



**Columbia Planning & Zoning Commission  
Meeting Recap**

Council Chambers, Columbia City Hall  
7:00 PM Thursday, October 5, 2017

**CALL TO ORDER** (Members present: Loe, Harder, MacMann, Strodman, Toohey, Rushing, Russell, Stanton.)  
(Members absent: Burns)

**APPROVAL OF AGENDA** (Agenda approved as submitted.)

**APPROVAL OF MINUTES** ([Minutes from September 21, 2017](#) approved as submitted.)

**SUBDIVISIONS**

**Case # 17-190**

A request by A Civil Group (agent) on behalf of McGary Properties, LLC (owner) for approval of a one-lot final minor plat on A (Agricultural) zoned land, to be known as McGary Subdivision Plat 2, and for approval of a design adjustment to 29-5.1(d) to waive sidewalk construction along St. Charles Road. The 0.78-acre subject site is located at the northwest corner of St. Charles Road and Tower Drive.

(Action: Staff presented a preliminary report on the project. The applicant is seeking approval of a one-lot final minor plat that will create a legal lot from previously unplatted property. The applicant wishes to plat the property to create a legal lot that would permit construction on the site, and allow the property to be sold. Additional right of way is being granted along St. Charles Road to accommodate the required 33-foot half-width that is necessary for a major collector. Access to the site will be from an existing driveway on the site, which also provides access to additional property to the north. Additional utility easements are also being dedicated on the site. The proposed lot size is smaller than permitted with the A (Agriculture) district; however, was granted a Board of Adjustment waiver to permit that which is shown (Case #1951). The applicant is also requesting a design adjustment from the requirement to construct a sidewalk along the property's approximately 214-foot St Charles Road frontage.

Staff finds that the request does not meet the standards for waiving sidewalk installation on the subject property. Criteria evaluated include cost, physical barriers to construction, location in a low development area or area where no other sidewalks exist, and whether or not this property could provide access to schools, public parks or other pedestrian generators. Taken together, the circumstances do not warrant the waiver of sidewalk installation in this particular location given the benefit that the sidewalk would provide to pedestrians. Staff did concede that the cost of additional fill and right-of-way setbacks could interfere with utility pole placements, but that the hardship was not

unreasonable. Staff also reasoned that although there is one known development coming in this vicinity which may not drive pedestrian traffic, the area was ripe for development in the future and an incomplete pedestrian network could be inadvertently created. If a sidewalk is found to be warranted in this situation, then the sidewalk may be either required to be constructed, or a fee equivalent to the cost of construction may be required to be paid, but a better cost estimate will need to be submitted to determine how much that payment in lieu of construction might be. **Overall, staff recommends approval of the final plat, but not the variance from the construction of sidewalks.**

Public discussion was opened.

An engineer appearing on behalf of the applicant indicated that this was a property inherited from their parents, that it was not large in scale, and that they were trying to clean up the parcel and get it well positioned to be able to sell in the future for residential development. The engineer cited economic hardship by indicating that this particular site would require considerable fill to accommodate new sidewalk construction, that the length of the lot would require a substantial investment that at a minimum would equal \$4,000 for concrete, double that for a sidewalk with grading, the reconstruction of the existing driveway and that the total cost impact could be nearly 50% of the anticipated sale price of the lot in question. The speaker believed that it was not fair to impose such a cost on a proposal that included only one lot when other subdivisions with more than 40 lots are allowed to allocate that same general sidewalk construction cost over the sale price of multiple lots. It was also noted that the applicant is contributing right-of-way to the city worth at least \$11,000 and that if a future road project were to be launched in the future, the city would have to pay for both sidewalk construction and right-of-way acquisition costs rather than receiving them voluntarily. The speaker asked the city to consider the value of the right-of-way contribution as the in-lieu of contribution that might be required if sidewalks were not built. The speaker indicated that no major improvements for this area were shown on or funded on the 10-year CIP plan.

No other speakers came forward.

MacMann indicated that he agreed that no projects were shown on the CIP plan for this area, but that he believed that a sidewalk network was a desirable goal in this area. Asked if the applicant was proposing to donate the right of way land in addition to some cash payment as the in-lieu of solution. The engineering representative indicated that he thought the value of the right-of-way was sufficient and that any cash that would be contributed would be subject to a refund after 7 years if the funds were not used on a sidewalk improvement in that area within the next 7 years anyway. Suggested that tracking the status of that payment and corresponding projects would be one less thing city staff would have to keep track of.

Toohy asked the applicant if they would have to provide significant fill on the property to facilitate the construction of a home on that site even if they didn't have to build the sidewalk. The engineer indicated that a new home on the site could be constructed without significant grading or fill changes to the property.

Loe asked if the contribution of right-of-way along this property was required or voluntary. Staff indicated that because they were platting this lot it was required, not voluntary, and would be required whether a sidewalk variance was granted or not. Loe also asked for clarification on the three-year rule for sidewalk construction cited by the staff and the seven-year rule cited by the engineer. City staff indicated that the three-year rule meant that if no variance were granted, the applicant would be

required to build a sidewalk on the property within three years, or sooner if construction of a home on the site occurred before that time. Staff indicated that they did not know what the seven-year rule cited by the engineer referred to. Staff further indicated that no major improvements were included on the 10-year CIP plan, but that additional development in the area could change that over time. Also admitted that if they proposed a major roadway plan in the area and some parcels were not yet platted, they would have to pay for the acquisition of right of way long those properties. They confirmed that if the city initiated a road or sidewalk project in this area and the driveway had to be reconstructed, the cost of that improvement would be borne by the city.

Strodtman indicated that he thought it was legitimate to include the value of the donated right-of-way property as part of any payment in-lieu of construction. MacMann believed that there will be growth in this area and the intrinsic value of the lots will increase over time and that continued grants of variances to the sidewalk rule will lead to inappropriate decisions in the future based on the lack of connectivity. Indicated support for the plat but opposition to the variance. Stanton asked if an amendment would be in order regarding the in-lieu of payment. The amendment was not accepted at that point.

**A motion to approve the plat but deny the sidewalk variance was offered.  
Motion to that effect was approved 5 to 3 with Stanton, Loe and Russell voting no. Plat approved.  
Sidewalk variance denied.**

## PUBLIC HEARINGS

### Case # 17-212

A request by Jones, Schneider & Stevens, LLC (agent), on behalf of the family of George R. Lewis (owners), for permanent R-1 (One-Family Dwelling) zoning, upon annexation, of property at 1001 W. Old Plank Road. The subject property consists of 1 acre and is currently zoned Boone County R-S (Residential Single-Family).

(Action: A preliminary staff report was presented. The applicants are proposing the annexation of their property, located at 1001 W. Old Plank Road, in order to connect to City sewer service. The owners currently maintain an onsite sewer system, which is beginning to fail. They would like to connect to the City's sewer utility in order to remove their outdated system. Connection to the city sewer requires annexation. The sewer to which the subject property will connect is located to the northwest within the Highlands development. Old Plank Road, along the eastern edge of the site, is designated as a neighborhood collector on the CATSO Major Roadway Plan. Therefore, any replatting or redevelopment of this lot will require the dedication of additional road right-of-way for Old Plank Road. However, no such concessions are required at the time of annexation. The proposal has been reviewed by staff, and meets all applicable City Zoning and Subdivision standards. The existing sewer lines to which the lot would connect have available capacity. The requested permanent R-1 zoning is supported by staff and is consistent with the adjacent zoning and development patterns.

**Staff recommends approval of the annexation request.**

MacMann asked who would pay for the extension of the force main and connection. Staff indicated that the applicant would bear that cost.

No public comment was received.

**Motion to approve the request as submitted was made.  
Motion approved unanimously, 8-0, by the Commission.**

**Case # 17-228**

A request by A Civil Group (agent), on behalf of Cherry Hill Dental Associates (owners), for approval of a PD development plan to be known as "Gadbois Professional Offices". The 1.36-acre property is located at the northwest corner of Nifong Boulevard and Santiago Drive.

(Action: Staff presented a preliminary report and indicated that the original report included in the P&Z packet had been amended and that after significant discussions with the applicant and amendments to the plan, staff had changed its recommendation regarding approval of the plan. Changes to the plan offered by the applicants included a change in the way sign size was measured; a change in location and facing of some signs; a more complete description of how the architectural design of the building precluded traditional sign location; and how the physical site was restricted from traditional sign placement due to utility easements. Staff indicated that basically the applicant is seeking approval of a PD (Planned District) development plan for a 1-lot development for a two-story professional and medical office building, with a gross floor area of 18,310 square feet. The top floor of the building is planned to be occupied by Cherry Hill Dental Associates (the applicant's business) and the first floor is speculative office space. Parking is provided in accordance with the requirements of the Unified Development Code, for medical office uses which will include 92 parking spaces. The subject lot was previously included in the Premier Bank Bethel Banking Center C-P plan as a vacant development lot. Access to the property is to be provided from Diego Drive, from the north. Sidewalks exist along all street frontages and pedestrian connections are provided where possible. The proposed development plan and use would be consistent with the requirements of the comprehensive plan. Adjacent uses include vacant land to the north and south, a banking center to the west, and a daycare to the east.

The applicant was originally proposing signage in excess of what is typically permitted for standard office uses in a mixed-use zoning district which is permitted since this property is zoned PD. In this instance and based upon the prior C-P designation of the property, the most comparable non-PD district that would be M-C (Mixed-Use Corridor). According to Table 4.8-3 of the UDC, a commercial property is permitted to select a maximum of two types of signs (wall, projecting, roof, or freestanding) for the purposes of on-site advertising. Table 4.8-3 provides that if a freestanding sign is chosen one may be placed on each of the property's street frontages. All signage is further restricted by height and area requirements specified in either Tables 4.8-8 (Free Standing Sign Regulations) or Table 4.8-9 (On Premise Wall, Canopy, and Awning Signs).

Originally, the applicant was proposing two, 64-square foot, 12-foot tall, freestanding signs facing Nifong and two 48 square foot, 12-foot tall, freestanding signs facing Diego Drive to the north. This request would have violated the provisions of Table 4.8-3 by placing two freestanding signs on a single street frontage. After further review and modification, however, it was determined that one of the freestanding signs could be considered to be facing an opposing street and that due to the glass curtain construction of one face of the building, no wall signs on that face would be reasonable. It was further pointed out that some signage was designed more as directional than promotional and that some signage originally believed to be non-visible from one opposing street was actually within the line of sight for people on Bethel. Of significant interest was the suggestion that some types of signs could be measured in terms of square footage based on the message and image size rather than a rectangle that encompassed all of those elements. When the recalculation of the square footage of those signs was completed based on image and message size, the signs DID fit within the maximum allowable display size.

Staff has further evaluated the statement of intent for the Premier Bank (now First State Community Bank) C-P Plan, the adjacent property to the west, to provide added perspective regarding the applicant's signage requests. The signage standards approved for that property are in line with the current provisions of the code. After further review, staff determined that the OVERALL signage requests were reasonable for this property and fit within generally accepted standards; that some revisions to the sign code may be offered in the future to accommodate such requests; and that the plan achieved the intended goals of the ordinance.

Overall, staff **recommends approval** of the "Gadbois Professional Offices PD Plan" **as amended and interpreted, including the signage plan submitted by the applicant.**

One commissioner asked whether or not the various signs would be lighted. Another commissioner asked if the new measurement of square-footage of signs could be reflected in future decisions. **Staff deferred the lighting question to the applicant but indicated that a change in the measurement of sign surface could be considered as an amendment to the current UDC.** Another commissioner asked if the pylon signs were 4 sided or 2 sided. Staff indicated that the signs had four sides but that messages were only displayed on two sides of those signs. Also asked about dumpster screening which did not appear on one exhibit.

A public hearing on this issue was opened.

One engineer appeared on behalf of the applicant, thanked the commission and staff for working with them on this unique building design and configuration and offered to answer questions. He indicated that some wall signage was intended to be backlit but that it would be tasteful and that dumpster screening was included on the master plan.

No additional speakers appeared and no further questions were posed by the Commission.

**Motion to approve PD plan as modified was made.**

**Motion was approved unanimously, 8-0.**

#### **PUBLIC COMMENTS**

**(None.)**

#### **STAFF COMMENTS**

Staff previewed the next meeting of P&Z scheduled for October 19. Staff indicated that 4 items would be included on that agenda. Those items included a proposal from the new Columbia Public School District Middle School; a final plat request from Quaker Oat to establish a legal lot for expansion to their existing plant; the Caulder annexation across from the current Elks Lodge; and the Brooks preliminary plat located off Richland Road.

Staff also indicated that the city would be willing to send one or two commissioners to the next Smart Growth Conference, but that the budget was tight so participation may be limited. Also indicated that further work on rules and procedures for the commission would continue and that more information and potential worksessions in this regard would be discussed in December.

#### **COMMISSION COMMENTS**

**(None.)**

**NEXT MEETING DATE - October 19, 2017 @ 7pm**

**ADJOURNMENT**  
**(Time: 8:09 PM)**

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