



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, September 5, 2019

CALL TO ORDER (Members present: Loe, Burns, Carroll, Stanton, Rushing, MacMann, Russell, Strodman, Toohey.)
(Members absent: None.)

APPROVAL OF AGENDA (Agenda amended to allow for a tabling motion to be introduced for Case #180-2019 until September 19.
Agenda change approved.)

APPROVAL OF MINUTES ([July 18, 2019](#) minutes were approved unanimously.)

SUBDIVISIONS

Case # 180-2019

A request by Engineering Surveys & Services (agent) on behalf of JDM II SF National LLC (owner) for a three-lot preliminary plat of 102.85 acres of property located southeast of the intersection of Southampton Drive and Providence Road (State Route 163). The property is zoned M-OF (Mixed Use- Office) and is addressed 4700 S. Providence Road.

(The applicant has requested that this item be tabled.)

(Action: City staff presented a brief overview of the proposal.

The applicant is seeking approval of a 3-lot preliminary plat for approximately 103 acres of M-OF zoned property. Lot 1A is approximately 24.45 acres, Lot 1B is approximately 68.54 acres, Lot 1C is approximately 5.1 acres, and 4.77 acres will be dedicated as right-of-way (ROW) for roadway extensions. Staff noted that they had received a request to table this motion due to the fact that there are several property owners involved and that there are many moving parts involved. Staff supports this request and noted that the future staff report on this case will remain the same.

Public comment was invited.

An engineer appeared on behalf of the applicant and offered to answer questions. MacMann asked if the tabling motion would allow enough time for the applicant to work out the problems that had been encountered. The applicant indicated that he thought it would be and that they are working diligently.

Public comment was closed and a motion to approve the tabling was made to table until September 19.
The motion to table was approved unanimously.)

PUBLIC HEARINGS

Case # 176-2019

A request by Cochran Engineering (agent) on behalf of Columbia Mall, LLC; Dillard's Inc.; J.C. Penney Properties, Inc.; and Dayton-Hudson Corporation (owners) for approval of a PD plan major amendment to the Columbia Mall C-P Plan to split an existing 39.75-acre lot into two lots, and for approval of a design adjustment to Section 29-5.1(f)(3) to allow a lot line through an existing structure. The approximately 66.92-acre property is located at the southwest corner of Stadium Boulevard and Bernadette Drive.

(Action: The proposed PD plan includes the subdividing of existing Lot 1 of the Lot 1 Columbia Mall Plat No. 2 administrative plan into two lots and noted that this affects only one part of the entire property. The action tonight will revise the most recent revision to the PD plan adopted in 2007. This is intended primarily to create a new lot for the existing Sears store. Staff showed a map and described where the requested changes would occur.

While this is typically a subdivision action, since it is creating a new commercial lot in a PD zone, a major plan amendment is required. Lot 1 currently includes both the portion of the mall that does not include anchor stores (i.e., the common area) along with the previous Sears store. The subdivision will divide the common mall area from the Sears building, with each being on a separate lot that will also include off-street parking facilities. It is similar to a replat of the existing area. A final replat is attached to this and will go straight to council and will not be considered by the P&Z Commission. Staff does not view the creation of a new lot in this situation as having a significant or detrimental impact on the PD plan and is consistent with other anchor stores on the site that are currently on their own lots.

However, a design adjustment is required to permit the creation of the new lot. Here's why. Per the UDC Section 29-5.1(f)(3), no structure may be constructed across a lot line. The new lot that would be created around the previous Sears store includes a lot line located through a parking lot, which by UDC definition is considered a structure, and so is not permitted. Although no new building is being constructed over a lot line in this situation, the parking lot violates the code.

Upon review of the design adjustment worksheet, staff concurs with the applicant's findings and supports the request. Staff considered the context of the situation, which is a large commercial shopping center development that is already divided into multiple lots, and does not object to the request. This same situation exists currently for the other anchor tenants on the mall site, as each of those anchors are located on separate lots. Allowing this site to do the same does not appear to be detrimental to the site or PD plan and would be consistent with the development pattern on this site.

The other proposed PD Plan change is a revision to how the minimum required parking is calculated. The existing C-P development plan uses a previous standard to calculate the minimum parking required. In addition, a variance was approved to reduce the number of required spaces and how the area of the mall was measured (using gross leasable area instead of floor area) in order for the site to meet the needed parking total. This allowed the parking requirement of 4,239 spaces (also using a 5% credit for transit facilities) to be reduced to 3,567. The 2007 plan had seven spaces in excess. The applicant is requesting that instead of continuing with the current parking requirements the plan be amended to follow the current UDC minimum parking requirements. The UDC standard for "large" retail is one parking space for every 400 square feet of gross floor area (1 space/400sf GFA).

Translated, this means the new “minimum” parking requirement will be 2,331 spaces. Currently, 3,489 parking spaces would be provided, well in excess of the minimum required. Although there is no plan change to accommodate any new development in this request, future development could occur, and some parking spaces could be eliminated without violating the new code guidelines. Staff supports this change, although they do view this as a significant change. Staff believes that the old minimum required more than was typically practical, except in peak times. Right now, there is no additional demand being requested for this area.

Finally, when the earlier Planned zoning was applied to this property, no Statement of Intent accompanied the zoning. The applicant has created a new Statement of Intent. The submitted SOI includes the permitted uses that staff finds to be consistent with what was required from the 1985 zoning ordinance. While there is not a direct corollary between all uses from the 1985 zoning ordinance and the UDC today, the permitted uses listed on the SOI are a close approximation. Staff has reviewed the proposed SOI and finds that it meets the technical requirements of the PD District and the UDC.

Overall, staff supports each of the applicant’s requests. No specific new development is shown in this application. Any future construction will require additional hearings and approval by the city council.

Strodtman asked to recuse himself from consideration of this request.

MacMann asked about the landscaping plan and noted that it was less than what might be required in the new plan. Staff said that an earlier variance allowed the lesser landscaping and indicated that this request does not trigger a change. If, however, they request new construction, it may trigger a new landscaping requirement.

Public comment was opened.

An engineer appeared on behalf of the applicant and offered to answer questions. None were forthcoming. No other individuals appeared.

The public comment period was closed.

MacMann indicated that he thought some of this violated the new code and wondered how the decision to make relief in this situation available. Staff said that Planned zoning is a unique situation and that over time zoning changes have occurred. Staff noted that Planned districts allow for amendments such as this. Sites like this that are zoned with specific zoning would have a different set of standards, so this does not specifically set a new standard and seems reasonable at this time. MacMann said that in the future we may need to have a specific standard for making these sorts of changes. Staff replied that design criteria are applied differently depending upon whether you are in a Planned District or a straight zoning district. This is not a rezoning. It is an amendment to a zoning Plan. In this context, the request makes sense. Staff also noted that they are currently having an internal discussion about what defines a structure, including parking lots, patios, overhangs, etc. This is not a true platting action per se. MacMann thought this could create a nightmare going forward when we discuss building over lot lines.

Loe agreed with that concern and MacMann said that he thought if we are encouraging mixed-use, the code may need to reflect those goals in some manner.

A motion to approve all requests included in this item.

The motion was approved unanimously with Strodtman abstaining.)

**COMMENTS OF THE PUBLIC
(None.)**

COMMENTS OF STAFF

The next meeting of the P&Z Commission will occur on September 19.

Items to be considered at the next meeting include:

- **Subdivisions:** State Farm replat (Tabled at tonight's meeting until September 19.)
- **Public Hearings and Subdivisions:** Clark Lane Rezoning; Clark Lane Permanent Zoning; Columbia Corners Preliminary Plat
- **Public Hearings:** Sidra Subdivision PD change; Green Meadows rezoning from Planned to M-C at Gray Oak

Staff noted that Short Term Rental discussion continues and that some new comments will appear on the city website within the next two weeks. At the end of October, P&Z will bring forward new recommendations regarding the Rock Quarry Road Scenic Overlay change as well.

Elections for P&Z officers will take place at the next meeting.)

**COMMENTS OF COMMISSION
(None.)**

NEXT MEETING DATE - September 19, 2019 @ 7 pm

**ADJOURNMENT
(Time: 7:39 PM)**

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