revision on R-1 (On-family Dwelling District) zoned property, to be known as "The Vineyards, Preliminary Plat #3". The 24.1-acre subject site is two separate parcels, one located on the south side of Elk Park Drive, approximately 150 feet east of Berkley Drive, and the other on the south side of State Highway WW, approximately 800 feet west of Stone Mountain Parkway.

(Action: Staff presented a report indicating that this was a revision of original plats for the area filed in both 2005 and again in 2015. This replat creates additional single family lots and 3 common lots. Staff indicated it is generally consistent with the original concept for this area. Staff also indicated that connectivity is possible for this subdivision, but exact road connections will be evaluated when neighboring properties develop, some of which will be required to follow Planned Development rules.

MacMann asked about stormwater on the site. Staff indicated that the proposal meets existing regulations but offered no specific stormwater plans.

Loe asked how the eastern portion connected into the overall site. Staff indicated that a stubbed street would be constructed and would connect if the other land parcel, not owned by the applicant, were to be developed. Staff indicated that this was allowable within the new code.

Public comment was invited.

Engineer appeared on behalf of the applicant. Indicated that this is the third preliminary plat for this area. Use has changed over time as the property has changed hands. Indicated that property to the west is under contract and will most likely be used for single family homes. Assured that the site meets stormwater regulations. Addressed Ballentine Lane connectivity and that consultations with staff indicated that ingress and egress in appropriate places had been determined.

Next speaker indicated that he had just left an HOA meeting to attend. Asked about the right-hand side of Ballentine Lane. Thought that some lots were too skinny to build nice homes. Also thought that the stub street goes to a person's farm and that that property owner may resist future connectivity. Chair indicated that legal, conforming lots, despite being skinny could be created. Explained that if something were to be developed on the farmland, it could then be connected, but that there is no requirement for that development to ever occur. Speaker indicated that the plan has changed over time and that the new plan no longer shows a cul-de-sac that appeared earlier. Chair explained that city does not necessarily like cul-de-sacs from the point of view of connectivity, but that it is better to plan for the future in case connectivity could occur.

Next speaker indicated that she attended the previous information meeting. Said that this is NOT what was shown at the PIM. Also Said that this is the first time they had ever heard that there is more residential development planned for this area. Asked that the residents be given more time and information.

Staff said that this is not a true public hearing, but that public comment was welcome. Further indicated that there had been some changes made since the public information meeting. As a citizen, the previous speaker said she wanted the opportunity to talk to the developer as development continued. Indicated

that she had heard that some future plans would call for building homes that are unlike existing homes in the area.

No further public comment.

Toohey asked about size of lots. Engineer indicated that some are a little skinnier but that for the most part the lots match what is out there.

**Motion to approve made by Stanton and seconded by MacMann.
Motion approved 8-0.)**

PUBLIC HEARINGS

Case # 17-128

A request by Columbia Civil Engineering Group, LLC (agent) on behalf of Discovery Park Apartments, LLC (owner) for a major amendment to the "Lots 4 & 5 Discovery Park Subdivision Plat 2B" PD (Planned Development) Development Plan approved on 1/27/15, to be known as "Lots 4, 5, & 5A Discovery Park Subdivision Plat 2C" PD Plan. The 17.55-acre subject property is located at the southwest corner of Nocona Parkway and Ponderosa Street. (This item was tabled at the June 8, 2017 meeting)

(Action: Staff presented a report indicating that this was a revision to the original PD plan that basically splits one existing lot into two parts. The new plan splits an original lot into two parts – one with multi-family housing and one lot that would house a pool and clubhouse area. The applicant indicated that the revision was necessary for financing reasons. In addition, the applicant is providing an access easement to lot 501 in the development and has agreed to reflect all requested changes in the statement of intent. Staff determined that the requested changes were consistent with the zoning code and intent of the original plan and recommended the project.

MacMann thanked the staff for making a residential connection to this property.

Public hearing was opened.

Engineer appeared on behalf of the applicant and offered to answer questions. None were forthcoming.

Public hearing was closed.

**Motion to approve made by Stanton. Seconded by MacMann.
Motion approved 8-0.)**

Case # 17-142

A request by Allstate Consultants, LLC (agent) on behalf of the City of Columbia (owner) for a PD (Planned District) Development Plan to be known as "Columbia Indoor Sports Complex Philips Park" PD plan, which constitutes an amendment to the previously approved "A. Perry Philips Park, Phase 1" PD plan. The 139.07-acre subject property is currently zoned PD and is located at the northeast corner of Gans Road and Bristol Lake Parkway.

(Action: This action is being requested by the City of Columbia, which is the owner of this property. Acceptance of this plan will allow the construction of a 50,000-sq. indoor sports complex in Philips Park and will require all appropriate screening and buffering and a landscaping plan is included in the application. Adequate road access is provided to Philips Farm Road, Bristol Lake Parkway, and eventually, Gans Road. Staff recommends approval of the proposal.

Burns asked if neighbors saw a plan with a fence, and asked if changing to more landscaping instead of a fence would sit well with neighbors. Staff indicated that staff suggested change after further review.

MacMann asked if the arborist gave good input and also questioned why the fence was not there. Staff indicated that road connectivity worked and that no loading facilities were located to the rear. Indicated that fire access may be required to the rear of the building.

Public hearing was opened.

City recreation staff member appeared on behalf of applicant. Stated that this was an athletic fieldhouse. Also said they do not like to fence public parks in. Wants connectivity. Stated a willingness to answer questions.

Burns asked if project qualified for the 1% For Art program. Staff indicated that was correct. Loe asked about grading on the site. Staff indicated that it helped with viewing from building and helped make scale look more appropriate. MacMann thanked staff for appearing on behalf of city. Speaker clarified that deliveries could be made to the rear of the building and that fire access was required at the rear. Indicated that future building phases could make the building bigger in the future and that a trail would be added around the perimeter of the property. 4 basketball courts and 5 volleyball courts will be provided. 6 pickleball courts could be overlaid and 8 half-courts could be created in this space. Speaker indicated that she preferred landscaping rather than fencing as long as it was appropriate screening.

Public hearing was closed.

Motion to approve with landscaping instead of fencing made by Stanton. Seconded by MacMann. Motion approved 8-0.)

COMMENTS OF THE PUBLIC

An engineer rose to ask about an earlier decision not to table a motion because there was no definitive development plan attached to the request. But, if this was not a planned district, and it is straight zoning, would P&Z accept a conceptual plan even though none is required? Or, was the Commission saying they want to encourage more Planned Zoning? Speaker believed this is a conflict in the rules. Maybe that's the way we used to do it, but now we are being discouraged from Planned Zoning unless we have a big reason. Wanted clarification on the intent of P&Z.

Staff encouraged that this discussion should occur at another time. Chair said the case the speaker was referring to could have turned out differently with a better plan and that it should not be construed as encouragement of any one way to approach the process.

No further speakers appeared.

COMMENTS OF THE STAFF
(None.)

COMMENTS OF THE COMMISSION

Stanton had one short question about process. Strodman indicated he thought the new sports building at Philips Park was a great improvement to the park.)

NEXT MEETING DATE - July 6, 2017 @ 7pm

ADJOURNMENT
(Time: Approximately 8:35 PM)

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