



**Columbia Planning & Zoning Commission
Meeting Recap**

Council Chambers, Columbia City Hall
7:00 PM Thursday, July 6, 2017

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

APPROVAL OF AGENDA (Approved as submitted.)

APPROVAL OF MINUTES (Minutes from June 22, 2017 approved.)

SUBDIVISIONS

Case # 17-144

A request by Engineering Surveys and Services (agent) on behalf of Columbia College (owner), for approval of a final-minor plat of their main campus located at 1001 Rogers Street. The property is bounded by Wilkes Boulevard, Rogers Street, Range Line Street and Eighth Street, and contains 21.8 acres. The applicant is also requesting a variance from Appendix A.3(a) (Street Widths) of the Unified Development Code, which would require additional right-of-way dedications for both Rogers Street and Eighth Street

(Action: Staff explained that this request applies to the main campus of Columbia College and that this action will consolidate the campus and apply a final minor plat to previously unplatted land. This is required under the new Unified Development Code and is being done in anticipation of the construction of a new dorm and academic building on that site. Additionally, the applicant is requesting a variance from road width requirements. The rationale is that this is in an older, developed part of town and streets and other improvements were made when street width rules were different. While the College is willing to expand the right of way to a 25' half width, requirements to provide either 30' to 33' feet or 33' to 38' of right of way are excessive and could interfere with existing development, sidewalks and other improvements or utilities. All requests meet the College Master Plan on file and are supported by the staff.

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

Public comment was closed.

Motion to approve passed unanimously, 8 – 0.)

Case # 17-157

A request by A Civil Group (agent) on behalf of Maddox and Robinson Investments, LLC (owner) for a waiver from Section 24-35, which requires sidewalks on property zoned commercial or multi-family and is located along an arterial or collector street, to waive the construction of approximately 60 feet of sidewalk located along Primrose Drive. The subject site is currently zoned R-MF (Multiple-Family Dwelling), and is located on the north side of Primrose Drive, approximately 500 feet east of Gardner Drive.

(Action: This request is for a variance to the requirement to build sidewalks on major street frontages when a property is developed. In this case, the requirement was triggered by plans to expand a principal structure on this site. The applicant indicates that the construction of the sidewalk would be costly, and that to construct such a sidewalk a significantly large tree would have to be removed. Also indicated that they are trying to avoid building over a drainage part of the lot. Staff reviewed the request according to its regular evaluation criteria and found that the project does not meet minimum standards and goals of public safety, pedestrian connectivity, future CIP plans and the Comprehensive Plan and could have an adverse impact on the surrounding neighbors and properties. Staff did indicate that the tree, or a portion thereof would have to be removed, but that goal pales when matched to the other goals that would be achieved if the sidewalk were to be built. Future plans for the area are expected to result in additional connective walkways being built in this area in addition to this required walkway. Staff recommended against approval.

Engineer appeared on behalf of the applicant. Indicated that they are willing to build all sidewalks except the last sixty feet that would impact a major tree that, in his opinion, cannot be saved if you build a sidewalk. He also mentioned that not all sidewalks have to be built on THIS side of the street and an alternative could be selected. Construction is a messy business and there is often more impact than is anticipated by the actual footprint of a paved area. Indicated that the client is willing to pay \$10,000 in lieu of building the walk. Stated that this is not about saving money, it's about doing the right thing. Also mentioned that some traffic calming devices were planned for this area, and all the other sidewalk building projects mentioned by the city are still on the unfunded list.

Rushing mentioned that she believed that the tree in question needs other remedial help and as a walker indicated that she thinks it is disconcerting to have to step from the sidewalk onto the street to continue on. She will not support the measure. Harder indicated that he agreed with Rushing. Toohey asked about the payment in lieu and how that would work. Staff indicated that the sidewalk estimate would be used but that council would make the determination since no underlying rule exists.

MacMann asked about citizen input. Staff indicated that no correspondence had been received, but that most people were unaware of this request. Stanton asked if the tree was affecting the existing drainage pipe. Engineer indicated it did not. Staff indicated that a site line study would be required and the engineer indicated that there should not be a problem with the tree remaining in place. Russell asked what would happen if the city wanted to put a sidewalk in in the future, what would the city do if a fee in lieu of were accepted? Staff said they would have to remove the tree and pay for it but that they could use the money paid for by the applicant.

Staff then read the code. It would appear that the way the code reads there is no fee in lieu of process allowed in this section. The code requires a sidewalk here and there could be a delay in the construction of the sidewalk, but it still must appear on the plan before a certificate of occupancy can be issued. We could tax bill the landowner in the future, but we do not do that very frequently.

Russell asked if P&Z could add a fee in lieu of clause to approval and forward that to the council for approval. Staff said they could, but that such an idea is not rooted in the code. Discussion also ensued about how bills appear on the Consent Agenda. Staff indicated that there were various scenarios, but generally, items with 75% approval appear on the Consent Agenda. Discussion occurred about legal authority and no clear consensus was reached. Burns indicated that she had recently had many trees removed on her own property and believes that there are landscaping options available.

Motion to deny was made by Russell. Motion to deny carried 5 to 3 which results in denial of the request, but the request WILL be forwarded to City Council and will appear on the regular agenda.)

PUBLIC HEARINGS

(The following two items are being considered in tandem. Both parts must be approved for this project to go forward. Both parts WERE approved.)

Case # 17-155

A request by Allstate Consultants, LLC (agent) on behalf of Arrowhead 111, LLC (contract purchaser) for the rezoning of approximately 24.19 acres of land from A (Agriculture) to R-1 (One-family Dwelling). The subject site is currently undeveloped and is approximately 1200 feet north of Sinclair Road on the east side of West Lake Arrowhead Drive.

(Action: Staff presented a report indicating that this rezoning would allow for the creation of four, single family lots on land that is currently being purchased from the University of Missouri. The change in zoning is required because the new zoning code requires that parcels that would create more than 2 lots be rezoned to a minimum of R-1 rather than A (Agricultural). Because this land is land-locked it does not currently meet the standard for a legal lot. To overcome this problem, the buyer of the land is working with the homeowners' association in the area to purchase, annex and rezone 2.52 acres of adjoin land that will make the entire parcel accessible, and therefore, legal. The next item on the agenda sets the stage for this procedure and will require a final plat to be filed prior to the issuance of any construction permits. The site does access to sufficient infrastructure to allow for this new construction. Staff recommends approval of this request.

Public comment was opened.

Representative of the applicant appeared to explain the purchase of the properties and offered to answer questions. Also indicated that he believed it was consistent with the new zoning code and submitted a letter from the HOA of the area. The process included an amendment to the covenants of the HOA and it was approved. Indicated that sale is not contingent on rezoning.

Next speaker indicated that he is the only residential property next to this land. He wholeheartedly supports this proposal and has discussed same with his family and the purchasers of the land.

Motion to approve was accepted unanimously, 8 – 0.)

Case # 17-156

A request by Arrowhead Lake Estates Homeowners Association, Inc. (owner) seeking permanent City R-1 (Single-family Dwelling) zoning upon annexation of approximately 2.52 acres of land into the City of Columbia corporate limits. The subject site is currently zoned Boone County A-2 (Agriculture) and is currently undeveloped. The subject site is approximately 1200 feet north of Sinclair Road and adjacent to the east side of West Lake Arrowhead Drive.

(Action: This item is being considered in conjunction with the previous item which was approved by P&Z. this request is to annex this 2.5-acre parcel, combine it with the 24-acre plot just rezoned, then subdivide the entire parcel into four6+ acre single family home sites. The 2.5-acre parcel is part of a larger non-buildable common lot that currently exists, but it is in Boone County currently and that does not prohibit the sale of a portion of a common lot. The applicant is working in tandem with the existing homeowners' association annexation and rezoning of this and the previous parcel are required to make the lots compliant with the new City of Columbia zoning code. The site is served by the Boone County Regional Sewer District with an operating agreement with the City of Columbia. Driveway access to the abutting roadway would fall within the jurisdiction of the county. Electricity is provided by Boone Electric and water is supplied by the Consolidated Water District. Staff recommends approval.

Staff indicated that land cannot be platted within two different jurisdictions, so this is a necessity to make it conform. A final plat of this project will be presented on July 20. There is a stream on this land that will be protected and it is all consistent with regulations.

Loe mentioned that no development was being proposed on this land, but that authority was being granted. Staff indicated that it is within the Urban Service Area. Staff indicated that we are at capacity on sewer at this point and that additional development will be limited, but that this proposal does not create an impact beyond what can be provided. This has been discussed with the applicants and the utility staff.

Public comment was opened.

Speaker appeared on behalf of the applicant and offered to answer questions.

No further public comment was offered and no further discussion by commissioners was forthcoming.

Motion to approve was accepted unanimously, 8 – 0.)

**COMMENTS OF THE PUBLIC
(None.)**

COMMENTS OF THE STAFF

Staff indicated that at the July 20 meeting there will be four items. Two subdivision requests regarding Stoney Creek and Arrowhead Estates will be discussed. Two public hearings will also be brought forward. Both are rezoning requests. A brief discussion of those items ensued.

The first is a Planned Zoning request for a rezoning with a full plan, the first to come in under the new code. Sidra request for rezoning will also come forward at this time and could affect the Primrose area discussed earlier.

COMMENTS OF THE COMMISSION

City attorney indicated that because of confusion on an earlier motion, he would suggest making motions in an affirmative manner so when you vote "Yes", you mean yes and when you vote "No", you mean no.

NEXT MEETING DATE - July 20, 2017 @ 7 pm

**ADJOURNMENT
(8:25 PM)**

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