



## Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall  
7:00 PM Thursday, May 24, 2018

**CALL TO ORDER** (Members present: Harder, MacMann, Rushing, Loe, Burns, Toohey, Russell.)  
(Members absent: Strodtman, Stanton. Due to the absence of Chairman Strodtman, Loe presided over the meeting in her capacity as Vice Chair.)

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

**APPROVAL OF MINUTES** ([Minutes from May 10, 2018](#) meeting approved as submitted.)

### TABLING REQUESTS

#### Case # 18-85

A request by Engineering Surveys & Services (agent) on behalf of Central Bank of Boone County to vacate alley right-of-way generally located between 203 E Walnut St and 115 N Providence, and designated as an alley on the M-DT Regulating Plan of the UDC.

**(A request to table this item to the June 7, 2018 Planning Commission meeting has been received. This is the applicant's second tabling request).**

(Action: Staff indicated that they thought they could resolve an outstanding staff comment within the required time, but in response, an additional question arose regarding a turning radii involving solid waste facilities. MacMann asked if tabling to June 7 presented enough time to resolve the dispute. Staff indicated that the applicant will either resolve the issue or dispute the ruling by that time and will either proceed or withdraw at that time.

**A motion to table was made and approved unanimously, 7 – 0.)**

#### Case # 18-86

A request by Engineering Surveys & Services (agent) on behalf of Central Bank of Boone County for the dedication of a street easement for a new alley on Lots 311 and 312 in the Original Town of Columbia, and generally located on the south side of Ash Street, approximately 130 feet west of Providence Road. The dedication is located within the M-DT Regulating Plan area of the UDC.

**(A request to table this item to the June 7, 2018 Planning Commission meeting has been received. This is the applicant's second tabling request).**

(Action: This case corresponds to the previous case. It would be required if the previous item were approved. Staff is working with the utility division on a separate issue and should be considered in tandem with the previous action.

**A motion to approve tabling was made and passed unanimously, 7 – 0)**

**Case # 18-104**

A request by Brush & Associates (agent), on behalf of James Harris (owner), to rezone a 0.61-acre parcel of property from PD (Planned District) to A (Agricultural District). The subject site is located south of St. Charles Road and approximately 700 feet east of Dorado Drive and is a portion of the former Terebinths PUD. The owner intends to combine the subject parcel with an adjoining 10-acre tract to the south, subject to its annexation into the City, for use as a large single-family residence and farm.

**(The applicant is requesting that this item be tabled to the June 7, 2018 Planning Commission meeting).**

(Action: The applicant has requested tabling and staff approves the request, although it has been properly advertised, but it may be described differently in the future and combined.

**A motion to approve the tabling request was approved unanimously, 7 – 0.)**

**Case # 18-105**

A request by Brush & Associates (agent), on behalf of James Harris (owner), seeking annexation of 10-acre property just south of St. Charles Road and approximately 700 feet east of Dorado Drive. The applicant is seeking annexation in order to connect to City sewer services, and intends to combine this parcel with the adjacent lot to the north to create one single-family home/farm lot. The parcel is currently zoned Boone County R-S and is seeking City of Columbia A (Agricultural District) zoning upon annexation.

**(The applicant has requested that this item be tabled to the June 7, 2018 Planning Commission meeting).**

(Action: This item is related to the previous item. The requested item is related to an advertising error. The error occurred due to misinformation from the applicant, but both this and the previous item can be considered concurrently.

**A motion to table passed by a unanimous vote of 7 – 0.)**

**SUBDIVISIONS****Case # 18-102**

A request by A Civil Group (agent) on behalf McGary Properties, LLC and the McGary Family Trust, for approval of a three-lot final minor plat to be known as McGary Subdivision Plat 3. The 5.1-acre subject property is zoned A (Agriculture) and addressed 4217, 4301 and 4305 St. Charles Road. A design adjustment from Section 29-5.1(f)(1)(v) of the Unified Development Code to allow the platting of a tier lot with a stem less than thirty (30) feet in width in the A District is requested.

(Action: The applicant is seeking approval of a three-lot final minor subdivision. The proposed lots are a combination of survey tracts (Lots 2 and 3) and a previously platted lot (Lot 1). The plat will confer legal lot-status on Lots 2 and 3 and will adjust the rear lot-line of Lot 1 which was platted in 1989 as a stem lot. No public correspondence has been received relating to this action.

Lots 1 and 3 are presently improved with one single-family home each and Lot 2 has two single-family homes upon it. Lot 2 is proposed to contain more than 2.5 acres which is the minimum necessary to have two single-family structures on A (Agriculture) zoned parcels. Lots 1 and 3 will contain less than 2.5 acres – the minimum lot size for the A (Agriculture) zoning district. A variance to allow the creation of lots no less than .5 acres within the A (Agriculture) district was granted for these tracts by the Board of Adjustment on September 28, 2017. The variance provides relief from Section 29-2.2(c)(2) of the Unified Development Code (UDC) pertaining the required minimum lot area. Under this proposed subdivision and consistent with the variance, Lot 1 will be 1.24 acres, Lot 2 will be 2.9 acres, and Lot 3 will be .8

acres. Access to all structures will be maintained by this action and all required right-of-way will be dedicated.

Since Lot 2 has never been formally platted, the creation of a new tier lot is subject to Planning and Zoning Commission review under the criteria outlined in Section 29-5.1(f)(1)(iii). While this plat will replat and reconfigure the rear property line of Lot 1, the tier lot status of previously platted property is not subject to review.

In this instance, the stem lot for the shared driveway between Lots 1 and 2 is not untenable given the subdivision is conferring legal lot status on existing residential lots rather than creating new or additional lots for development. The subdivision is not substantially revising the existing lot lines and maintains the existing access. Additionally, St. Charles Road, as a Major Collector on the CATSO Roadway Plan, is a restricted roadway for new residential driveways, so additional driveways are undesirable. The Fire Department has reviewed the proposed plat and requires sprinkler systems or access to a fire hydrant with sufficient flow within 500' of all the homes; this is met by the hydrant located at the southeast corner of Tower Drive and St. Charles.

The applicant is requesting a design adjustment from Section 29-5.1(f)(1)(v), which requires a minimum width of 30 feet for stem lots in special use districts such as the A (Agriculture) district. The minimum width standard for stems in all other districts is 20 feet. The stem for Lot 2 is 22 feet in width, and the stem for Lot 1 is 20.03 feet. The intent of the heightened standard for special use districts is to provide enhanced access for zones typically traversed by large trucks or machinery (e.g. industrial, agricultural and open space uses). As the proposed lots in this subdivision are developed as residential and have been granted a variance to be smaller than the minimum for A-zoned property, the potential for vehicles and equipment related to agricultural pursuits is greatly diminished. After review of the conditions inherent to this area, the variance granted by the Board of Adjustment, the information submitted by the applicant, and the subsequent highest and best use of the property remaining residential staff supports the approval of the design adjustment and subsequently approval of the plat.

Staff proposes the following motions for approval of this request:

1. Approval of the design adjustment to Section 29-5.1(f)(1)(v), to permit creation of a stem lot with less than 30 feet of stem width in the A district; and
2. Approval of the McGary Subdivision Plat 3.

No questions were forthcoming from the commissioners.

Public comment was opened.

An engineer appeared on behalf of the applicant and indicated that the request is to codivide and to make lots legal for future owners. It does not adjust building location and the current lots could be sold as is, but this codifies future use in the event of sale.

MacMann asked why the stem could not be 30 feet wide. The speaker indicated that the stem would encroach on an easement and further into lot 3 for a reason that does not provide additional access to higher intensity uses. It could also create some additional non-conformity if adopted according to new standards.

**A motion to approve the design adjustment was made and passed by a vote of 7 – 0.)**

**A motion to approve the plat was made and approved by a vote of 7 – 0.)**

## **PUBLIC HEARINGS**

### **Case # 18-107**

A request by Randall Y. Herring (partner), on behalf of Missouri Property Associates II, LLC (owner), for approval of a conditional use permit (CUP) to authorize establishment of a hair salon at 607 Jackson Street. The subject site is presently zoned M-OF (Mixed-use Office) district and the improved with a non-residential structure.

(Action: This is the FIRST Conditional Use request made under the newly adopted zoning code.

The applicant is seeking approval of a conditional use to establish a hair salon within the existing structure located upon the property which is zoned M-OF (Mixed-use Office). The existing building was previously the location of Missouri Property Appraisal and licensed as such from September 1996 to July 2017. The building is currently vacant. The proposed hair salon (barber and beauty shop) use is part of the “Personal Services, General” definition of Section 29-1.11 of the UDC. This use is identified in the permitted use table (Table 29-3.1) as being allowed subject to approval of the requested conditional use. Pursuant to Section 29-6.4(m) of the UDC conditional uses must be reviewed by the Planning and Zoning Commission and approved by the City Council.

This property was rezoned from residential in 1980. Given the structure and its associated parking lot have existed in their present configuration for at least the past 26 years the site improvements are considered legal non-conforming in respect to current zoning standards. The placement of the structure does not comply with the current rear yard setback requirements of the M-OF district and insufficient parking lot and buffer yard landscape treatments have been installed. Aside from these non-conformities, the site otherwise complies with the provisions of the current M-OF district. Pursuant to Section 29-6.5(b) of the UDC the non-conforming structure can continue to be used. Any expansion of the structure or redevelopment of the site would require compliance with current UDC standards.

Due to the location of this property at the intersection of Jackson and Orange Streets and its former use as an office, the parcel has acted as a buffer between the more intense uses to the north and the less intense uses to the south, east and west. The proposed use of the parcel as a hair salon, while not considered convenience retail, is believed to be compatible with the comprehensive plan’s Employment District designation. The conversion of the parcel and structure to the proposed use would provide employment opportunities for its operators and would provide services to the adjacent residential and commercial uses. Approval of the proposed use would not alter the character of the area any more than the former office use that occupied the structure up until 2017. It has two points of ingress and egress, it will not require additional parking and it is handicap accessible.

The Traffic Engineer’s evaluation of this request did not indicate concern with the location of these approaches or the conversion of the existing structure to the proposed use. The proposed structure and parking area have existed since the early-1990’s and it is staff’s belief that permitting a hair salon to occupy the space will have limited impact upon surrounding development. No additions to the structure, parking area, or site improvements have been proposed. It is a legal non-conforming structure, but it does not meet landscaping or setbacks of the new code, but it’s OK as it is. If it is modified, new code provisions will apply.

Staff supports the request.

MacMann asked about people who did respond to this proposal. He asked who that was. Staff indicated that it was all people related to the applicants. No neighborhood representatives showed up. The applicant understands that other uses would require additional permissions.

Public hearing was opened.

The applicant indicated that he was asked to use this building by a potential tenant, so he agreed to go through this request on her behalf. The speaker indicated that they were planning to establish three chairs in this location.

Public hearing was closed and a motion to approve was made.

**Motion to approve passed unanimously, 7 – 0.)**

#### **PUBLIC COMMENTS**

**(None.)**

#### **STAFF COMMENTS**

The next worksession will feature the climate action and sustainability managers will provide a report. The first four items from this agenda have been tabled until the next meeting which is scheduled for June 7, 2018. In addition to those items, the P&Z Commission can expect to see the following additional items on that agenda:

**Subdivisions** – Bear Ridge and Christian Fellowship Plat one for a new building. Some parts of the Christian Fellowship lot are within the floodplain, but not the floodway.

Then, the **four items tabled tonight** will be considered.

**Final three items are for the Harris property** and a final plat of that property if annexed and zoned.

#### **COMMISSION COMMENTS**

**MacMann** was pleased that the Jackson Street property was a good idea, even though no one from the Ridgeway Neighborhood Association showed up. He then moved for adjournment.

#### **NEXT MEETING DATE - June 7, 2018 @ 7pm**

**(It should be noted here that during the preliminary worksession, city staff indicated that amendments to the Unified Development Code will begin to come forward. There is no specified timetable for such amendments, and the exact nature of the proposed amendments has not yet been determined, although the staff has been keeping track of items that have been controversial or may need to be revisited. More information will be available in the future.)**

#### **ADJOURNMENT**

**(Time: 7:50 PM)**

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