



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, June 7, 2018

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

APPROVAL OF AGENDA (Agenda approved as submitted.)

APPROVAL OF MINUTES ([Minutes from May 24, 2018](#) meeting approved as submitted.)

TABLING REQUESTS

Case # 18-85

A request by Engineering Surveys & Services (agent) on behalf of Central Bank of Boone County to vacate alley right-of-way generally located between 203 E Walnut St and 115 N Providence and designated as an alley on the M-DT Regulating Plan of the UDC. (A request to table this item to the August 9, 2018 Planning Commission meeting has been received.

This is the applicant's third tabling request).

(Action: The applicant is requesting that Case # 18-85 be tabled to the August 9, 2018, Planning and Zoning Commission meeting. This would be the applicant's third request to table and would result in the item being tabled for a period greater than 2 months from its initial public hearing date. Pursuant to Section 23A of the Planning Commission's Rule of Procedure an applicant is limited to two tabling requests not exceeding 2 months from the initially advertised public hearing. An exception to this rule exists which allows the Commission to grant a third tabling request or tabling for a period greater than 2 months. Such considered is subject to the applicant's presentation of facts that indicate circumstances beyond their control render compliance with the public hearing schedule difficult.

The applicant suggested in a letter that new comments by city staff have led to further discussions and problems cited by the staff have not been resolved at this time. The additional time may allow the applicant and staff to work through those issues. A representative of the applicant appeared to make the formal request.

MacMann asked if the applicant were to withdraw at this point, when could they come back? Staff indicated that because they had no recommendation, the one-year delay would not apply, and the applicant could reapply by August upon the payment of additional filing fees. MacMann indicated that he favored taking all the time required to get this right regarding changes in the downtown area.

An engineer appeared on behalf of the applicant and indicated that they, too, wanted to do this right and was asking for the additional time to work out details of the proposal. MacMann asked if his clients were willing to take the time to get this right. The speaker indicated that they were in agreement, but thought that this could be worked out by August. He stated that the requests of staff were more intensive than expected.

Stanton made a motion to table this request to the August 9th meeting.

Motion to table approved unanimously, 6-0.)

Case # 18-86

A request by Engineering Surveys & Services (agent) on behalf of Central Bank of Boone County for the dedication of a street easement for a new alley on Lots 311 and 312 in the Original Town of Columbia, and generally located on the south side of Ash Street, approximately 130 feet west of Providence Road. The dedication is located within the M-DT Regulating Plan area of the UDC. (A request to table this item to the August 9, 2018 Planning Commission meeting has been received.

This is the applicant's third tabling request).

(Action: See the previous discussion for rationale of the tabling request. Staff indicated that this was a replacement request and it relates to the prior request. No need was demonstrated to restate the rationale.

Motion to table to August 9th passed unanimously, 6-0.)

SUBDIVISIONS

Case # 18-108

A request by Simon & Struempff Engineering (agent), on behalf of On Point Construction, LLC (owners), seeking approval of a 17-lot preliminary plat to be known as "Woodstrail Ridge". The 6.37-acre parcel located on the south side of Blue Ridge Road, south of terminus of Derby Ridge Drive. The property is zoned R-1 (One-Family Residential).

(Action: The applicant is seeking approval of a 17-lot, preliminary plat for future development of detached single-family homes. The plat would divide the 6.37-acre parcel into 16 development lots and one common (Lot C1) containing roughly 1.66 acres of open space. The property will be accessed via Sagegrass Court, which aligns with the terminus of Derby Ridge Drive. Right-of-way for Sagegrass Court and required utility easements will be dedicated upon recording of a future final plat. All required right of way for Blue Ridge Road has been previously dedicated and required sidewalks have been installed. Sidewalks along interior streets will be required.

The site is served by all City utilities; however, water and sewer extensions are required in order to reach the newly-created lots. As a result, the proposed preliminary plat is required by the UDC and must obtain Council approval prior to approval of a final plat. The final plat (Case # 18-123) has been submitted, is under review, and will be submitted directly to Council following approval of the preliminary plat and construction plans.

The layout of the proposed development shows lots on the south side Sagegrass Court within the floodplain. Pursuant to recent changes to the UDC the location of these lots within the floodplain is permissible. Prior to the issuance of building permits for these lots a Floodplain Development Permit will need to be issued indicating that the finished floor elevations of any habitable structure are no less than 2-feet above the established base flood elevation. The proposed preliminary plat has been reviewed by

staff and is found to be compliant with all subdivision regulations. No change in zoning is requested or required.

Staff recommends approval.

MacMann asked to bring up a new slide and Strodman asked about the location of the common lot. Staff explained that it was an elongated lot that followed the stream. No public comment was received. MacMann asked about the length of the cul de sac and staff indicated it was less than 350' in length.

A motion to approve was made and seconded.

Motion to approve passed unanimously, 6-0.)

PUBLIC HEARINGS AND SUBDIVISIONS

(The following three items are being considered concurrently and all refer to the same parcels of land.)

Case #18-105

A request by Brush & Associates (agent) on behalf of James Harris (owner), seeking annexation and assignment of A (Agriculture) district zoning upon annexation for a 10-acre property located south of St. Charles Road and approximately 700 feet east of Dorado Drive. The owner is seeking annexation of the property in order to connect to City sewer services and intends to combine this parcel with the adjacent lot to the north to create 1 single-family farm/home lot.

(Action: Mr. James Harris (owner) is seeking annexation of approximately 10 acres into the City and desires to have it permanently zoned A (Agriculture) upon annexation. The property is currently located within unincorporated Boone County and is zoned R-S (Single-Family Residential). The requested agricultural zoning is similar in nature to the County's R-S zoning; however, the development density within would be significantly less. The A district requires a minimum 2.5-acre lot area and restricts the ability to subdivide a parcel into more than 2 lots without undergoing a rezoning action to a more conventional zoning district. The 10-acre parcel could be divided into a maximum of 2 lots and support a total of 4 homes. The current intent, however, is to create 1 single-family lot. The parcel is currently heavily wooded. It is kind of a peninsula of county land jutting into the city.

The subject parcel has contiguity with the City's existing municipal boundary along its north and west property lines. The parcel is located in the City's Urban Services Area (USA) and can be served by City utilities. The property is in the City's water service area and electric service territory; however, Boone Electric facilities are also adjacent to the parcel. Access to City electric service would require a creek crossing whereas potential connection to Boone Electric facilities would not. As such, the applicant may request that the parcel be served by Boone Electric rather than City electric services.

Sanitary sewer exists along St. Charles Road and abuts the 0.61-acre lot to the north of the annexation parcel which is the subject of Case # 18-104. The annexation parcel and the lot to the north are proposed to be combined into a single lot per Case # 18-106; thereby, allowing extension of public sewer to the subject parcel. This adjacent lot also provides vehicular access onto St. Charles road. No further right-of-way dedications are required at this time; however, sidewalks will be constructed along the property frontage. The Comprehensive Plan's future land use map identifies the entire property as being located within the "Neighborhood District" classification. The Neighborhood District designation covers residential uses and the potential for commercial nodes that would provide neighborhood

commercial services. The A zoning action is consistent with the Neighborhood District. Basically, everything around it is residential in nature and higher in intensity than this request.

Staff recommends approval.

The public hearing was opened.

An engineer appeared on behalf of the applicant and indicated that due to the wooded nature of the property there was not sufficient cause to ask for more intensive zoning. He offered to answer questions. MacMann asked where the utilities serve the property. The engineer that water came to the property and that electric is all over the place out there, so he did not know who would ultimately serve this parcel.

A motion to approve was made and seconded.

Motion to approve passed unanimously, 6-0.)

Case # 18-106

A request by Brush & Associates (agent), on behalf of James Harris (owner), seeking approval of a 1-lot final plat to be known as "Harris Estates" and a design adjustment from Section 29-5.1(f)(1)(v) of the UDC pertaining to stem lot access. The 10.61-acre parcel located on the south side of St. Charles Road approximately 700 east of Dorado Drive and is comprised of two lots containing 0.61 acres and 10 acres. This request is being concurrently reviewed with Case # 18-104 and Case # 18-105 which propose rezoning of the 0.61-acre parcel and annexation of the 10-acre parcel. The subject property is currently unimproved.

(Action: Mr. James Harris (owner) is seeking approval of a 1-lot final minor plat of his 10.42-acre parcel, and a design adjustment for the width of an access stem on to an A-zoned lot. The site is located on the south side of St. Charles Road; approximately 700 feet east of Dorado Drive. The proposed plat is being considered concurrently with both a rezoning of the northern portion of the parcel (Case # 18-104) and the annexation and permanent zoning of the southern portion of the parcel (Case # 18-105). Approval of these cases would combine the two parcels and rezone them to provide consistent A zoning across the entirety of the applicant's property, which he intends to develop with one single-family home.

Access to the proposed consolidated lot is being provided through an existing 25-foot wide stem that was created in 1994 with the recording of Lot 4 of Terebinths Plat 1 (northern lot of subdivision). The width of the existing stem does not comply with the provisions of Section 29-5.1(f)(1)(v) of the UDC which stipulates that stems providing access to "special purpose zones" (i.e. A-district property) must be a minimum of 30-feet in width. The intent of the heightened standard for special use districts is to provide enhanced access for zones typically traversed by large trucks or machinery (e.g. industrial, agricultural and open space uses). These standards became effective with the adoption of the UDC in March 2017. Given the parcel in which the stem is located was created in 1994 and that the parcels on either side not owned by the applicant, provision or acquisition of the additional stem lot width is not feasible. If neighboring properties come in, they will be asked to utilize this access point. The existing 25-foot stem is larger than the required 20-foot width for a stem lot in any other district that would be used for residential purposes which is the applicant's intent with the proposed lot combination. The existing 25-feet meet the access requirements for emergency service provision which is a minimum of 20-feet as well.

The request to approve the design adjustment is not inconsistent with the Comprehensive Plan, is not detrimental to public safety or injurious to other properties and does not negatively affect the circulation of the site. The applicant has agreed to dedicate an irrevocable access easement over the stem to provide shared access onto St. Charles Road for the subject tract as well as the adjacent properties. St. Charles road is a major collector roadway as defined by the CASTO Plan, therefore would typically not allow private residential driveway access. For these reasons staff is supportive of the requested design adjustment. Minor technical corrections including labeling will be required before this proceeds to council.

MacMann asked how we record these requirements in the event that additional development occurs on adjacent properties. Staff indicated that because those adjacent properties do rely on this stem, and because they were under a PD plan, this would be subject to review in the future because the previous plan has expired. At that time, the new plan would have to be filed and the existence of this stem will be noted. This stem would not trigger additional action, but it will be noted due to the filing of the plan. Staff indicated that if the regulations remain the same, then the requirements will come to bear on the neighboring land. At that point, the access point could be asked to be improved. If the council denies the A zoning, a split zoning could exist, and similar situations would exist, but this is the best proposal.

The public hearing was opened.

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

A motion to approve was made and seconded.

The motion was approved unanimously, 6-0.)

Case # 18-104

A request by Brush & Associates (agent) on behalf of James Harris (owner), seeking to rezone 0.61 acres from PD (Planned District) to A (Agricultural District). The subject parcel is located approximately 700 feet east of Dorado Drive and on the south side of St. Charles Road and is currently a vacant parcel of property. The owner intends to combine this parcel with the adjoining 10 acres to the south (subject of Case #18-105) to be used as a large single-family residence and farm.

(Action: The applicant is seeking to rezone their property on the south side St. Charles Road, approximately 700' east of Dorado Drive, from PD (Planned District) to A (Agriculture District). The rezoning would allow for consistent zoning on the entirety of Mr. Harris' property upon annexation of the 10-acre tract to the south of the subject site (Case #18-105) and would remove the requirement that a development plan be prepared for the subject site. Mr. Harris intends to use the subject lot for vehicular roadway frontage and access to the remainder of the parcel, which would facilitate development of a single-family residence on the 10-acre portion.

The existing development plan (The Terebinths – PUD Plan) was initially approved on March 20, 1995 and revised on September 4, 1997. The revised development plan proposed 40 single-family attached condominium units over a larger development tract that included the subject site. The subject site was specifically identified as being improved with two complete and a portion of a third of the proposed 40-units. Additionally, the subject lot included a shared access drive which would connect the development to St. Charles Road that was generally located within the existing stem portion of the subject site. However, due to inactivity, the PUD plan expired in September 2002 and upon the sale of Lot 4 to Mr.

Harris has become null and void. The underlying PUD zoning (now PD) and existing Statement of Intent; however, remain in place and would govern any future site development.

Requests to rezone property to the A (Agriculture) district are subject to a minimum lot area of 2.5 acres. The subject site contains 0.61 acres; therefore, is not by itself eligible for such a designation. However, with this request the applicant submitted concurrent applications for annexation of the 10 acres to the south (Case #18- 105) and a final plat (Case # 18-106) proposing the subject site be combined with the 10-acre annexation parcel. Given these concurrent applications, the staff proceeded with its review of the requested rezoning action. Should the Commission and Council agree that the requested A zoning is appropriate for the subject parcel such recommendation would be contingent upon the approval of both the annexation request and the final plat.

Development of the subject tract as a single-family home site or for agricultural purposes is limited due to steep slopes and rocky soil conditions. The applicant intends to use the subject lot simply for access to the 10 acres to the south that is the subject of Case #18-105. If the Commission wishes to deny the requested rezoning but approves the final plat (Case # 18-106), the UDC does not preclude the creation of a split-zoned parcel. The applicant would be able to utilize the subject lot for access purposes; however, since the lot would remain zoned PD, a PD development plan would be required for any improvements located on the land to ensure compliance with its zoning designation. Since the owner intends the lot for vehicular access only, this would be of no benefit to the public.

At this time, staff does not find any land use incompatibility with the requested A district zoning and the existing County R-S. Staff recommends approval of the requested rezoning from PD to A, subject to approval of the requested annexation of the 10-acres to the south (Case #18-105) and approval of the final plat (Case #18-106) that will combine the subject site with the annexation parcel.

The public hearing was opened.

An engineer appeared on behalf of the applicant and indicated that the stream buffer, the slopes and the surrounding land will limit development, but really, this is best suited to the use we have asked for and would prefer contiguous zoning. No further questions were forthcoming.

A motion to approve was made and seconded.

Motion to approve passed unanimously, 6-0.)

PUBLIC COMMENTS

(None.)

STAFF COMMENTS

Six items will appear on the next P&Z agenda. That meeting will take place on June 21,2018.

Public Hearings: Truman Solar LLC (a private solar project near Ashley Furniture)
Bristol Lake Plat 1 – (Change PD zoning to R-1)

Public Hearings and Subdivisions:

Bristol Ridge
Bristol Ridge 1 preliminary plats
American Islamic Center – (MDT Civic structure designation)

American Islamic Center – (Request to build a new school with a final plat that would consolidate three plats into a single parcel at the current site.)

Staff will also bring to the next worksession some new information from the business loop CID and discussions of options relating to the climate action plan.

COMMISSION COMMENTS

(None.)

NEXT MEETING DATE - June 21, 2018 @ 7 pm

ADJOURNMENT

(Time: 7:55 PM)

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