



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, October 6, 2016

CALL TO ORDER (Members Present: Burns, Harder, Loe, MacMann, Rushing, Stanton, Russell)
(Members Absent: Strodtman, Toohey.)

APPROVAL OF AGENDA (Approved without amendment.)
APPROVAL OF MINUTES (September 22, 2016 meeting minutes approved)

WITHDRAWN ITEMS
(None.)

SUBDIVISIONS

Case # 16-206

A request by Hinshaw Family Partnership, L.P. (owner) to consolidate three lots into a single lot by a replat to be known as "Anthony's Addition Plat 2". The 0.91-acre subject site is located on the northeast corner of Anthony and Dorsey Streets, and is addressed 1401, 1405 & 1407 Anthony Street.

(Action: Staff report presented. Request would make a single legal lot in advance of new rules that may be enacted in the new zoning code. Three existing structures. This request would change the frontage designation from Anthony to Dorsey Street since that is the shortest side, however that could change at the discretion of the director. Setbacks are generally determined by the frontage side. Density can be accommodated. Additional easements are being granted. Application for a median setback could be affected. Staff recommends approval.

Commissioner Loe asked if there is any proposed new use for this property. None has been proposed and none may ever be. This is pre-emptive in the event that a future change could be achieved.

Although not a formal public hearing, speakers did appear to discuss the issue.

Speaker indicated that he was a nearby resident. Believed that this action was being proposed in an attempt to change the nature of the neighborhood in the future and he opposed this change. Believed it could potentially change the nature of the neighborhood and put more strain on infrastructure. Also fears that any future impermeable surfaces would hurt existing stormwater management. MacMann asked about existing stormwater issues. Speaker indicated that significant stormwater used to come down the street and come up to the side of the house. That was alleviated, but then it got worse again. Property owner installed new drainage system at his own expense. More impermeable surface would make it worse again in his opinion but it is under control now. Question about sanitary sewer. Speaker

indicated that he had seen some problems and that the city does not know exactly what is there. Speaker's last sewer problem was about 6 years ago.

Next speaker identified himself as a surveyor. Indicated that there is no change in use contemplated at this time. It is only a replat. Seems like no reason to oppose this action at this time and that any future change in use could be challenged at that time. No questions for speaker.

Speaker indicated that this replat was speculative and that it would be detrimental. Question if there was any public benefit. Believed that any future plan could be detrimental to the infrastructure. Believed that it could violate median setback requirements. Indicated that whatever is recorded should be in conformity with median setbacks. Not sure about this. Also indicated that this would make some existing uses non-conforming. Believes that this replat would make these existing structures non-conforming. Speaker indicated that this change would make the median setback further than what exists.

Surveyor indicated that he could address the median setback. Agreed with previous speaker that the median setback would probably be one foot further back and that he would be happy to measure and provide those numbers. Open discussion was closed.

MacMann described this as a speculative replatting. Believed that that was wrong to do. Indicated that he would oppose this request.

Stanton wanted to know if future plans changed, wouldn't they have to conform to the overlay? Answer from staff was yes. Staff indicated that R-3 uses would have to comply if lot was created after 2002. Replatting does not relieve future plans from compliance with existing rules at the time.

Rushing wondered what would happen if they sold one building. Would they then have to come forward and asked to separate what was just combined?

Russell indicated support since any future development would have to be compliant with all other rules.

Harder indicated support for the proposal.

Loe asked if a new proposal came forward would it have to come back to P&Z. Staff indicated that it would only come back if a rezoning were requested. Otherwise, it is dealt with mostly administratively. Indicated that the action being requested was generally ministerial and that future uses should not be considered at this time since none exist. Standard practice is to grant replatting if easements and such are met – and generally, they are in this case. Current structures will be allowed even if they become non-conforming until they are removed or changed by more than 75%. If the median setback was to be applied, it would need to be included in this motion.

Motion to approve by Russell with inclusion of amendment to apply median setback requirement to Anthony Street.

Motion passed 4 to 3. Stanton, Harder, Russell and Loe voted in the affirmative.

Case # 16-207

A request by Hinshaw Family Partnership, L.P. (owner) for approval of a one-lot replat to be known as "Replat of Lot 3 of the Revised Plat of Cunningham Place, and Lots 1, 2 & 3 of Mitchell Court, Columbia, Missouri". The 0.778-acre subject site is located on the east side of College Avenue, approximately 350 feet south of Paris Road, and is addressed 404 & 408 N College Avenue.

(Action: Staff report presented. Indicated that density measures would be met and that additional easements were granted along College. Property is bordered by two multi-family lots. Staff recommended approval.

Rushing asked about existence of Mitchell Court. Two platted subdivisions with properties from two subdivisions, but there is no bisecting right-of-way. Public discussion ensued.

Speaker indicated that he was the surveyor on this property. Indicated that there is no contingent sale or other plan for redevelopment. Simply asking for consolidation at this point in time. Mitchell Court is a private access.

Speaker indicated opposition to this consolidation. Indicated that since there are no plans, there is no purpose and that this is nothing more than speculative development. Believes that it is an encroachment on surrounding property owners, even though the property owner has rights.

Stanton asked if overlay would protect the neighborhood in the future. Speaker indicated that it would, but that they didn't want to have the possibility of a ten-unit structure going in here in the future.

Speaker discussed the overlay question and believed that developers have found ways to get past overlay requirements. Believes that the overlay may not be adhered to. Indicated that the neighborhood does perform a watchdog function, but that notification does not always occur and that sometimes problems still exist.

Question if whether or not previous speakers were speaking on behalf of the Benton-Stephens Neighborhood Association or as private citizens. Indicated that they were speaking as private citizens. Also indicated that there were loud parties in the neighborhood. Indicated that she was actually a landlord herself and owned some large properties that could be replatted, but she doesn't because she was not interested in changing the neighborhood. Indicated that there could be multi-family in the area but would prefer that it be single family. Public discussion closed.

Stanton indicated that he would support the request because it was technically technical and legal. Hoped the applicant would be a good citizen. Made a motion to support passage of the proposal.

Motion passed 4-3 with Stanton, Loe, Harder and Russell voting in the affirmative.

5-minute recess was requested.

PUBLIC HEARINGS & SUBDIVISIONS

Case # 16-178

A request by Crockett Engineering Consultants (agent) on behalf of Tompkins Homes & Development, Inc. and Glen Smith Trust and Lillie Beatrice Smith (owners) to annex 90.8 acres into the City of Columbia, and to permanently zone the property R-1 (One-family Dwelling District). The subject site is located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard.

Staff report was presented. Indicated that two cases were being brought forward with one being annexation zoning and one being preliminary platting. Indicated that site does have access to current city streets and that it is surrounded by undeveloped or single family homes. Noted that while the request was consistent with surrounding uses, it was outside the Urban Service Area and therefore a separate development agreement was submitted to insure some levels of connectivity, improvement, etc. without significant contribution by the city. This is a new plan that was submitted even though previous plans had been negotiated by surrounding property owners. Property does meet most elements of Comprehensive Plan. Plan shows extension of Broadway as appears in the CATSO plan. Development agreement takes this potential extension into account with the grant of easements. Smith Drive as an extension was never approved by CATSO so it is not treated the same as the Broadway extension.

There is a variance requested in this case which has to do with lot arrangement. Includes modifications do design of driveways onto streets. Staff supports the variance based on the fact that there are shared driveways and longer setbacks for homes with driveways. Traffic calming devices will also be installed on Smith Drive. Another issue is the prevalence of cul-de-sacs. Staff wants two of the cul-de-sacs to be connected. Prefers connectivity. Non-connectivity creates inefficiencies. Some cul-de-sacs should be allowed. Would support preliminary plat if two cul-de-sacs were connected.

Possible burial mound site identified on property. Applicant has agreed to isolate site although no remains at site have been identified. Karst topography does exist on this site. Two sinkhole areas have been identified. Proposal will build around them and provide geotechnical reports on any nearby construction. Private and public trail access will be provided. Staff requests a few late additional amendments. One is to remove a stop sign at one intersection. Another was to remove a street alignment note for Smith Drive for determination at a later time.

Recommended approval for elimination of some cul-de-sacs, adoption of minor note changes and additional information about sewer locations prior to further approvals. Believes preliminary plat could be approved at this time.

MacMann asked how much undeveloped ground was on the total site. Seemed like about half. Osage Nation has not weighed in on burial mounds issue officially.

Stanton asked about how voting would be on this set of proposals. Staff indicated that it would probably be best to vote on annexation and zoning first.

Loe asked if infrastructure evaluation included schools. Staff indicated it did not, that the evaluation was more about electric, water, roads, etc. Staff also indicated that no roads exceeded a 7% slope.

Public comment ensued.

Speaker indicated that she represented the applicant and could answer some questions. Indicated that zoning of R-1 is consistent with the current zoning designation in the county. Indicated that this is a new proposal and that they have removed a PUD parcel on this development and reduced density. Indicated that the cul-de-sacs shown on the plan are intended to try to keep traffic diverted toward Smith Drive rather than to Whitefish Drive. This came out of discussions with neighbors. Actually makes more sense than the connection of those roads. Indicated that there is more screening, more sidewalks, park access, trail access and other conservation easements. Now they have support from all surrounding

neighborhood associations. Density is on the low end of the scale for this parcel. Trail is private, but that means no maintenance costs by city. Agreement also restricts some materials to be used on new homes. There are topographic challenges to this site, but they are being worked through. Indicated that there was early discussion with Osage Nation, but that the expert was at MU – and the burial mound may not even be Osage. If artifacts are found they will be given to the University of Missouri.

Offsite improvements of \$125,000 have been agreed to. Total improvements are about \$300,000. Neighbors want a stop sign. City staff does not. Applicant will do it if city says yes, but not otherwise. Stanton asked about connectivity of cul-de-sacs. Speaker indicated that the cul-de-sacs were legal and that there were other connections to Whitefish, but that this discouraged the use of Whitefish, which was preferable to the neighborhood.

MacMann asked about giving artifacts to appropriate authorities. Speaker indicated that there are no plans to dig in the mound, but that any surrounding artifacts found would be given to authorities. MacMann indicated support for cul-de-sacs.

Next speaker indicated compliance with comprehensive plan and that over 50% of property would be preserved in open space. Steep slopes are protected under this plan. Stormwater management plan meets stormwater rule compliance. Developer is avid hiker and biker and that's why the trail system will include 2 miles of trail with no cost to the city along with public access. Non-connection of cul-de-sacs help the surrounding neighborhoods. This is an entirely R-1 layout. Revised plan limits number of lots that could migrate to existing streets. Sinkhole problem has been investigated. Does not appear to be any extensive cave system but rather more cracks in surface. Have also indicated a sinkhole protection area. This is based on regulations from other communities that have a bigger sinkhole problem. Want to maintain all cul-de-sac design but agree to other suggested city staff amendments.

Speaker indicated that he represented a nearby neighborhood association. Indicated that lots of hours have gone into it. Believes that this proposal is a good one and that the neighborhood supports it. Wants a stop sign at Louisville and Silverthorne. Staff does not at this point in time. Speaker made case to install sign due to existing traffic patterns. Explained major opposition to making Smith Drive a Major Collector. It is a neighborhood collector and wants it built to specs that were devised by engineer not city staff. Please accept the plan as submitted.

MacMann indicated that he understood the desire to have stop signs at Louisville and the desire to limit traffic on Whitefish Drive.

Public comments were closed.

Rushing indicated that she was not happy with previous proposal and thanked people for continuing to work on it.

Harder believed that this was a much improved plan and indicated support.

Burns indicated support, but asked about cul-de-sacs. Staff understood and indicated that there are two different objectives at work. From a planning side, connectivity is more important, but that they understand the intended design. Staff stuck with recommendation, but understood why the plan was submitted the way it was.

Russell indicated support for the proposal as submitted.

Loe asked about stop sign placement. Staff indicated that they should not appear on a preliminary plat but that such placement should be worked through by traffic engineers.

Russell asked staff to review notes that were recommended to be removed.

Motion to approve annexation and zoning made by Burns. Motion approved unanimously. Second motion to approve preliminary plat made by Russell. Motion to approve with technical corrections including sewer location, but exclusion of cul-de-sac staff recommendation and exclusion of notes 24 and 25 pending the results of a street study. Motion passed unanimously.

Case # 16-179

A request by Crockett Engineering Consultants (agent) on behalf of Tompkins Homes & Development, Inc. (applicant) for approval of a 138-lot preliminary plat to be known as "Breckenridge Park", pending annexation, with an associated variance to Section 25-53 regarding single-family driveways on collector streets. The subject site is located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard.

(Action: This case was considered jointly with the previous question and was approved unanimously. For discussion notes, see previous question.)

Case # 16-196

A request by JR2 Development, LLC (owner) to annex land into the city and designate R-1 (One-Family Dwelling District) as permanent City zoning. The 28.84-acre property is located on the west side of Highway PP, and is addressed 3891 North Highway PP.

(Action: Staff report indicated that this item will be considered in conjunction with the next item (#16-197). Request is for application of permanent zoning upon annexation and the approval of a preliminary plat. R-1 zoning is appropriate and is a standard single family development. Single access point comes from Route PP and a connection to a second sub street as needed. City asking for an additional sub street connection to the north, but applicant and city do not agree on this point. This area is outside the Urban Service Area. Sewer availability issues do exist, particularly because it is outside Urban Service Area. Southern property owner does not oppose this development, and may need to realign sewer in light of that land. Except for stub to north, city staff recommends approval, but would still like stubbed street.

No questions for staff from commissioners.

Public hearing opened.

Engineer spoke on behalf of the proposal indicating that this will include green space and a park. Stub street actually ends up at a stream buffer so engineer believed it was not necessary.

Speaker asked about putting a new turn lane into subdivision off of PP. Also pointed out that there is a sewer issue and that there is no available capacity. Staff indicated that adequate capacity does exist. Sanitary line will not run out to PP but has been redesigned. Staff indicated that PP is a Mo DOT maintained road. Indicated that new turn lane would not be required. This is a 55 mile per hour road, and will connect two subdivisions, not just one. Additional right of way has been granted if such improvements are required in the future.

MacMann asked about sewer line. Staff was not aware of age of existing lines.

Loe asked about existence of traffic study. None exists at this time since it seemed like traffic volume increase would not warrant such. Does Mo DOT look at locations of driveways? Yes, they look at all of those elements. Problems with this driveway and road location should be addressed to Mo DOT.

Speaker indicated that MoDOT HAD been contacted and that they approved existing road alignment. Also indicated that sewer force main could be re-routed without disturbing significant properties along PP. Capacity for sewer is well below full.

Speaker indicated that he is a neighbor. Not happy about putting new development close to his home, but he really doesn't want a stub street coming to his property. Indicated that he has a pond and there is a creek in the woods, but he worries about erosion and runoff from new development.

Speaker indicated that this development will be responsible and that they tried to make this development energy efficient and affordable. It is a logical extension of the neighbors to the west. They have reached an agreement with the neighbors to the south. Believes that there is no reason to build a stub road to the north, despite what the staff wants.

Harder asked about pond to the north. Has a study been done regarding stormwater runoff. Speaker indicated that they will meet the standards and can protect the pond to the north.

Speaker indicated that she likes the existing wildlife including deer, fox, geese and that new development will run them off. Will create more traffic and those animals will get hit by traffic.

Public hearing was closed.

Harder indicated that this ties into another subdivision and wondered about relative size of that neighborhood.

Discussion ensued regarding stub road. Loe believed that stub road to the north could be beneficial, even though it was not popular. MacMann followed up on stub road with comment that this stub road and asked if it was a deal breaker. Staff stuck with recommendation to build the stub, but admitted that southern connectivity was probably more important than the northern stub. Also admitted that it did not seem popular with the neighbor to the north.

Stanton asked about elimination to PP. Staff indicated that that was not possible. Existing plan does comply in theory, but that it would be better to add the northern stub.

Rushing asked why stub to north was on the east side of the property rather than the west side. Staff indicated that it seemed to the engineer that that would be a preferable site regarding straight, long street connection.

Stanton asked if the stub street is a part of the staff recommendation. Staff indicated that it was a part of the recommendation but that commission could change that.

Motion made to approve item #16-196 as submitted. Motion passed unanimously.

Motion made to approve item #16-197 the addition of a stub street to the north. Motion passed unanimously, including stub recommendation from staff.

Case # 16-197

A request by JR2 Development, LLC (owner) for approval of a 78-lot preliminary plat of R-1 (One-Family Dwelling District) zoned land (pending approval of a concurrent request for annexation and zoning). The 28.84-acre subject site is located on the west side of Highway PP, and is addressed 3891 N Highway PP. (Action: This item was considered in conjunction with the previous question and was passed unanimously with staff suggestion to add a stub street to the north. For discussion notes please refer to previous question.)

COMMENTS OF THE PUBLIC

(Speakers: None)

COMMENTS OF THE STAFF

(Action: Staff indicated that the next meeting will be to consider the UDO. A worksession will be held before that meeting starting at 5:00 PM. No explanation of rules for zoning code debate was provided at this meeting. Several items in addition to the UDO will also be on the agenda for the full meeting including two subdivisions, one PUD approval and one commercial C-P plan approval.

Zenner announced that Ryan Moehlman will be leaving the city legal staff and will be going to work in Jefferson City as of next Monday. Tonight was his final meeting. Staff will be without legal staff for some period of time, but other legal staff does exist.)

COMMENTS OF THE COMMISSION

(Action: Commissioners echoed appreciation for Moehlman's service. Loe mentioned that wildlife corridors are on the agenda for the new zoning code so people will be watching out for the wildlife in rural areas.)

NEXT MEETING DATE - October 20, 2016 @ 6 pm

ADJOURNMENT

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