



## Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall  
7:00 PM Thursday, December 19, 2019

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

**APPROVAL OF AGENDA** (Agenda approved as submitted.)

**APPROVAL OF MINUTES** ([December 5, 2019](#) meeting minutes approved.)

### SUBDIVISIONS

#### Case # 14-2020

A request by Crockett Engineering (agent) on behalf of Christian Fellowship Church (owners) for a 34-lot preliminary plat of their 35-acre property, located on the northeast corner of Chapel Hill Road and Louisville Drive. (Upon revision of the proposed preliminary plat, the advertised design adjustments are no longer necessary).

(Action: The applicant is seeking approval of a 34-lot preliminary plat to be known as Chapel Hill Meadows Plat 2 for the development of 32 single-family residential dwellings and a new building for the Christian Fellowship Church of Columbia (proposed on Lot 101) which contains 15-acres and is located at the southwest corner of the site. The site includes two common lots that will accommodate the required stormwater facilities and tree preservation areas on the site. The property is currently platted as Chapel Hill Meadows, a two-lot subdivision, that was approved in 2005. Due to the addition of lots and extension of public infrastructure, a revised preliminary plat is required to be reviewed and approved.

The site currently has frontage along two existing streets, Louisville Drive and Chapel Hill Road, which are identified as a neighborhood collector and minor arterial, respectively. Two new cul-de-sac streets, one from each frontage, are proposed to provide internal access to the residential lots. Access to the church parcel will be provided from driveway accesses to Chapel Hill and Louisville. Given that the properties to the north and east are already developed, no stub streets to the property lines are necessary. Additionally, a trail is proposed on the preliminary plat that would then provide pedestrian connectivity between the two cul-de-sacs. While the two separate cul-de-sacs could connect, the applicant has asserted that the existing grades between the ends of the two streets would be problematic and the proposed street design avoids existing environmentally sensitive areas identified as "drainage areas" on the preliminary plat. Pursuant to the UDC, cul-de-sac length can extend up to 750-feet to avoid environmentally sensitive features without the necessity of a design adjustment. The

proposed cul-de-sacs are both less than 750-feet and are being proposed to mitigate greater environmental impact. Staff supports the use of the cul-de sacs given the existing site conditions.

The proposed preliminary plat has been reviewed by staff and meets all requirements of the Unified Development Code. It should be noted that during initial review of the preliminary plat several design adjustments were identified. Pursuant to the UDC, public notice was made on this project. However, since providing notice, the site has been redesigned to eliminate the design adjustments. Because of the redesign, the proposed preliminary plat will not require a public hearing and may be processed as a standard subdivision action. Staff supports approval.

Rushing asked about preservation of some of the trees on this site. Which trees are being saved? Staff said a land analysis map has been submitted and the applicant may be able to answer that question. Staff believed that most of the trees will be in the common lots. MacMann asked about fire regulations and access to the longer cul de sacs. Staff said the fire department has approved this proposal. MacMann asked if there will be no on-street parking. Staff said they will have to have sufficient off-street driveways to accommodate cars.

The public hearing was opened.

An engineer appeared on behalf of the applicant. He stated that there are a large number of significant trees on this property, most of which are located on the common lot areas. That's why we have NOT asked to connect the two cul de sacs, to avoid additional tree elimination. He also indicated that this layout meets fire codes and has won approval. This does not differ significantly from surrounding properties. The large lot on this property is for a church, and it also meets general standards, but this request addresses the residential portion at this time.

No other speakers appeared on this topic.

**A motion to approve this request was made and was approved unanimously, 9 – 0.)**

## **PUBLIC HEARINGS**

### **Case # 21-2020**

A request by Crockett Engineering (agent), on behalf of Show-Me Central Habitat for Humanity (owner), to rezone of two lots from R-MF (Multiple-Family Dwelling) district to M-C (Mixed-use Corridor) district. The subject 0.55-acre properties are located at the southwest corner of Lakeview Avenue and Poplar Street and the existing home on the northern parcel is addressed 1311 Poplar Street.

(Action: The applicant is seeking to rezone approximately 0.55 acres of property directly to the east of the new Habitat for Humanity Restore from R-MF to M-C. While no plans have been submitted, the rezoning would allow Show-Me Central Habitat for Humanity to expand the Restore or to conduct similar or auxiliary activities on this property. Additional subdivision action may be required to facilitate redevelopment.

Presently, the northernmost of the two lots is improved with a home addressed 1311 Poplar Street. The southernmost of the two lots is vacant and has been for likely 30+ years (viewing Boone County's aerial photography records). Adjacent properties to the west and south are zoned M-C, with the property directly to the east across Poplar Street zoned R-MF (1400 Lakeview Avenue). The property across Lakeview, to the north, is zoned R-MF and presently occupied by the City's Grissum Building (fleet maintenance) which would generally be described as M-C/IG (Industrial) in actual use. Further to the northeast is IG zoned property (where the City's Municipal Power Plant is located), and further to the

west most property along the Business Loop 70 Corridor is zoned M-C. To the northwest and west between Stone Street and the Grissum Building property and Fir Place and Lakeview Avenue is an intact neighborhood of single-family homes on R-MF zoned property.

The M-C zoned properties directly adjacent to the subject sites have the “Commercial District” future land use designation given their usage at the time the Comprehensive Plan was adopted. Whereas, the “Neighborhood District” designation of the subject parcels is a reflection of their land usage at the time the Comprehensive Plan was adopted. Typically, staff would recommend M-N over M-C zoning in areas designated as “Neighborhood District”; however, this typical practice is often dependent upon the facts associated with the property and the request being made.

A related relevant factor to note in this case is that the subject parcels are outside the boundary of the recently acknowledged Loop Corridor Plan developed by the Business Loop 70 CID. While this situation exists, it should be further noted that the Loop Corridor Plan offers recommendations on how improvements to the corridor can be facilitated through land use changes. On page 52 of the Plan, the following is offered “the base zoning district designation of Mixed-Use Corridor will allow for flexibility in building standards and lot standards.” This recommendation on potential zoning changes ties into other ideas espoused by the Loop CID throughout the Plan which are focused on efforts to revitalize the corridor through promoting artisan and innovative commercial businesses. Staff finds that the zoning of the subject parcels for **multi-family use** is out of context with the majority of the property on the north side of the Business Loop within 400-500 feet of the corridor itself – the preponderance of which is zoned M-C. This non-conformity coupled with the objectives of creating opportunities to encourage innovative commercial and artisan business operations has guided staff to the conclusion that the request to rezone the subject parcels is not inconsistent with the Comprehensive Plan or related area plan objectives.

Furthermore, if rezoned, the parcel’s usage by Habitat for Humanity for a non-residential purpose will trigger compliance with the neighborhood protection standards of the UDC which staff believes are sufficient protections to adjoining residential uses. Therefore, the staff recommends approval of the request. It was noted that a future platting action may be required depending on the end use.

MacMann asked if any residential neighbors had expressed any concerns? Staff said that there had not been any correspondence and the one house that is in closest proximity may not be occupied. The public hearing was opened.

An engineer appeared on behalf of the applicant. He noted that there is significant industrial use of the property to the north of this site. He also noted that they requested M-C instead of M-N to avoid mixed commercial designations on a similar use property.

There were no further speakers and no further discussion among commissioners.

**The request was approved unanimously, 9 – 0.)**

#### **Case # 22-2020**

A request by Jonalyn Siemer (owner) for a conditional use permit (CUP) to allow for an accessory dwelling unit on property owned R-1 (one-family dwelling district) and addressed 103 Anderson Avenue. (Action: This request would allow a second dwelling unit to be built behind the existing home at 103 Anderson Avenue. Jonalyn Siemer, applicant and owner, voluntarily down-zoned her property from R-2 (Two-Family Dwelling) to R-1 (One-Family Dwelling) in 2018 as part of a multi-property zoning action

intended to promote a single-family feel for the West Ash neighborhood and to address concerns about multi-family redevelopment on aging or inadequate infrastructure systems. As such, Ms. Siemer must now ask for a conditional use permit (CUP) to be permitted to build an accessory dwelling unit (ADU) upon her property. ADUs are secondary dwelling units attached to or located on the same property, as the primary dwelling unit. They are smaller than the primary dwelling unit and must meet all use-specific standards of the UDC which include provisions relating to minimum lot size, setback, height, and parking. ADU's are permitted in the R-2 and R-3 districts subject to only meeting use-specific standards; however, when desired in the R-1 district they must also obtain approval of a conditional use permit.

103 Anderson Avenue is a .22-acre (9,583 square feet), 50x200' property located mid-block on the west side of Anderson Avenue north of West Broadway and South of Ash. Ms. Siemer has owned and lived at the property since 2000. At the time of the downzoning effort, her plans did not include building an ADU; however, she has since become interested in doing so.

The West Central Columbia Neighborhood Action Plan was collaboratively developed by this neighborhood in 2015. The plan describes downzoning R-2 property as a way to stabilize the single-family land use pattern and address concerns about multifamily redevelopment in the area. Most structures in the area are single family homes, even though they are zoned R-2. Two successful downzoning requests have been undertaken by residents in the neighborhood since the plan was adopted. Staff also noted that this is a very active neighborhood.

During the 2018 public hearing process for the downzoning to which the subject site was a part, concerns were cited by some applicants that it would be more challenging for R-1 properties to add ADUs once downzoned and many residents indicated they were supportive of ADUs due to the smaller footprint and limited perceived impact that such units would create. ADUs offer opportunity to generate an income stream for homeowners as well as may provide affordable housing options in established neighborhoods. Some noted the West Central Neighborhood Action Plan called for an overlay that would still allow ADUs by right should a property owner zone to R-1, but such an overlay had not been developed. The fact that the CUP process was an available tool to permit construction of an ADU on R-1 zoned property was also a part of the public dialogue during the hearing process. Staff considered this to be a one-and-a-half density pattern.

The lot size of 103 Anderson Avenue meets the dimensional requirements to have an ADU per the code (5,000 square feet and 50-foot lot-width minimum). Ms. Siemer has discussed the technical requirements of the building code and the use-specific standards with City Planning, Building, Utilities, and Fire staff. Ms. Siemer has indicated she anticipates building an approximately 450 square-foot, one-bedroom detached ADU in her backyard. ADUs cannot exceed 75% of the footprint of the primary dwelling or 800 square feet. Ms. Siemer's home is 1,104 square feet according to Assessor records thus the maximum size of an ADU on the property should the CUP be granted would be 800 square feet.

This is the first CUP request in for an ADU in an R-1 zone since the adoption of the UDC in March of 2017. Previously, ADUs were only permitted in the R-2 or higher zones. In the past, many residents in the West Ash neighborhood have expressed a desire to have ADUs in their neighborhood in public processes including, but not limited to, the downzoning process discussion. Throughout the Columbia Imagined and West Central Neighborhood Action Plan development processes, and most recently as 2018, residents have worked with staff to develop and amend the ADU provisions in the zoning code (pre-UDC and post UDC). ADUs are explicitly cited in both Columbia Imagined (for R-2 zoned property) and West Ash Neighborhood Action Plan (for R-2 and R-1 property) to promote context-sensitive density

in existing neighborhoods, allow more residents the ability to live in walkable areas served by infrastructure and services, and as a means of providing income streams to homeowners. ADUs are also often described as a way to introduce a mix of housing types and mixed-income and/or affordable housing into a community.

The request is considered consistent with the comprehensive plan and conforms to the requirements of the R-1 zone as the lot size meets the requirements for an ADU in the R-1 zone. Prior to final permitting the proposed construction will be subject to all other applicable building and use-specific standards articulated within Section 29-3.3(gg) of the UDC. It should be further noted that CUPs run with the land into perpetuity unless otherwise conditioned. Staff does not recommend any additional such conditions at this time. Staff supports the request.

MacMann asked if they would discuss ADU overlays at future P&Z meetings. Staff said there are some significant downsides to creating specific overlays, and that right now there had been some floating overlay zones suggested, but that there needs to be input from surrounding neighbors. Due to the complexity, specific action has not been contemplated at this time. MacMann suggested that an overlay may have some benefit. Staff responded that there will need to be initiation from the neighborhood or from the city council. Missing middle construction is probably something we should discuss as part of our zoning policies.

The public hearing was opened.

The first speaker indicated that she was the applicant. She wants to build a small cottage in the back. She thought this would encourage density. Carroll asked about the intended use. Will this be a rental or for your own use? The speaker said she would like to see a grad student or some other quiet renter there. Maybe someday she would go live there.

The next speaker said she supported the idea and believes that this neighborhood needs more of this type of development. She said that maybe there should be an overlay, but maybe we need more information first.

There were no additional speakers.

Toohy said he thought this was the wrong way to increase density. If she wants a more intensive use, it should go back to R-2 and this eliminates the spot zoning issue without the conditional use requirement. Carroll said that this is an allowable use in R-1 with a conditional use and this meets with the goal of increasing density. She thought this was an incremental step and that it achieves the goal a different way.

Stanton said this West Central Plan was spearheaded by neighbors and this helps the little guy. He said he is glad to see it and he plans to support it. Toohy said it would be better to just move it back to R-2. MacMann said he thought this was this person's path to follow and it was developed by the neighborhood. He thought that was bottom up rather than top down. Going R-2 might be easier, but he will support this option. Carroll said she sees the friction, so Carroll said she can support both the downzoning and the ADU allowance. She would actually like to see more lenience regarding the creation of ADUs. Rushing said this was a good site for this type of development. Burns said there were no objections from the postcards sent out, so she will support it.

A motion to approve the request was made and seconded.

Loe said she thought the original action to downzone this property might have been alright, but if we are truly looking for infill and density, the downzoning request was not necessarily in line with that. She found this request very ironic, and with this neighborhood in mind, and it is amazing that they could not previously take advantage of the creation of ADUs. She thought this lot could not be a full-fledged R-2, but it could accommodate an ADU in R-1 and so she thinks this is reasonable.

**The commission approved the request 8 – 1 with Toohey voting NO.)**

#### **PUBLIC COMMENTS**

**(None.)**

#### **STAFF COMMENTS**

Staff indicated that the next meeting will occur on January 9, 2020. The regular meeting will be a doozy. This will be the biggest workload seen in a long time at a single P&Z meeting. Here's what's on tap:

##### **Subdivisions**

- Discovery Plat 5 – Revised preliminary plan
- Moon Valley Plat 1 – Final (delayed)

##### **Rezoning**

- Discovery Park, Plat 5 – PD Plan approval
- 1001 S. Providence zoning change from PD to MN
- 5300 I-70 Drive SE Boone County R-S to City M-C
- Cully Property – I-70 Dr. SE - R-1 to M-C
- 4601 Nacona (Discovery Parkway area)– Major PD Plan Amendment
- 201 Switzler - Rezoning for Columbia Housing Authority property from R-MF to M-OF

Staff said that they have been authorized to move forward with West Area Plan development and that they will have additional information in February.

#### **COMMISSIONER COMMENTS**

Toohey said he wants to know a date certain for discussion of the Climate Adaptation Action Plan and how they plan to move forward on making that mesh with the Comprehensive Plan. Staff said there are some differences between the Comprehensive Plan and some Supplemental Plans, so they will have to work that out, although the smaller plans do not take precedence. It is the Commission's decision on how to utilize all of these plans in decision making.

**NEXT MEETING DATE - January 9, 2020 @ 7 pm**

#### **ADJOURNMENT**

**(Time: 8:11 PM)**

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