



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, June 20, 2019

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

APPROVAL OF AGENDA (Case # 131-2019 was requested to be withdrawn from consideration. By virtue of that request, the item was moved from Public Hearings to the Withdrawal Requests section of the agenda.)

APPROVAL OF MINUTES ([June 6, 2019](#) minutes approved as submitted.)

WITHDRAWAL REQUESTS

Case # 131-2019
(The applicant requested the withdrawal of this request.)

A request by Crockett Engineering (agent) on behalf of Fifth Street Properties, LLC and the Broadway Office Park Condominium Association (owners) for a major amendment to the Lake Broadway Lot 4A PD Plan. Modifications to the plan include a newly-designed building on Lot 4A, redesigned parking areas and drive aisles, and an additional vehicular access point from the Gary Street to the north. The subject site is located southeast of the intersection of Pershing Road and Gary Street, and contains 2.27 acres.

(This item was tabled at the June 6, 2019 Planning Commission meeting).

(Action: The applicant indicated that there are ownership issues that need to be addressed. These issues were mentioned by Commissioner MacMann at a previous meeting. MacMann thanked the applicant for the withdrawal.

There was no need for a public hearing and withdrawal was accepted.)

SUBDIVISIONS

Case # 147-2019

A request by A Civil Group (agent) on behalf of 763 Real Estate, LLC (owner) for a 2-lot final plat of IG (Industrial General) zoned property, constituting the replat of Lot 2 Gas Light Industrial Park Plat 3 and the final plat of previously unplatted property, to be known as Gas Light Industrial Park Plat 4. The approximately 3.25-acre site is located on the east side of Highway 763, approximately 550 feet north of International Drive, and is commonly addressed as 5210 and 5250 N. Highway 763.

(Action: The applicant is seeking approval of a two-lot final plat that combines an existing lot with previously unplatted property to create two legal lots. The owner wishes to redistribute some of the

property from the existing lot 2 of Gas Light Industrial Park Plat 3 to create the new lot 401, which is currently vacant.

A sanitary sewer extension is required to serve Lot 401, and appropriate sewer easements, as well as other easements, are dedicated on the plat. No additional right of way is necessary along Highway 763.

The replat of Lot 2 (the previously unplatted property is considered a final minor plat) will not create development that is out of character with the surrounding industrial zoned property. Staff finds that the requested replat will not eliminate any restrictions that have been relied upon by neighbors, is properly served by existing utilities, and will not be detrimental to the neighborhood.

Staff recommends approval.

A public hearing was opened and closed with no speakers coming forward.

A motion to approve was made.

Stanton indicated that he thought it was unusual that no one came forward to speak. Staff explained that this was a fairly non-controversial item.

The motion to approve was supported unanimously, 7 – 0.)

PUBLIC HEARINGS

Case # 131-2019

(The applicant requested the withdrawal of this request. See Withdrawal Request section of agenda.)

A request by Crockett Engineering (agent) on behalf of Fifth Street Properties, LLC and the Broadway Office Park Condominium Association (owners) for a major amendment to the Lake Broadway Lot 4A PD Plan. Modifications to the plan include a newly-designed building on Lot 4A, redesigned parking areas and drive aisles, and an additional vehicular access point from the Gary Street to the north. The subject site is located southeast of the intersection of Pershing Road and Gary Street, and contains 2.27 acres.

(This item was tabled at the June 6, 2019 Planning Commission meeting).

(This item must be reintroduced at a later time to be reconsidered.)

Case # 142-2019

A request by Crockett Engineering (agent), on behalf of SBSR Properties, LLC (owners), to rezone 0.85 acres from R-2 (Two Family Dwelling) to R-MF (Multiple Family Dwelling). The subject site is located at the northwest corner of Clark Lane and McKee Street.

(Action: The applicants are seeking to rezone their property at the northwest corner of Clark Lane and McKee Street from R-2 (Two-Family Dwelling) district to R-MF (Multiple Family Dwelling) district. The requested multi-family zoning is somewhat out of character with the contextual zoning, which is predominantly R-2; however, the applicants wish to pursue the rezoning in response to a market need they believe exists for one-bedroom units.

Two multi-family planned districts have been approved on property just north of the subject site, on the west side of McKee. The first project, McKee Estates PUD Plan and Preliminary Plat, was approved by Council in early 2000 and contained 33 total units with an approved development density of 7 du/ac. While no bedroom mix was provided, the 75 parking spaces shown on the PUD plan imply at least 2-3 bedrooms per unit. This development was never constructed, and the PUD plan is now expired;

however, the zoning entitlements remain effective meaning that if development were to be pursued a new UDC-compliant PD plan would be subject to review and approval.

The second project, McKee Street PUD, is located at 1517 McKee and was approved by Council in 2011. The development contains 12 units and a PUD density of 6.6 units per acre. This property was constructed upon approval of the PD plan.

As presently proposed, the eight one-bedroom units would have a much smaller impact, regarding density-related issues, on the region. However, given that the request is not a PD staff cannot be assured that what the applicant intends on building will actually be built. The R-MF district permits a maximum density, under ideal conditions, of 17.4 du/ac (14 total units or 56 bedrooms). If the two approved projects to the north were built to their full potential they would include a total of 45 multi-bedroom units with an effective density of 7 du/ac. Staff really believes that this will have an impact similar to an R-1 proposal. Parking and access concerns will need to be addressed.

Conversely, if the subject property were developed in accordance with the existing R-2 zoning and improved with duplexes it could realistically yield as many as 4 duplex lots (8 total units) with up to a maximum of 32 bedrooms, even when access and parking are accounted for. This also accounts for right-of-way concessions that will need to be made which would prevent a 5th lot from being developed. Staff showed a map which illustrated these points.

An additional factor to consider regarding the appropriateness of the requested rezoning is the subject site's corner location at Clark and McKee. The other two approved multifamily developments are PUD projects centrally located within the R-2 neighborhood approximately 1000 feet north. **Staff believes that the subject site's location at the intersection of McKee and Clark as well as being within 500-feet of the major intersection of Ballenger and Clark make the site a more suitable location for multifamily development than the approved locations further to the north. Furthermore, staff finds the requested rezoning to be consistent with the goals and objectives contained within the Comprehensive Plan regarding placement of higher density development at nodal locations and there is not a need for more intensive oversight on this property.**

Staff recommends approval.

Public comments were received on this proposal. Staff indicated that 4 people attended the public information meeting. Citizens voiced concerns over typical density-related issues, such as crime, traffic, and noise.

Rushing asked if this will have an exit onto Clark Lane. Staff indicated that it would not. MacMann asked if 8 single units required 8 parking spaces? Staff explained that there would be 12 required plus 2 extra and some street parking is allowed here. Loe asked about screening and buffering. Staff indicated that the adjacent properties are R-2 which make the buffering 6-feet, a Level one requirement. Parking lot placement would be evaluated. MacMann asked about maximum occupancy and it was determined that this could yield 32 bedrooms.

The public hearing was opened.

The first speaker was an engineer and touched on some bullet points that reflected information presented by staff. He showed an overview map and indicated that duplexes now could be allowed,

noting that the intent is to build only 8-bedroom units instead of the 32 that might be allowed under different scenarios. Rezoning to R-MF allows the applicant to build more efficiently. This is consistent with city plans and does not increase density or traffic. Rezoning does not automatically trigger crime. Burns asked if the applicant has to provide a plan for trash. The speaker indicated that there could be both street side trash pick-up or the installation of a dumpster if that was warranted.

The next speaker indicated that she represents the neighborhood association. She has spoken with many neighbors. She lives across from this property and that some people who live in the area are lower income residents. One of the reasons that this area was originally zoned the way it was was to preserve some green space. North of this is a nice single-family home. There is some nice green space there. On another side there is a creek. If you have a large parking space, it might create more runoff into the creek and that could promote flooding. About trash. The 12-plex across the street doesn't always keep the trash in the covered area and they have to call in about it. Other neighbors worried about streetlights shining into windows. She then asked if they get this zoning, they won't have to build one-bedroom units and we want to make sure that something more is not anticipated or allowed. This will be place right in the middle of the neighborhood and will greet people who come into our neighborhood. It would be interesting to see how people could get all this into this small area. We also don't know about lighting and if we will have light pollution. Doesn't look like you will have room for future street parking.

MacMann asked if this property was required to control stormwater runoff. Staff indicated that it was subject to those rules and that might address the creek runoff concerns. In terms of doing something other than what was indicated, the applicants have been good. Your concerns about lighting, runoff and placement should be addressed. MacMann stated that the engineer has a good track record. There are protections against excessive runoff. The speaker asked if it is already done, what do you do then?

Loe stated that the current plan would allow more development than what is being asked for.

There were no further speakers and the hearing was closed.

Carroll asked about the possibility that the current owners could sell this land before development and the new owners could do something more intensive? Staff said that could happen, but that the constraints of the site would be a self-limiting feature. Rushing asked what was being proposed? Staff said it would be 8, one-bedroom units within a single building as opposed to distributed duplexes with multiple bedrooms.

Staff then cited the requirements for stormwater runoff. This is really about the general use category and not specifics about a building plan. That is the question that needs to be answered and is that appropriate, regardless of ultimate density. Parking will help dictate how this occurs because of other regulations. In fact, under some scenarios, you might only be able to achieve three units due to parking under other scenarios.

Rushing said she thought that they could have up to 56 units on this site in theory. Staff said that parking limitations would restrict that, but they could not say exactly how many. Carroll said that there were other considerations and that maximums could be achieved. Rushing asked for clarification and staff said there could not be 56 separate units – there could be 56 bedrooms.

Stanton made a motion to approve the request.

There was no further discussion. The motion carried 4 to 3 with Carroll, Burns and Rushing voting NO.

Staff noted that it would not be on the city council **Consent Agenda** by virtue of the vote and that it will be heard by council on August 5, 2019.

Case # 143-2019

A request by A Civil Group (agent) on behalf of The Callaway Bank (owner) for a rezoning of 32.38 acres of property including Lots 1502, C1502, 1503, C1503, 1504 and C1504 of Auburn Hills Plat 15 and Lots 1202 and 1203 of Auburn Hills Plat 12. The request would rezone the property from Planned Development (PD) to a mix of Mixed-use Corridor (M-C), Mixed Use-Neighborhood (M-N), and Mixed-use Office (M-OF). The property is generally located east of N. Hwy. 763, north of Brown School Road, south of International Drive and west of Edenton Drive.

(Action: The preponderance of the approximately 32.38-acre rezoning request is for M-C zoning (approximately 24.8 acres) on Lots 1202 and 1203 of Auburn Hills Plat 12 and Lots C1502, 1503, C1503, 1504 and C1504 of Auburn Hills Plat 15. Lot 1502 of Auburn Hills Plat 15 is proposed to be split-zoned with a combination of approximately 11.7 acres of M-C zoning, 3.7 acres of M-N zoning, and 4 acres of M-OF zoning. The applicant has indicated a desire to provide the M-N and M-OF zoning as a softer transition from the R-1 (one-family dwelling district) zoning across Edenton Blvd. to the east.

As part of Tract G of the larger 200+/- acre Auburn Hills rezoning from 2001, the subject property was zoned C-P (Planned Business District), which is now under the City's PD zoning. The permitted uses for the property per the statement of intent (SOI) were all of the permitted uses in allowed in the C-3 zone plus some uses typically found in light industrial or agricultural zones. No C-3 uses were restricted.

A PD plan for the property, known as the Auburn Hills South 32.8 Acres C-P Plan, was approved in 2007.

This request does not include all the 2001 Auburn Hills PD zoned property, nor does it include all the property shown on the 2007 C-P Plan entitled "Auburn Hills South 32.8-acres C-P Plan". While this is the case, it should be noted that the PD zoning and PD Plan remain unchanged for properties not included in this request. This is allowed and has been done in the past when the city approved a new development plan for part of the original property for the new Molly Bowden Neighborhood Policing Center Property on the south side of International Drive. That occurred in 2018.

This property is presently bank-owned, and the applicant has indicated a desire to rezone the property to allow for sale to developers. In addition to coming online shortly before the 2008 recession's hit to commercial development, Auburn Hill's commercial areas may have been slower to develop relative to the residentially-zoned property due to the challenges associated with the planned development zoning. While planned developments may allow cohesive master planning and greater creativity and development controls, plan revisions to accommodate potential buyers or tenants may be more difficult or have inherent uncertainties relative to straight zoning.

When evaluating this rezoning request, staff reviewed the potential impacts of removing the property from a controlled, planned district to placing it in open zoning. This review found the request is generally no more intensive than the approved PD zoning for the site, and in some ways is actually more restrictive.

The introduction of M-N and M-OF zoning on lot 1502 is more restrictive than the PD plan presently permits in terms of uses and provides a stepping down transition from the requested M-C areas. Given the adjacency to R-1 zoning across Edenton Blvd., staff concurred that neighborhood level commercial and office zoning may be more appropriate for this location, while the M-C zoning requested for the remaining tracts allows for commercial development along the Hwy. 763 corridor. This request allows for modernization as the area evolves and the code changes.

“While PD zoning provides an opportunity for greater development oversight, staff does not believe such oversight is necessary at this time for this location given the overall development pattern of the area and the fact the zoning request itself is analogous with what is already permitted. Straight zoning may reduce development uncertainties and the need for planned development plan revisions. Permitting in straight zones is also a simpler task for City staff, and the UDC affords greater neighborhood protection, landscaping and buffering standards than were afforded at the time of the site’s initial zoning and development plan adoption.”

Staff recommends approval.

MacMann asked if this area was entirely included in the CID? Staff indicated that it was and that there are some covenants in place. Loe asked about the 2007 plan. She thought that it appeared that there were some areas of M-C that appeared to be across from some R-2. Staff said this request was really no different and that such similar uses would have been allowed under the old planned zoning and that although they would have had to undergo a plan change, the underlying use would still have been allowed. Under the new code, the applicant would have to conform to the new UDC and that could be more restrictive than the old plan. Staff explained that this is designed to sell one parcel to a non-profit. Since they were asking for new zoning, they asked to change all properties to straight zoning for more certainty in future use. This will help in the marketing of the property.

Loe asked about some conditional restrictions, but staff believes that the locations of the properties are appropriate. Loe thought that the southern boundary appeared to change to M-C in some parts. Staff said that under the Planned zoning, higher level commercial would have been allowed but with different configurations. If you look at the frontage along Brown School, the use really doesn’t change as long as square footage didn’t change. There were some different rules, but it really doesn’t change the intensity.

The public hearing was opened.

An engineer appeared on behalf of the applicant. He described the actual distances on the surrounding roadways and the orientation of area buildings. He also indicated that there is not an increase in intensity inherent in this plan and that it would facilitate the reasonable use of this land. There had been some discussion about a dry cleaner on one lot. He did not think that there will be the emergence of a c-store on one lot. He further explained that there might be the extension of one road that will have to occur that would bisect on lot. Stanton asked if the police station was still coming. The engineer indicated that it was.

Loe asked if there were townhouses across the street. The engineer said that was true and that he participated in that project and that everyone there knew that commercial zoning was coming here in the future. We picked a lot of uses back then and so we built some townhouses with the potential C-3

businesses across the street. Stanton asked about the apartments on Brown School Road and confirmed that they were now rentals not condos.

There were no additional speakers on this case.

MacMann made a motion to approve this request and it was seconded.

Toohy indicated that he thought adding straight zoning to this property was appropriate. MacMann indicated he thought neighbors wanted this property to develop.

The motion passed unanimously, 7 – 0.)

Case # 146-2019

A request by Columbia College (Owner) for an update to their existing campus master plan. The Columbia College Campus Master Plan was last updated in 2017. This update would be to address significant land use changes on Columbia College properties since the last update, which include changes in use at 904 N. 8th Street, and at 1100 Wilkes Boulevard.

(Action: The Columbia College Master Plan was last updated in 2017, when the college undertook a number of campus improvements due to needs arising from a significant increase in enrollment.

At this point, the applicant wishes to repurpose two properties in order to better serve their needs. 904 N Eighth Street was not previously included on the plan, but was acquired by the College for student housing. College administrators now see a need for additional student support services, such as counseling and advising, and wish to house them at this location. At the time of the 2017 plan update, the building at 1100 Wilkes Boulevard was intended for administrative functions. The subject plan update seeks to change this intended use to allow for expanded athletic facilities. This does not change zoning. It just updates the plan.

Stanton indicated that he is involved in the Land Trust and has worked in this area, so he recused himself from this particular vote.

The proposed campus master plan tries to address both the existing and projected needs of the college. Continued enrollment growth has created a need for flexibility as student and faculty needs evolve.

Staff recommends approval.

The public hearing was opened.

A speaker appeared on behalf of Columbia College. He stated that students are ready to come back in about 60 days. They need to repurpose some buildings and that requires a building permit, so they are submitting this now. The staff description is accurate, so he offered to answer questions. Carroll asked if the existing structures remain and the speaker confirmed that.

No further speakers appeared and the hearing was closed.

A motion to approve passed unanimously, 6 – 0 with Stanton abstaining.)

PUBLIC COMMENTS

(None.)

STAFF COMMENTS

Staff indicated that the next meeting will occur on July 18. Upcoming cases include:

- The Shapiro PD plan amendment at College and Rogers for a medical marijuana dispensary.
- 906 West Ash – This is an alternative planned district request that may require some special access or specific uses under a planned rather than straight zoning classification.

These are the only two items.

The work session on July 18 will be a continuation of the discussion about short-term rentals. We will start to prepare revisions to earlier versions of the short-term rental plan. We will also discuss whether or not to have a public listening session or a full-blown hearing after the P&Z group brings a new reference document forward.

COMMISSION COMMENTS

MacMann indicated that he had significant information about previous owners of the property involved in the Auburn Hills case but had no information about the current owner, so he did not bring any information forward. He asked if it was wrong for him to withhold that information during discussion? Legal staff indicated that it was not problematic but that it is always OK to bring information pertinent to the case to the table or ask questions.

NEXT MEETING DATE - July 18, 2019 @ 7 pm

ADJOURNMENT
(Time: 8:27 PM)

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