



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, September 6, 2018

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

APPROVAL OF AGENDA (Agenda approved as submitted.)

APPROVAL OF MINUTES (None.)

TABLING REQUESTS

Case # 18-76

A request by McClure Engineering Company (agent) on behalf of P1316, LLC (owner) for approval of a PD (Planned Development) Plan to be known as Discovery Park South, along with an associated statement of intent and design parameters. The 40.6-acre subject property is located at the southwest corner of Ponderosa and Discovery Parkway.

(A request to table this item to the October 4, 2018 Planning Commission meeting has been received.

This is the applicant's first request to table)

(Action: A brief staff report was presented.)

Request to table to October 4, 2018 was granted by unanimous vote.)

PUBLIC HEARINGS

Case # 18-160

A request by Brian Page (applicant) on behalf of a group of homeowners within an area defined by the West Central Columbia Neighborhood Action Plan for approval to rezone 40 parcels from R-2 (Two-family Dwelling District) to R-1 (One-family Dwelling District), 6 parcels from R-MF (Multiple-family Dwelling) to R-1, and 1 parcel from R-MF to R-2.

(Action: The applicants are requesting to "downzone" their properties to R-1, with the exception of parcel #10, which is requesting R-2. Downzoning, as used here, is merely a rezoning request that would place a property in a less intensive district, thereby reducing the range of uses that can legally occur on the site. The impacts of a downzoning are generally the loss of certain types of uses for the subject properties. There are very few differences between R-1 and R-2 districts in terms of permitted uses - the most significant difference being that one-family attached and two-family dwellings are not permitted in R-1. The action of downzoning will not trigger any improvements immediately either on the properties that are downzoning, or adjacent properties; however, certain improvements could be required in the future under certain redevelopment circumstances. Pursuant to the provisions of the UDC, buffering and

neighborhood protection standards would apply if a property that is zoned R-MF is redeveloped, and is adjacent to a property zoned R-1 or R-2. Landscape screening will be required along the common property line and, if the new development will be between 30-35 feet¹ in height, then the building height must be stepped down to no taller than 24 feet when such new construction is within 25 feet of the property line. An alternative to stepping down the building is to increase side yard setback by 10 feet from the minimum required.

This request includes 47 parcels, all of which are within the West Central Columbia Neighborhood Action Plan (WCC Plan) planning area. While most owners are requesting to rezone from R-2 to R-1, seven parcels (#7-13) are currently zoned R-MF, and of those seven, one (#10) is requesting R-2 while the rest have requested R-1. One outcome of downzoning properties from R-2 (and R-MF) is that the parcel will only be allowed one dwelling unit, instead of 2 (or multiple dwellings in the case of R-MF). This may result in the loss of potential density for these sites. However, given that the existing density potential for a majority of the R-2 area has never been realized, the downzoning is unlikely to have any significant impact on the availability of housing. Furthermore, there is significant inventory that will remain zoned R-2 to accommodate potential redevelopment in the area.

Currently, given the mismatch between the predominantly single-family use of the area and the existing two-family zoning, it is difficult to anticipate if and where potential two-family redevelopment could occur, thus providing uncertainty for property owners. The proposed rezoning attempts to create a critical mass of R-1 zoning that will help to provide more certainty to residents in these areas, which could in turn create a more stable residential neighborhood and more opportunities for investment in the existing housing stock. Staff supports the requested downzoning of the 47 parcels for the reasons identified in its analysis. The complete list of addresses is included in the following linked staff report: [LIST OF PROPERTIES](#)

(Action: No questions from the commission. The Chair indicated that there were several people in attendance who support this request. He urged people in attendance to defer to the main applicant spokesperson and encouraged people who want to speak not to duplicate testimony. Toohey disclosed that he had a meeting with one resident of this area but did not discuss this specific case.

The first speaker was the primary applicant. He asked for help to maintain this neighborhood. He stated that most homes are smaller bungalows and that this does represent reasonable density. These homes are mostly in the Hinkson Creek watershed. He believes that the neighborhood plan supports this action. He wants to preserve the homes here, whether they are owner-occupied or rentals. This is a walkable neighborhood. Some of these homes are starter homes and then change hands as people move on. Many homes are better now than they used to be. We are doing the work to protect our neighborhood. 200 years ago, Smithton settlement was located at the edge of our neighborhood. We have put a lot of work into our homes and we take pride in where we live.

The next speaker indicated that she lives in the neighborhood and has lived there for 27 years. We have done a lot of work on our home and have seen a lot of people come and go. It's a good neighborhood, even though we have some rental properties. We want to keep this a nice place to live and will probably die there. Don't take that away from us.

The next speaker indicated that she lives on Aldeah. She recently remodeled her home. We are improving our properties, but we do have flooding issues. Don't increase density and make flooding issues worse. Toohey asked why keeping the area R-1 would help with her flooding issue. The speaker indicated that she believed that less impervious surface would be best. MacMann indicated that this

area could not take much more densification and he does know many people here and has worked on many of their homes. He then indicated that most of the lots were too small for normal redevelopment without being combined. Toohey asked if these homes were built in the flood plain. One speaker indicated that her home is built in the flood plain, and that many area homes do flood. MacMann pointed out that some across the street do not flood.

The next speaker indicated that her house IS in the flood plain, and she knew that when she bought the house, but she bought it anyway to protect the area. She then indicated that they are trying to attract bees and pollinators to the area and that they are a good example of modern urbanism. We know our neighbors and we can find neighbors to help us when we need help.

The next speaker stated that she does not live in this area, but she wanted to congratulate these people and believes this helps the community plan come true. She thinks it is a great neighborhood.

The final speaker stated that he lives in the general area. He has lived there since 2000. He is not in the exact area, but he is upgrading his house and he thinks this helps protect his home.

The public hearing was closed.

A motion to approve this request was made and seconded. The motion was approved unanimously.)

Case # 18-165

A request by McClure Engineering Company (agent), on behalf of P1316, LLC (owners), for approval of a Planned Development (PD) Plan to be known as "Discovery Park - Landmark Hospital PD Plan". The subject site contains 6.65 acres of property and is generally located between Nacona Parkway and Ponderosa Road addressed 4560 Philips Farm Road. The property is zoned Planned Development (PD) and Mixed Use- Corridor (M-C). The purpose of the PD Plan is to facilitate the development of the property for a hospital.

(Action: The applicant is seeking approval of a Planned Development Plan to be known as the "Discovery Park- Landmark Hospital PD Plan". The 6.65-acre subject site was included as part of Lot 19 (38.05 acres) of the Discovery Park Preliminary Plat and was split-zoned C-3 (now M-C, Mixed Use- Corridor) and C-P (now PD, Planned Development) upon annexation in 2004. As part of this proposed PD plan evaluation, staff is concurrently reviewing a one-lot replat (Discovery Park Subdivision- Plat 5; Case #18-164), consistent with the PD plan, that will subdivide the subject site. Given the PD plan serves as the revised preliminary plat for the subject site, approval of the final plat will not require additional Commission review prior to its consideration by Council for final approval. The site is presently undeveloped and adjacent to the TownPlace Suites hotel and restaurant and Aria Apartments to the northwest. Properties to the south and east are undeveloped tracts of land and roadways (Ponderosa Street and US Highway 63).

As the site is split-zoned PD and M-C, the entirety of the site shall be subject to the PD Plan. The PD plan shows the site is proposed to be improved with a future hospital not to exceed 45-feet in height and containing a building footprint of 30,000 square feet with an anticipated gross floor area of 90,000 square feet. 317 parking spaces and 20 bicycle spaces will be provided. 34% of the total site area shall be landscaping. Access to the site is provided from the Nacona Parkway traffic circle to the west. Internal shared access is also to be provided to the north to the hotel/restaurant property parking lot. The proposed plan and hospital use are both consistent with the development restrictions for the area, and is not inconsistent with the Commercial District designation as described by the Columbia Imagined Comprehensive plan.

The landscaping, signage and parking requirements were reviewed and found to be compliant with the UDC. The proposed three-story building is not out of scale relative to the adjacent hotel and apartments, the site has good access to major roadways, and positive community benefits may be realized by the medical function of the hospital. Staff recommends approval.

Mac Mann asked if there were additional certifications that would be required and it was indicated that they do have other certifications required. If they fail to get those, then the plan will not go forward.

The public hearing was opened.

The first speaker indicated that he represented the applicant and that this project will help fill out the area. He stated that there will be a certificate of need required, but they wanted to get this permission first. He indicated that there is 90,000 sq. ft. but only 23 beds, and that the additional parking requested would serve other medical related operations and staff in the building. Burns asked about staffing levels. MacMann asked about city codes and asked if there were any special needs. The speaker indicated that utility providers will work with us on phasing in water, electric, etc. They do not expect any problems in that regard.

The next speaker stated that the request is for 23 beds with an average stay of 3 to 6 weeks. There are also additional medical services provided. Loe asked if they are relocating from the current Landmark site on Old 63 or not. The speaker stated that they are only relocating some beds and augmenting and expanding services.

The public hearing was closed.

A motion to approve was made and seconded. The motion to approve passed unanimously.)

Case # 18-170

A request by I-70 Community Improvement District (CID) to have the I-70 Loop Corridor Plan (The Plan) adopted as an addendum to the City's 2013 comprehensive plan entitled "Columbia Imagined - The Plan for How We Live & Grow".

[LINK TO PLAN](#)

(Action: At the end of March 2018, the I-70 Community Improvement District (CID) with the assistance of Arcturis Consulting, Engineering Surveys and Services, and CBB Transportation Engineers + Planners completed the I-70 Loop Corridor Plan (the Plan). The Plan was prepared to improve the I-70 Business Loop (the Loop) identity and place within the City of Columbia. The Plan extends from College Avenue on the east to the roundabout at the intersection of I-70 Drive SW on the west. The Plan is bounded on the north by Interstate 70 and generally the depth of one commercial lot south of the Loop. Staff indicated that the total area is about 200 acres. They did not send out postcards for every aspect of this, but proper notice was made.

The Plan's goals were to 1) establish identity for the Loop Corridor, 2) establish a long-term vision to guide future public/private development, 3) improve the aesthetics and attractiveness of the built environment, 4) create multi-modal street transportation, 5) improve vehicular traffic circulation and management, 6) increase connectivity to surrounding areas, and 7) attract business/customers, visitors, and investors.

The Plan proposes nine (9) categories of improvements along with the Loop planning area that will assist in facilitating the overall goals and objective of the Plan. These improvements are:

1. Threshold Projects
2. Graphic Design/Identity Projects
3. Bicycle Network Improvement
4. Pedestrian Network Improvement
5. Corridor Stormwater Plan
6. Access Management
7. Streetscape Enhancement
8. Placemaking Plans
9. Formalized Corridor Plan
10. Redevelopment Plans

The purpose and types of projects envisioned within these improvement categories are fully described within the contents of the Plan and are disclosed, in many instances, as “conceptual” and requiring further engagement of affected parties (i.e. property owners, City, MoDOT) before they can be implemented or realized. Several of the proposed projects may be capable of being quickly and easily implemented if agreement on the use of underutilized public space is obtained while others will require coordination with private property owners. This will allow the area to compete for grants, loans and other funding. This would facilitate those applications. Staff indicated that stormwater plans would need to be addressed and that the use of city-owned land that might be contemplated for such a use would require permission first.

Staff pointed out that this plan does differ from some plans that may have been generated by the city because this was generated by a private entity, however, it does promote some goals articulated by the city. Staff thought they might go about this a different way. He indicated that this is more like a charrette report and that it may be a guiding document, but it is not a regulatory document. It does not require anything. The request is to have this recognized by the council, but the original request was not to have it integrated into the city’s plan. Staff believes that this should not be adopted as a part of the comprehensive plan, but should be adopted as a resolution. Otherwise the required process would be different.

This should be adopted by resolution, not as an amendment to the comprehensive plan.

Staff recommends approval of the request with those caveats.

MacMann indicated that he had talked with many people in this area and that he will have to recuse. Toohey indicated that he met with the head of the CID today, but did not discuss this proposal. Strodtman also indicated that he attended one of the hearings on this proposal.

Burns asked if there had been enough public notice and how this would be used. Staff indicated that this is within some planning areas, and all of it is zoned, but planning may be a different story. Using this new plan as a guide is a good idea, but it will only be an evaluation tool, and not a plan that can be enforced. Staff believes that they will increase outreach in the future and it will get better. This is a private party document and is not held to the same standards as some plans approved by our elected officials, but this private process did have good attendance at the meetings.

Loe cited page 52 and thought that it seemed pretty specific. Are we endorsing everything in there? Are we endorsing that everything be zoned M-C? Are we saying we would apply a plan for an overlay that

does not exist? Staff indicated that an overlay could be created in the future, but this does not create that. Such an action would require a different process. You can't just do that through this process. If they go that route, a larger public process will be required. Staff indicated that an earlier charette process was being considered at an earlier time, and that during that process a TIF was mentioned, but that it does not require TIF to be used, even if it is used as a tool. You can exempt anything you don't want to be in there. Other regulatory measures will have to be passed first.

Stanton asked what the status of Neighborhood plans are? Staff indicated that one was adopted by ordinance, but that the East Central Area Plan and the West Central Area plan was only passed by resolution and that those are acknowledged but have no force of law. This is being requested to be passed by ordinance. Rushing asked how extensively the planning department was involved in this process. Staff indicated that they were not directly involved, but that they did provide advice after the first planning meeting was held. Other than that, there was no engagement of the planning department. We think this may be instructive to future groups who want to try to develop such new rules and that would need to be the overlay process, and then we would have to take this through a public process.

Toohy asked if the planning process for this document included the city and some members of city council. Staff listed the members of the planning committee, and it included Clyde Ruffin, the city street engineer, a member of the DLC, Ryan Williams from the city and many people who owned property along the route. Staff indicated that they may have been left out and would have approached this differently if they had been included, particularly in terms of land use and the regulatory process. Nonetheless, staff thinks this is a valuable tool, but said it should be adopted by resolution.

Toohy asked if the staff is asking for an amendment or not. Staff said they are not looking for an amendment, but that Loe's comments about the items on Pg. 52 may not be achievable without extra steps. We don't think that adoption of this makes something happen, per se, but those ideas would need to be vetted in a different manner. We can't just do something because it is in a plan. We are supporting the broad goals, but nothing in particular.

The public hearing was opened.

The first speaker indicated he was the chair of the Loop CID and is a longtime business owner on the Loop CID. They are here to answer questions. He indicated that they posted items on Facebook, sent notifications to all neighborhood associations that touch this and notified all businesses along the loop. We took testimony from 70 participants at our first meeting and we made a great effort. This is a process, not the end product. We need to start somewhere, and there are several challenges because MoDOT has jurisdiction on the road; the city has jurisdiction on the process; and we have private ownership. We have accomplished a lot and we did that work. I would like the CID to be expanded in the future. MoDOT has made changes at another end of this loop – but this is the beginning of the process. We agree to have this adopted by resolution because we do not want to tie this down that specifically yet – but it does allow us to file for grant approval.

No additional speakers came forward and the hearing was closed.

Loe suggested an amended motion that mentions that the council adopt this by resolution but that the regulatory process would be further developed and refined. With no second, the motion was withdrawn.

Stanton thought this had a lot of detail and he likes it. He wants people to play the game the way it is designed. Do it right. Follow the rules and get a plan together and get it recognized. That way it will have teeth. Don't go off the reservation with your own plan that does not fit the regulations of the city. I want to see this information put into the format that will meld with the city plan. I come from an education background. I don't care how brilliant something is if it comes in in the wrong format. That is this situation. It is beautiful. But it is not right. I want to compare this to the West Central Plan. Why does this matter? Because we have to figure out if this will be a resolution or an ordinance. What about CVS? Did the charrette have weight? Yes. Are we going to give this the same teeth? What about that? Am I mistaken? Put this in the right format.

Toohy believed that people will pick and choose between parts of the plan no matter what and that the Comprehensive Plan has inherent contradictions. Stanton disagreed and believed that the West Central plan was made in conjunction with the planning department. There are rules to this game. People need to be held to those rules. Loe said that some things that have been adopted by ordinance may not really have teeth. Stanton said that he thought everything should be on equal footing. Loe said maybe we should not pass plans by resolution. It needs to be by ordinance. Burns agreed. Loe asked the staff for clarity and wants to know what the difference between the two would be. Stanton thought that getting something by resolution instead of ordinance would give it too much importance and it would be equal no matter what.

Loe asked to adopt the plans and goals and asked for future clarification.

A motion to that end was made and seconded.

The motion carried 5 to 2 with Stanton and Rushing voting NO.)

PUBLIC COMMENTS
(None.)

STAFF COMMENTS

The worksession will be held. Items for the next meeting will include:

- The Williams Rezoning on Hereford Drive
- A change to the OP development plan on West Ash
- Ridenhour annexation
- Oakland Crossings Plat

COMMISSION COMMENTS

Loe asked for clarification regarding the earlier downzoning case. She noted that some applicants asserted that some current buildings would be less prone to flooding than new construction and asked how could that be possible since new construction could not be located within a flood plain but at least twenty of the parcels requesting downzoning are currently built within a flood plain? She suggested that some new buildings may actually be less prone to flooding than the existing structures because they would have to be built on higher ground according to the revised rules. Staff indicated that that would need further investigation.

Staff also indicated that a home could be lost and rebuilt, but if it was, it would have to be raised. Some have limited capacity for that kind of redevelopment. The other issue is the idea of impervious surface, and that may be what was being referenced. The more hard surface built, the more runoff and potential for flooding. Another staff member indicated that many of the existing lots would not support new construction of R-2 structures, so then you would have to combine lots. There are some limitations and there is a mismatch of zoning to existing physical land use. For the most part, the existing uses are matching up with permitted land uses in terms of general zoning patterns. Sometimes we have conflicting rules. By working with the neighborhoods, we can identify better or more specific uses and the neighborhood documents help us. **The difference between a resolution and an ordinance is that a resolution expresses a desire, but an ordinance reflects a higher standard of law and those may convey actual rights.** A corridor plan is created by a series of property owners, like on the business loop. It is like the charrette. The charrette is not enforceable. City directed plans are different than plans developed by private owners. Come ask the city. We couldn't have done what the business loop did as fast as they did it, but we would have added more regulatory oversight to the project. We applaud you for your work. We think this has fulfilled the objectives of the plan. The Parks and Rec plan is the same way. That is not a rule, it is a suggestion.

Toohy asked why there were two pages out of the whole Comprehensive Plan that were cited to support the downzoning, when there are many other pages of that same plan that directly contradict that the downzoning request – and those pages were not cited by staff or in testimony. Staff said that might look like picking and choosing, but they believe it is impossible to say that “everything” has to follow all the rules. Lower density is relative depending on where it is since the single-family housing in this case is more dense than in some other areas. Sometime neighborhood stabilization is more important than the goal of allowing for more density. Toohy suggested either including all applicable parts of the Comprehensive Plan or don't use it at all as the rationale for the passage of some individual request. Staff admitted that it is not always black and white. Stanton said he believed that the neighborhood plan was the reflection of the neighborhood, not the broader plan. Staff said maybe they could identify higher priority items in future cases and identify those.

NEXT MEETING DATE - September 20, 2018

**ADJOURNMENT
(Time: 9:07 PM.)**

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