



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, July 18, 2019

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

APPROVAL OF AGENDA (Agenda approved as submitted.)

APPROVAL OF MINUTES ([June 20, 2019](#) minutes were approved.)

PUBLIC HEARINGS

Case # 153-2019

A request by Crockett Engineering (agent), on behalf of Boone Development, INC (owner), for a Planned Development (PD) Plan Major Amendment for property addressed as 411 N. College Avenue. The Schapira Clinic Final O-P Development plan for 411 N. College Avenue was approved in 1987 with dental office as the approved use. In addition to office uses, the applicant proposes to include "Medical Marijuana Dispensary" as a permitted use in an updated statement of intent (SOI). The approximately .3-acre, PD (Planned Development) zoned property is located at the southwest corner of College Avenue and Rogers Street.

(Action: The applicant is seeking a major amendment to the existing Schapira Clinic Final O-P Development Plan to revise the Statement of Intent (SOI) governing uses on the property. Staff showed a map detailing the site. The property was rezoned from R-3 to O-P in 1987. The zoning included all uses permitted in District O-P without additions or exemptions which was like O-1 at the time. The requested PD plan revision would allow a medical marijuana dispensary as a permitted use in addition to the permitted office uses. If approved, the medical marijuana dispensary use would be subject to the use-specific standards for the use under 29-3.3(qq) of the UDC, including (but not limited to) the requirement that facilities be state-licensed and at least 500 feet from a church, school or daycare as defined and measured by state regulations. There are no proposed structural changes at this time, and this is similar to many other requests that have been presented lately since the city recently changed rules regarding medical marijuana. This is considered to be a major amendment to add a use that did not exist previously.

The area in the immediate vicinity of this site to the south, west, and to the east across College Avenue remains residential and is zoned R-MF (Multiple-family Dwelling District). Property to the east across College Avenue is also included in the Benton-Stephens Overlay District. Across Rogers Street and Park Avenue to the west and north is MN (Mixed use- Neighborhood) zoned property. When looking at the

larger land use mix of the neighborhood it was noted that in addition to large swaths of residential adjacent to and nearby the site there are commercial and industrial uses to the north and northeast. Further west is the North Arts Village District with a variety of artisan industries and mixed uses. Staff indicated that this was intended to be office, not commercial, although some commercial uses are allowed.

Columbia Imagined calls for nodal intersections, such as the intersection of Rogers Street/Paris Road (a major collector) and College Avenue (a major arterial) as places for neighborhood-level mixed uses providing walkable services to neighborhoods and buffers from more intensive land uses. However, such nodal locations are typically achieved by the M-OF (Mixed-use Office) or M-N (Mixed-use Neighborhood) zones that allow for neighborhood-level commercial and employment as well as softer land use transitions adjacent to residential areas. As the existing PD (Planned Development) zoning would be analogous to M-OF zoning. The M-OF zone does not permit medical marijuana dispensaries and as such this request could be viewed as an up-zoning. The aspects of an up-zoning would be especially noticeable given the M-N zoning across Park Avenue and Rogers Street would not allow medical marijuana dispensaries.

The medical marijuana dispensary use is only permitted in the M-DT (Mixed use- Downtown), M-C (Mixed-use Corridor) and IG (Industrial) districts. The intensity of these uses may not be appropriate for this area given the potential impact on the existing residential lots. Additionally, the Park/Rogers/Paris/College roadway intersection convergence has notable traffic congestion issues which would be further stressed by large-scale or destination retail such as a medical marijuana dispensary. As it is unlikely staff would support a rezoning of this property to a zone which would permit the use by right, the addition of this use to the planned district SOI is also not supportable.

The Columbia Imagined land use designation for this area is "Employment", which envisions "basic employment uses, including offices, corporate headquarters, manufacturing, warehouses and research parks" and "supporting uses such as multi-family residential, convenience retail, day care facilities and restaurants." A medical marijuana dispensary may be considered a supporting use, e.g. convenience retail such as a drug store, if near employment centers. As the neighborhood has some employers, this use is not inconsistent with the Columbia Imagined land use designation, but may not be the employment-supporting accessory use truly envisioned by the plan. Also neutral is the location in terms of access for medical marijuana patients. While the site has existing traffic congestion issues it is not far from Boone Hospital (less than a mile) and University Hospital (less than 1.5 miles) and is on the GoCOMO Blue bus route.

A preliminary evaluation of the site suggests it may be able to comply with the use-specific standards relating to distance and separation from churches, day cares, and schools.

After evaluation, however, staff determined that overall, in consideration of the above-mentioned factors, the medical marijuana use is more intensive than the land use mix of the area would support and is far more intensive than the permitted uses allowed under the existing PD Plan. As such, staff is uncomfortable recommending the SOI revision as proposed by the applicant as the only additional use to the existing plan.

MacMann asked staff to be more specific about neighbor concerns. Staff indicated that some neighbors expressed concerns about traffic and that this is an awkward intersection. MacMann indicated that he believed that most homes in this area are not owner occupied and most are rental. Staff said that

walkability is there but that should be tempered by the ability to have additional car traffic. MacMann then asked if staff was aware that there are some new housing units that might be able to access this new dispensary and hopes those people will speak to this.

Strodtman asked if there are other current uses at this site rather than a dentist. Staff said they did not believe so.

The public hearing was opened.

An attorney appeared on behalf of the applicant and stated that they are only asking for one additional use. If you look at the old allowed uses, this pales in comparison to the old set of allowed uses which still exist. That list of uses included hospitals, small animal hospitals, fraternities, banks, drive-up facilities, medical clinics and general office uses among others. However, this should not be considered as Office zoning. This is a Planned district. This allows you to make distinctions about uses. It is very restrictive, but all uses are allowed, and we are asking for one to be added since it was just created. You have major retail to the north; the owner owns the property to the south and west and it is across from a convenience store.

MacMann asked the speaker about the difficulty of ingress to the site. Carroll asked about expected vehicle traffic on a daily basis and what is a typical use per day now. A speaker on behalf of the ownership group said the current traffic is limited. There are 18 parking spaces there now. Currently, the space is used as a dental office on a month to month basis and there are two small offices upstairs. One is vacant and one is a dental lab. The new use would have an entrance on the west and would use about 2400 sq. ft.

The public hearing was closed.

Russel indicated that she supports the concept and does not think the traffic will be an issue. She will support this. Carroll said that she thinks this is a difficult place to turn into to. Russell made a motion to approve.

The motion received a 4 -4 vote with one member absent. In the event of a tie, no recommendation is given to city council on this issue. Loe, Stanton, Burns and Strodtman voted NO.)

Case # 154-2019

A request by Crockett Engineering (agent), on behalf of Kay & Jack Wax (contract purchasers), to rezone 1.6 acres from R-2 (Residential Two-Family) to PD (Planned District). The purpose of the request is to permit a development containing a mix of single-family attached and detached homes, a community garden, and to repurpose the existing home on the property for use as a community center. The subject site is addressed as 906 West Ash Street.

(Action: The applicants, Kay & Jack Wax, are requesting approval of a rezoning and a PD (Planned District) development plan for property addressed as 906 West Ash Street. The, "Ash Street Community PD Plan" includes 10 single-family homes, a community building, and a community park and garden, all arranged off of a central private street. This is an odd duck of a property and consists of many put together properties.

This arrangement utilizes the unique dimensions of the deep property to create an enclave community that compliments the surrounding single-family residential neighborhood, while permitting a small

pocket of higher density infill development. The purpose of planned districts, as stated in Section 29-2.2(4) of the Unified Development Code, "...is to allow for innovation and flexibility, and to encourage creative mixes of complementary uses, and to promote environmentally sound and efficient use of land."

The property is currently zoned R-2, and the applicants believe that the use of a planned district in this location is appropriate and beneficial. If you put one single family residence there, that would probably be overkill. The applicants have utilized the cottage standards for the R-2 district as the basis for much of the dimensional standards in the proposed PD. All dimensional standards of cottage development are met or exceeded by those being proposed by this PD plan. The cottage standards are intended for use in the R-2 district, however, would require approval by the Board of Adjustment. Staff, however, believes utilizing the cottage standards is an appropriate justification for the increased density and the unique design considerations, given the property and its neighboring properties are currently zoned R-2.

The PD plan depicts a mix of single-family attached (4) and single-family detached (6) units on the 1.6-acre property. Given proper access is available, the R-2 minimum single-family lot size of 5,000 square feet, would dictate nearly 14 (13.94) units on this property. The block in which the subject site resides is built out to roughly 2.98 units per acre. So, while the proposed density of 6.25 units per acre is higher than that of the surrounding context, it is not out of line with the minimum lot requirements found in the UDC.

The limiting factor unique to this property is the lack of access, which has been mitigated by the use of the centrally located private street. The private street is 20 feet in width and additional onsite parking is interspersed at different locations along the street. Standard parking requirements are met by tandem parking in the 1-car garage attached to each unit and the adjacent driveways. Across the site, 26 spaces are provided for the homes and community center; two spaces for each home and 6 additional spaces.

Other site dimensional standards proposed on the PD plan include a 20-foot front yard setback from the private street. Cottage standards would permit a 10-foot front yard. The plan depicts a 10-foot perimeter setback for the entire property and expands to 15 feet at the rear, along the southern property edge. R2 cottage standards only require a 10-foot rear yard. Neither planned district standards nor cottage standards require a perimeter setback; however, the rear yard requirement would affect both the east and west property boundaries.

A stated objective of planned development found in the UDC is to provide more usable and suitably located common open space and amenities, and to permit clustered patterns of development with open space that would otherwise not be permitted by the UDC. The applicants have indicated a desire to foster a sense of community by offering community-based amenities, which include a community center within the repurposed existing building that is located on-site, and an adjacent area of open space intended to accommodate a community garden and park. Given the potential density on a similarly sized property and the unique lot configuration of the subject property, staff believes that the proposal is an appropriate use of Planned District zoning. The proposed community offers an innovative approach to infill development in central Columbia. Staff recommends approval.

Is this appropriate for a Planned district rather than R-2. It could be if this had all lots equally broken up, but it is an unusual configuration and this fits within the general intent. It should also be noted that the West Central Neighborhood Plan actually encourages cottage style development and here is an example of that being implemented. This information was not included in the original staff report. This may allow

for a little cheaper homeownership and that fits the West Central goals. It also has a few amenities like a garden and center. It also can provide a sense of place and community. It does increase density, and it is next to other single-family homes, so it doesn't quite match the West Central Plan in that regard, but it fits in. R-2 allows cottage standards, but this request for Planned zoning is appropriate based on unique site characteristics.

Stanton indicated that he has met with the developers of this site in another regard and will abstain. Carroll noted that she has been approached by neighbors both for and against this issue and that she did attend a meeting about this before she was a commissioner.

Burns asked about parking. Staff noted that there is sufficient parking on -site and did not want to allow parking on the access street and there is none allowed there. Rushing asked about fire access and water. Staff indicated that the fire department approved the plan. MacMann asked about how the private street would be enforced regarding parking. Staff said it is up to the HOA to enforce the parking limitation. Carroll asked about an existing storm drain, but she could not find it on the plan. Staff said that they connect at one corner to an offsite storm drain. Carroll said it looks like they are adding another drain and another outlet to access another access point. Is this the first time that stormwater is being addressed.

Strodtman asked if these were owner occupied. Who gets to use the community center? Just residents? That is correct. There will be a privacy fence but he did not know how use is enforced other than by the barriers. Strodtman asked about the trash collection. Staff said that there will be a concentration of service at one point, so it is up front and did not know if that was a result of the private street.

Loe asked about feedback from the PIM. Most questions were about stormwater. The applicant has to meet general stormwater standards. They will place a new inlet and tie into an existing system downhill from this site. Loe asked about sidewalks. There is one sidewalk on the east. Loe asked if this was a PD plan, did they not have to go to Board of Adjustment? That is correct. The Planned district is one way to address this use. Staff further explained that a standard cottage development would have required a new public street dedication, and that would have had to go to the Board of Adjustment. But this plan amendment relied on a private access and so it lands here rather than at the BOA.

Strodtman asked if the city would take over this street. Staff said that was correct because it is a private street. Burns asked about the screening requirement. Staff said that they require no screening because they are single family next to single family. However, knowing that there would be more density, they have improved their landscaping plan.

The public hearing was opened.

The applicant appeared and noted her involvement in the Columbia scene for many years and noted that she likes the pocket neighborhood development model and thinks it will be an addition to the overall neighborhood. These are 1.5 stories, are small footprint, are accessible on the first floor, are energy efficient, with solar panels and they are close to the ARC, a grocery and other amenities. All will have front porches facing the private street. The density is important because it nurtures involvement and cooperation. The community property will be one-tenth vested in the owners of the surrounding property. The landscape plan was developed by urban agriculture and will include vegetables and fruit trees. The old blue house will be removed. We will use local vendors and material suppliers. I worked

with a national expert on pocket neighborhoods and another design expert from Colorado. The city staff has provided direction on this. Our development provides affordable alternatives to home ownership.

MacMann asked the speaker about cost. The speaker said she thought they would be about \$185,000 and that people will be able to customize some features. All would be accessible on the first floor. Rushing asked about the size of the garden and park. The speaker was not quite sure about the exact dimensions of the garden and park. Rushing asked about the trees on one side. The developer said they will not remove any more than necessary. The plants in the garden will be up to the neighbors. Rushing asked if there will be renovations to the existing building that will be used as a community center. She did not know.

Loe asked about the size of the homes. The speaker said they would be 36 x 24 on the ground floor. Strodman asked about the front porches, but wanted to know about the back of each house. The speaker said each home would have a little ten-foot patio, but the design does not encourage much back-yard use.

The next speaker was an engineer on behalf of the project. He said that there is currently a storm drain on site and then there will be additional collection points where the stormwater will be collected and piped to additional off-site collection points. Is one going through a private yard? The speaker said it will all be underground but there will not be discharge onto other properties. Carroll asked if they have permission to dig up neighboring yards. The speaker said they had begun those discussions. Strodman asked about the collection of other water in this neighborhood. The speaker said they receive neighboring water now, but they will take care of that too.

MacMann asked about site constraints. The engineer indicated that they will have to snake around trees, and be creative but it will be minimally invasive.

The next speaker indicated that she lives in the area and wanted to know about the sewer infrastructure. Will this add to the aging existing system? Loe answered that the city will review this, and staff noted that a preliminary review had not preliminary comment but that when the final building plan comes in, there will be yet another extensive review. Carroll asked what happens if they find that there will be a major impact? Staff said that the applicant could be required to mitigate any problems before building could occur. MacMann asked where the sewer comes from. The engineer indicated that they will tie into the sewer on both the north and south side and was not aware of any major existing problems. MacMann asked if this went to County Branch then let that question go.

The next speaker said she was appearing to indicate that she wants to move in here as soon as it is ready. She used to live in East Campus and they want to downsize. She wants a porch and a well-crafted house in the central city. We believe in density, mixed race neighborhoods and a shared economy. This is small, green, walkable and well designed. This is good housing policy. I invited people to my own house to talk about this. This is great. Otherwise, I would move out of Columbia. We have developed good housing for students. Now, lets develop housing options for us who want to downsize.

The final speaker indicated that he lives two driveways away from this project. He spoke in favor of this project and noted that the sewer hasn't blown here since he's live there. There are good fire hydrants in the area. I think this is an improvement over what we have now.

The next speaker says he lives right next to this property and that the sewer was replaced several years ago. He is enthusiastic about this development. He asked for approval.

The next speaker indicated that she is a former commissioner and thought this was something that was looked at years ago and now it is happening. This is a good idea.

The next speaker indicated that she was out of town recently and was not fully informed, but she is in favor of this. The homes are moderately priced and she might consider living there.

The next speaker owns her own home currently. She lived in another pocket neighborhood before. She thinks this is a great idea and supports the proposal.

The next speaker said she lives around the corner. She thinks it is a lovely plan and would be suitable for another area, but not this one. We have infrastructure problems already. This plan is not the neighbor's plan. It is the city's plan. What we wanted was fixes to our infrastructure and streets. We are already dense. Suddenly now, we have four-bedroom student housing blocks and now I see development going in on Hunt Street – and that would be fine if we fix the old problems first. This property will drain into the LDA area. Why can't we get fixes first? All we are told is that we have to get more dense. Frankly, \$180,000 is not an affordable price tag. I am speaking for those people who can't afford this. I am concerned about this and will be concerned about every other development until it is fixed. MacMann said that the student developments that cover an entire block are not allowed any more. MacMann and the speaker then discussed the storm drains and where the water runs. MacMann said he thought these were reasonably priced. The speaker said she wanted a pocket park there not a pocket development.

Carroll asked if a repair to the Aldeah storm drain was listed on the CIP plan within the next year? Staff later explained that it is on the CIP 2020 list.

The next speaker lives on Greenwood. She likes the general idea but does not believe that this is the right place. The access point is the problem. It is not safe. Since this is private, there is no surety for the neighbors. In 10 to 20 years this could be bad. Right now, we have a different housing mix. This only allows you to pick from A, B or C. The stormwater was fixed, but it is still bad.

The next speaker indicated that she supports this PD plan. It is a great opportunity to support infill development on 1.6 acres in the central city. It is catalytic. It shows how to do infill and maintain a sense of community. She volunteered with the applicant on a Habitat for Humanity project that used all female labor. She has been at this for a long time and I think she comes to this with expertise. This is in keeping with the UDC code and why we spent so many hours. This represents the intent of the code.

Another speaker indicated that he abuts this development needs some additional looks. The access is questionable. This is a twenty-foot drive. A downtown alley is 15 foot wide. It will be tight to get two cars down this private street even if no parking is allowed on either side. Stormwater is definitely an issue. If you can't tie into the existing pipes it will kill this project, and the answer to that question is not clear from the earlier discussion. Also, there is some sheet flow of stormwater from this property to the east. The density is another question. This project is 3 units per acre. Surrounding is over six units per acre. Maybe this could be two units less overall. Another issue is screening. In the past, under Planned zoning there were 25-foot perimeter setbacks. If you are going to encroach on that, there needs to be some screening. I don't see any of that on the plan even if it has been talked about. I understand the

infill aspects of this, but this needs to hit a happy medium and reduce density and make the access safer.

The public hearing was closed.

Staff reported that the Aldeah and Ash stormwater improvement project is slated for FY2020 in the CIP. That is the one identified project. Again Street is the next closest project. He was responding to an earlier commissioner question. One commissioner said that that project may not apply to this project since that one drains to a different watershed. Staff said that to date, no significant flags have been raised relating to this project and infrastructure, but additional evaluation will occur as plans are submitted. Staff further indicated that the design element of this project requires that no additional stormwater flows off of this site after development and that water must be mitigated.

Carroll asked if site reviews are a matter of public record. Staff said that it is a public record, but there are not notices posted about site reviews at that point, but anyone can come in and talk to the city's engineers about any project. Staff further explained that if there are problems after construction, then it becomes an enforcement problem and that there are many checks and balances and that the staff enforces the code and rules throughout the process. Any individual from the city is welcome to challenge any permit during the process.

A motion to approve was made.

Loe mentioned that in this area there has been a lot of downzoning, but not on this block. She also noted that other area developments seemed to match this density. MacMann stated that he will vote yes on this and that he expects to catch flack for the vote.

The motion was approved 7 – 0. Stanton abstained.)

Case # 158-2019

A request by A Civil Group (agent) on behalf of Bedrock Enterprises, LLC (applicant) to revise the Spring Creek Phase II PD Plan. The proposed revision would add a deck to the west end of the building that extends 8 feet out, and runs entire length of the west wall. The applicant intends to use both levels of the building to house a bar and restaurant with a brewery.

(Action: The applicant is seeking a major amendment to the existing Spring Creek Phase II PD Plan to add a 2,000 square foot deck to the west end of the existing building, and to permit a bar or nightclub to be included in the Statement of Intent (SOI) governing uses on the property. It would also include a patio at the ground floor of the building on that side. These changes are being sought to accommodate a prospective tenant, Broadway Brewery.

The property was annexed into the City as part of a larger tract in 1998, zoned CP, and permitted to be improved with all uses within the C-1 district with the addition of service stations. At the time of approval, bars/nightclubs were not a permitted use within the C-1 district and as such were not permitted on the subject site. Given the nature of the requested changes in use and site design a major amendment to the planned district is required. While bars and nightclubs were excluded uses in the C-1 district, restaurants and alcohol sales were permitted at the time the PD plan and SOI were approved. The latest amendment to the SOI (January 2019) changed the permitted uses allowed within the development to include all uses allowed in the M-N district. The main use of the building will still be a veterinary clinic.

The proposed brewery function is would be considered an “Artisan Industry” which is a permitted use within the M-N district and current SOI, but bars/nightclubs are still a conditional use, and are not permitted by the governing SOI. The applicant’s business model includes a restaurant which could include alcohol sales; however, the space dedicated to the restaurant function is subordinate to the bar/brewery functions. Approval of the SOI amendment to include bars/nightclubs would address the applicant’s needs.

The overall business model would operate as a typical restaurant, bar, and brewery. The proposed brewery would be located in the west end of the building, adjacent to the open space and park to the northwest. The elevated deck is located on the northwest corner of the building overlooking this open space and an existing tree preservation area noted on the PD plan. This preserve will act as vegetative buffer between the proposed use and other nearby functions. Any noise generated by the outdoor functions of the business will be effectively mitigated by distance and by the buffer. The neighboring property is 236 feet away. The property to the north is owned by the city. Given the nature of the prospective use, its location away from conflicting contextual uses as well as the existence of the buffer and tree preservation areas, staff supports the proposed revision to the PD plan and SOI.

Burns asked about buffering between neighborhoods and thought it did not currently exist. Staff said it DID exist currently, and that it is not densely wooded, but there is vegetation and it is protected. Carroll said she thought it appeared that there were supposed to be additional trees added. Staff indicated that there will be some additional trees added at the site of the parking. Carroll noted you couldn’t see through the existing vegetation. Rushing asked about how far the retaining wall existed on the site. They estimated about halfway on the property and then it goes to a green area. The addition to the existing strip mall building was explained and it was noted that the building has only two exposed floors on one end of the building.

Strodtman asked about lighting in the back or in the parking areas. Staff indicted that the lighting will have to full cut-off down. Strodtman also asked if you have a liquor license will there need to be a fence around the property so that people can’t leave the bar and start going to places they shouldn’t be. Staff explained that right now, the deck is simply located on the second floor and there is no staircase to the lower level. Strodtman said he wanted to control access generally. Staff said that there would be building code restrictions, but until more specific building plans were submitted, it was impossible to answer that question, and that there may be some emergency egress from that deck. Strodtman talked about smoking decks, etc. and wanted to know about where li our could be consumed and publicly transported.

MacMann asked for the slides to have better orientation in the future so there was less confusion. Loe asked about noise abatement. Is it just vocal noise or what about music? Staff said that the music was subject to the city ordinances. Loe noted that trees do not buffer sound and that she has called the police on a place where music is played near her home. Staff reiterated the general requirements of the sound ordinance and then noted that this establishment is not asking for a variance from the sound ordinance. So, if you allow them to have this zoning, they will have to conform to the existing noise rule. You are not granting any change to that rule. In a planned district, you could address that if you needed to on one end of the deck, but the engineer for the project should be able to discuss that.

Carroll asked if adding the use of bar to the plan changed the hours of operation. Staff explained that the code does not prescribe general hours of operation for businesses, but that liquor laws do dictate hours of operation.

The public comment period was opened.

An engineer appeared on behalf of the applicant to answer questions. He said that this will be a restaurant and that currently, they do about 60 percent food and 40 percent alcohol. That could change if they add a deck. That might change the percentage and they don't want future problems if they invest in the improvement up front. There are no stairways from the deck. There is a door into the building from the deck. There will be no bands on the deck. We are asking for a 2,000 sq. ft. deck that looks out over the creek. Addison's, across the street, has a patio area and they are open until 1:30 at night and there is no problem. This will be a nice restaurant and brewery. The whole bar thing is something we are trying to make sure we comply with no matter what.

Strodtman asked about the patio. Does it wrap around and then die off? Yes. Most of the deck and patio is on the west so it doesn't conflict with neighbors. Staff suggested that a new PD plan be submitted so the drawing reflects what was presented as testimony. A discussion of what should be shown ensued. Staff then asked if the operator was wanting to have storage in an enclosed or unenclosed section of the deck for storage. Staff asked if there could be a wall to block that view from the neighbors and serve as an acoustical barrier as well.

Rushing then said that it looks like the drawing doesn't look like what was testified to. The testimony indicated that it would be 2,000 sq. ft. This only looks like half that. The engineer said that the 2,000 sq. ft. is larger than what was originally asked for and that the smaller size was really what is wanted. Staff said that if they revise the drawing, that will comply as long as they don't take something away from one part and add it to another part of the plan. Staff clarified that the SOI asks for 2,000 sq. ft as a maximum, but they will use less. Rushing said the drawing, report and SOI are not consistent. Staff suggested that the engineer should reduce the sq. ft maximum, add a screening wall; specify how the western wall will be treated; and reduce the overall footprint. They can always come back later and that will be a minor amendment. Rushing thought that the lines on the drawings were not clear and wanted clarification before the vote.

Staff said that this property had been replatted due to the retaining wall since it was considered to be a structure, so the look of this property may appear in a unique configuration. Staff noted that the expansion of this deck will do not nothing to impact any residential properties.

Another speaker approached the commission and indicated that he wrote a letter to the commission earlier. He wanted to add to his earlier objections. He noted that the neighborhood that abuts this is a neighborhood of children. His concern is that if there is an outside deck with lights on until 1:30 in the morning it really does interfere with living. This will impact families. We also have concern about the fact that part of this has no trees, so there is a clear view of that area from some parts of the neighborhood. Right now, it's a pretty quiet area. How many people will fit on this deck What is the capacity? Loe noted that that will be regulated by the building code. The speaker continued that if smoking is allowed there is a potential for fire in this area and that should be a consideration. The other thing is that if this is open until 1:30 and there will be traffic. Addison's has a different configuration. What about the traffic back here at that time of the morning?

The public comment period was closed.

Strodtman noted that he supported the neighbor, and that he was trying to make the deck be placed on the west side rather than the north side. He thinks that fixes any problems, particularly if there is a storage wall. We are trying to keep it all on the west side. If we can make that kind of motion, I will support this. If not, I will vote no. He thought the lights would be manageable. Burns agreed with Strodtman and added that music and talking until 1:30 in the morning would also be possible nuisances. She suggested that the neighborhood association enter into discussions with the bar. Loe noted that leaves may not buffer music, but they do buffer sight lines.

Russell offered a motion to approve the revised Spring Creek proposal to limit the seating area of the deck, with a small outdoor storage area separated on the north with a wall and that a revised site plan and statement of intent be submitted prior to final approval.

The motion to approved passed unanimously, 8-0.)

PUBLIC COMMENTS

(None.)

STAFF COMMENTS

Staff indicated that a work session will be scheduled for August 8th, but no regular business will be transacted on that evening. That same thing is currently planned for August 22nd. (Work session only.) Short term rentals will be discussed on August 8th. The topic for the August 22nd meeting is not yet determined.

The comprehensive plans, short term rentals, code text changes, etc. will be coming up in the future. We will also start to look at a West Columbia Area Plan. We have had preliminary meetings with the county and we will report on that on August 5th at the regular council meeting. That will be an 18-month process and that will start in September. We will be required to do data analysis as we go forward.

COMMISSIONER COMMENTS

(None.)

NEXT MEETING DATE - August 8, 2019 (Work session only. No regular meeting.)

ADJOURNMENT

(Time: 9:38 PM)

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