

MINUTES
PLANNING AND ZONING COMMISSION MEETING
APRIL 24, 2014

COMMISSIONERS PRESENT

Ms. Tootie Burns
Ms. Sara Loe
Mr. Steve Reichlin
Mr. Anthony Stanton
Mr. Rusty Strodman
Mr. Bill Tillotson
Mr. Doug Wheeler

COMMISSIONERS ABSENT

Dr. Ray Puri

I) CALL TO ORDER

MR. REICHLIN: I'd like to call the April 24th, 2014 Planning and Zoning Commission meeting to order. Thank you all for coming.

II) APPROVAL OF AGENDA

MR. REICHLIN: Are there any adjustments needing to be made to the agenda at this time? Anybody have anything? Seeing no response, we'll go on to approval of the regular meeting minutes.

III) APPROVAL OF THE REGULAR MEETING MINUTES

• **APRIL 10, 2014**

MR. REICHLIN: Anybody have any concerns about the content, any corrections that need to be made? If not, I'll entertain a motion.

MR. WHEELER: Move for approval.

MS. LOE: Second.

MR. REICHLIN: Mr. Wheeler moves for approval with Ms. Loe second. Roll call -- yeah. We'll do roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodman, Mr. Tillotson, Mr. Wheeler, Ms. Burns, Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion carries 7-0.

IV) SUBDIVISIONS

MR. REICHLIN: The next item on our agenda is Subdivisions. We have a handful of them. Case No. 14-41 is the first one we'll entertain, but before we start I'd like to make mention that these are administrative actions, and not a public hearing. But we do entertain comments from the public if -- or a principal who wants to clarify one item or another.

Case No. 14-41

A request by TKG St. Peters Shopping Center, LLC (owner) for approval of a minor plat to be known as "University Centre Subdivision." The 3.26-acre subject site is located on the west side of Providence Road across from Locust Street, and is addressed as 201 South Providence Road.

MR. REICHLIN: Staff report, please?

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed plat.

MR. REICHLIN: Are there any questions of Staff? Seeing none, is there anybody in the audience who cares to comment on this matter with regard to -- or further understanding it? Seeing, none, I'll open it up to Commissioners' comments.

MR. TILLOTSON: I don't think -- I don't think there's going to be any comments on this one, so I'll just make a motion for approval of a request by TKG St. Peters Shopping Center, LLC, for approval of a minor plat to be known as "University Centre Subdivision," Case 14-41.

MR. STANTON: Second.

MR. REICHLIN: Mr. Tillotson made the motion and Mr. Stanton seconded. May we have a roll call, please?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodtman, Mr. Tillotson, Mr. Wheeler, Ms. Burns, Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion carries 7-0.
Case No. 14-43

A request by Allstate Consultants (Agent) for approval of a three-lot replat of PUD (Planned Unit Development) zoned property, to be known as Bristol Lake Plat 1-B. The 1.02-acre subject site is located on the north side of Rutherford Drive, near its western terminus.

MR. REICHLIN: Staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the replat.

MR. REICHLIN: Any questions of Staff? Any comments from the audience? Seeing none, comments of Commissioners?

MR. TILLOTSON: Just a question is I'm not seeing sidewalks anywhere. It's not visible. Are we not requiring --

MR. SMITH: They are constructed where there is current single-family homes built, so at the time of construction of these three lots, they would be required to install sidewalks.

MR. TILLOTSON: Okay. I just didn't see them.

MR. SMITH: It's kind of small on this map, but they are there.

MR. REICHLIN: Mr. Wheeler?

MR. WHEELER: Pretty simple request and I think it makes sense, so I would recommend approval of Case No. 14-43.

MR. STRODTMAN: I'll second it.

MR. REICHLIN: Thank you. May we have a roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodtman, Mr. Tillotson, Mr. Wheeler, Ms. Burns, Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion carries 7-0.
Case No. 14-46

A request by Dan Brush, Brush & Associates (Applicant), for approval of a two-lot final minor plat on C-P (Planned Business District) zoned land, to be known as Academy Village Plat 2. The 1.33-acre site is located at the southeast corner of East Green Meadows Road and Carter Lane.

MR. REICHLIN: May we have a staff report, please.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the proposed plat.

MR. REICHLIN: Any questions of Staff? Seeing none, anybody from the audience? Seeing no one. Comments of Commissioners? I'll entertain a motion.

MS. BURNS: I move that the request by Dan Brush and Brush & Associates for approval of a two-lot final minor plat on C-P that's zoned land be known as "Academy Village", Case No. 14-46 be approved.

MR. REICHLIN: Thank you, Ms. Burns.

MR. STRODTMAN: I'll second it.

MR. REICHLIN: Thank you, Mr. Strodtman. May we have a roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodtman, Mr. Tillotson, Mr. Wheeler, Ms. Burns, Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion carries 7-0.

MR. STRODTMAN: The motion for recommendation to City Council has passed.

MR. REICHLIN: Okay. Now we'll move into the public hearing portion of our meeting tonight.

V) PUBLIC HEARINGS

Case No. 14-47

A request by Avanti Properties, LLC (owner) to amend the Statement of Intent for The Colonies North/The Colonies Phase 2, which is zoned C-P (Planned Business District). The site is located on the east side of Colony Drive (private), approximately 200 feet south of Chapel Hill Road.

MR. REICHLIN: May we have a Staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the revised Statement of Intent and associated use list as recommended by staff.

MR. REICHLIN: Are there any questions of Staff? Seeing none.

OPEN PUBLIC HEARING

MR. REICHLIN: If we have somebody from the audience who would like to address us on this

matter, now would be your opportunity. Open and close public hearing in one fell swoop.

CLOSE PUBLIC HEARING

MR. REICHLIN: Comments of Commissioners?

MR. WHEELER: Since everybody is jumping at the opportunity, it seems like a very reasonable request. I agree with Staff, and I would recommend approval or make a motion to recommend approval for the request of -- or Case No. 14-47, the approval of the Statement of Intent and associated use list as recommended by Staff.

MR. TILLOTSON: I'll second.

MR. REICHLIN: So we have a motion by Mr. Wheeler and a second by Mr. Tillotson; is that correct? Thank you. Roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval. Voting Yes: Mr. Strodman, Mr. Tillotson, Mr. Wheeler, Ms. Burns, Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion carries 7-0.

MR. STRODTMAN: The motion for recommendation to City Council has been approved.

MR. REICHLIN: Thank you.

Case No. 14-48

A request by the City of Columbia to revise the zoning standards within the C-2 (Central Business) District pertaining to building height, residential parking requirements, and street-level commercial. The draft ordinance is an "interim" measure that may be considered by the City Council in advance of comprehensive revisions to the entire zoning ordinance, including the C-2 District.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Tim Teddy of the Planning and Development Department.

MR. REICHLIN: Questions of Staff? Mr. Wheeler?

MR. WHEELER: I have one that may or may not seem relevant, but we've been told that there is some limitations to our ability to have adequate water pressure for buildings above this height. Can you address that?

MR. TEDDY: Well, and, you know, that's part of the analysis in the tall structures. I mean, you do have -- high-rise building requirements would be effective well below that 120-foot requirement. It's about 75 feet where it's a high-rise type of construction, so a lot of times there's a need to create a standpipe system or something that would provide sufficient charging for a sprinkler system, for example, as part of that, so that would be part of the technical review. But I think your question goes to the water mains that are in place, can that support high-rise buildings. I mean, we -- we look at each site and whether or not it can deliver the gallons per minute that are required for fire flow, so -- you know, and we have a lot of locations where that's the case. There might be a four-inch main or something that just doesn't deliver that, and developers would have an option of upgrading that if that were the case.

MR. WHEELER: Thank you.

MR. REICHLIN: Ms. Loe?

MS. LOE: Would height be determined based on the current zoning ordinance?

MR. TEDDY: There is proposed amendment of the definition of height, so, yeah, we would look -
- is that what you're asking?

MS. LOE: Right. And --

MR. TEDDY: What we define as building height, we would use the existing definition.

MS. LOE: Which -- so just to confirm my understanding of that, that's -- so the height would be determined based on the front elevation of the building based on a point from the curb chosen by the owner of the building?

MR. TEDDY: Well, I think there's -- I think there's a median requirement in there, but I'd have to -
- I'd have to read. I don't think they choose the point, I think it's chosen for them in the -- in the ordinance,
so -- but, yeah, most of what you're dealing with in the downtown is streets with curbs, so of the -- and I
can pull it up real quick and just read --

MS. LOE: Right.

MR. TEDDY: -- read from the height requirement.

MS. LOE: Right. Right.

MR. TEDDY: But, yeah. Basically, there's a datum point that has to be established first and then
you measure to --

MS. LOE: And --

MR. TEDDY: -- if it's a flat roof, to the deck.

MS. LOE: Right. I --

MR. TEDDY: You're familiar with it.

MS. LOE: I am familiar with it.

MR. TEDDY: Okay. Yeah.

MS. LOE: And I think we have --

MR. TEDDY: I'm not a fan, by the way, and that's something I've got on the list --

MS. LOE: Right.

MR. TEDDY: -- for us to revisit with the overall update, but --

MS. LOE: No. It's just that the Walnut Street Garage could be considered one height at Fifth
Street and another height at Fourth Street, and I'm just --

MR. TEDDY: Yeah. Right.

MS. LOE: -- have some concerns about --

MR. TEDDY: Right. Well, we'd look at it --

MS. LOE: -- how height would be different.

MR. TEDDY: -- for every public street that it abuts, you know. We'd measure it on all sides, so
we're not going to establish that datum on just one side of a building.

MS. LOE: Is part -- as in part of a building defined in the ordinance, the proposed language is
that if a project maintains part of a building, that no parking would be required. What is part? Oh. I can

read it back to you.

MR. TEDDY: Yeah. I'm just going to go to --

MS. LOE: On-site parking shall not be required for any new building units created in buildings or parts of buildings that are at least 50 years old. Simply, I've lived in cities where the part remaining can be fairly minimal, a couple square feet, so I was just wondering if we have a definition of that yet or if that's something we want to look at?

MR. TEDDY: No. This -- this would be where -- where the dwelling units are being -- I'll just say what's intended. If it's not clear, that's obviously something we'd have to work on.

MS. LOE: Okay.

MR. TEDDY: But the intent is, if it's a building space that exists today and there's a dwelling unit being created inside it, within that envelope, there would be no associated parking requirement.

MS. LOE: All right.

MR. TEDDY: Yeah. And the parts of buildings refers more to the fact that when folks renovate historic buildings, oftentimes the renovation is commercial space on the street level and it's apartments above, so that's really what we're talking about with parts of buildings --

MS. LOE: But I've also seen --

MR. TEDDY: -- is those parts where they're establishing the residential. I wasn't thinking of portion --

MS. LOE: I've seen historic --

MR. TEDDY: -- where a portion of the building is new --

MS. LOE: -- renovations that have gone down to the facade.

MR. TEDDY: Oh, right. Yeah.

MS. LOE: That's what I'm thinking of.

MR. TEDDY: Yeah. Well, if it's destroying the building to save the facade, I'd say that's new at that point.

MS. LOE: And I'm asking for clarification on that.

MR. TEDDY: Okay.

MS. LOE: And I had just one more clarification. It was on adjacent, and that was in reference to the additional height will not have an adverse impact on the availability of light and air to adjacent buildings and public streets. And my concern here is adjacent defined in our ordinance in that does that mean physically next to or does it mean -- because when I do the shadow projections of a 120-foot building on the south of Locust, it's going to have a two- or three-story building on the north side in full shadow for a good six months of the year. Would that be considered adjacent because of the shadow impact?

MR. TEDDY: Well, the -- using adjacent is showing adjacent streets and alleys, so any street or alley that abuts the lot line. Is there another occurrence of the term that you're looking at?

MS. LOE: No. I'm looking at number four under tall building -- maybe be approved if it satisfies.

I'm just concerned --

MR. TEDDY: Oh, right. Yeah.

MS. LOE: -- if someone owns a building across the street from a tall building -- proposed tall building --

MR. TEDDY: Right. Right.

MS. LOE: -- do they have the right to comment --

MR. TEDDY: Yeah.

MS. LOE: -- on light and air?

MR. TEDDY: That's a good -- yeah. That's a good comment. Yeah. I mean, normally adjacent is next to --

MS. LOE: Right. Right.

MR. TEDDY: -- but, yeah, you might have an impact across a street or whatever.

MS. LOE: But we're talking about much further potential impacts.

MR. TERRY: Yeah.

MS. LOE: All right. That was it. Thank you.

MR. REICHLIN: Is there anybody else? Seeing no other questions of Staff, we'll proceed forward with the public hearing. I'd just like to take a minute to go over the rules of engagement. Typically, we allow either organized proponents or opposition to have an initial speaker of six minutes, and then everybody after that will be allowed three minutes. So if amongst yourselves that you have somebody who you consider to be "the group leader" or somebody you want to spend that extra time, I'd recommend that they come up first, and we'll do the same with the opposition. And then going forward, we'd appreciate your name and address for our record-keeping purposes when you approach the podium.

PUBLIC HEARING OPENED

MS. STERLING: Thank you very much. Mr. Chairman and Commissioners, my name is Becky Sterling; I reside at 4605 Apple Tree Lane, Columbia. I am the --

MR. REICHLIN: Are you -- in which capacity are you addressing us, just so we --

MS. STERLING: That's the question. I'm asking you, if you'll give me just a minute --

MR. REICHLIN: Yes, ma'am.

MS. STERLING: I can't be a proponent or an opponent. I'm representing the Columbia Board of Realtors. We were not included in on the initial input groups. We did not know about this until very recently, and we represent residential and commercial real estate in the Mid-Missouri area, and certainly in Columbia. We are asking you to respectfully table this for at least two weeks so that we can get the information to the people and have a response, whether we're for it or against it. We don't have enough information. I appreciate very much Mr. Teddy's explanation. It gave me a lot of information. It gave some clarification. What I still don't understand and the Board doesn't understand is the time frame on it. Is there a need really to push this through tonight? Can it not hold two weeks?

MR. REICHLIN: Can we defer this to Staff for their comment?

MR. TEDDY: Yeah. I -- as I said at the top of my remarks, we don't feel pressure to move it other than generally let's move it through the process fairly quickly, but, you know, we don't feel any compelling reason to tell you you have to act on this tonight. I mean, that's not -- now, that may be Council's expectation, but, you know, again, in drafting an ordinance, you want to hear input. First, you want to make sure people understand what is being proposed, what the implications are of it, and then have an opportunity to address any -- any loose ends whether it's language that you're finding lacking or additional information you might want in the way of background. So, you know, this is a process -- or I'll just recap our public process. As I said, a report went to Council on March 17. They said send this to the Commission, but also the six groups -- Chamber of Commerce was in that, the CID, East Campus, North-Central Columbia Neighborhood Association, Downtown Leadership Council -- were included. Now, who am I leaving out? That looks like five.

MR. ZENNER: The Planning Commission.

MR. TEDDY: And the Planning and Zoning Commission. How could I forget your -- your letter that you did. So -- so those six groups, and -- and then no other specific direction. We did do on April 1st our standard public information meeting that we do for all applications where we just noticed up a general meeting. Otherwise, the notices were general. They were in the newspaper, been some stories written about it in the news media, which is unofficial notice, I call it, and then we have a list serve where we send things out, but -- and then posting of this meeting. So that's the way we communicated with the public to date.

MR. REICHLIN: Well, then I'll digress and request comments of Commissioners with regard to a motion for tabling this matter?

MR. ZENNER: Mr. Chairman, I would suggest, given the consideration of the number of people that have shown up, based on this public hearing, instead of using our typical public hearing procedures of six minutes for those either for or against, as a principal speaker, and three minutes for subsequents, you offer the opportunity for those that are here tonight, based on the public notice, an opportunity to address the Commission for no longer than five minutes per speaker, to allow for that data to be collected for the public record, and then allow the hearing to be closed and the Commission to discuss what action it may like to take on that discussion. At this point, I think to answer Ms. Sterling's question, Staff is not compelled at this point to recommend to you that you have to move forward on this, and if she has questions that need to be answered, we will have an opportunity, if you so desire, to produce some other document that would allow ample time for the Board of Realtors the opportunity to evaluate and review that to come to a decision if they support or recommend denial.

MR. REICHLIN: Well, I'd just like to get a sense of everybody. Thumbs on that recommendation?

(Unanimous vote for approval.)

MR. REICHLIN: So I would suggest that we're going to go forward with the comments of the people who have shown up, and if, at the end of the public hearing, we decide that this matter needs to

be placed under further review, it could come back to another Planning and Zoning Commission meeting, which will enable that opportunity. However, if it -- we do decide to move it forward this evening, there will still be a public hearing opportunity for the expression of whatever concerns or recommendations that your organization might have.

MS. STERLING: We very much appreciate that, and -- very much appreciate that, that would really appreciate the consideration so that the cleanup that Mr. Teddy talked about and the questions that are out there could be answered, and we could give you an intelligent response on whether we're for or against it versus, gosh, we don't know. We're just asking two weeks. Thank you.

MR. REICHLIN: You're welcome. Okay. So then back to the public hearing. As per Staff's recommendation, we'll just go on across-the-board five minutes per speaker. So for those of us who are in favor or are proponents of this? Okay. We're happy to have whoever chooses to approach the podium.

MR. CULLIMORE: My name is Dan Cullimore; I live at 715 Lyon Street. I am the president of the North-Central Columbia Neighborhood Association. We were one of the groups that was invited to send initial recommendations regarding changes to the C-2 code. We have not had a chance to meet and discuss these particular recommendations; and, therefore, I would ask that you table this until organizations that have participated previously in the recommendations and those who have not have a chance to review what has been proposed and comment on them. Thank you.

MR. REICHLIN: Are there any questions of this speaker? Seeing none, thank you.

MR. SHANKER: Good evening. I'm Rick Shanker, and I hope I represent everyone at 1829 Cliff Drive, although sometimes that's not the case. I'd like to applaud the first step in this proposal to some of the problems that have emerged from the initial second- and third-floor apartment fill -- infill to what we have now, so thanks for at least looking at this. I'd like to expand on the three topics that he talked about. One -- one of them is the residential first-floor. You have indicated that would be Broadway and Ninth Street. I hope you guys will consider other streets. They're pretty much core streets -- Cherry, Walnut, and the Seventh, Eighth, and Tenth Street, as well as the others, so I hope you consider that. Secondly, in regards to parking, more parking provides a more equitable playing field for builders, and I'm in the building business, to build outside the city as well inside the city. The reality is people have cars. I know this is going to be a wake-up call for Ian, but most people have cars, and we need to allow for us to come down to these meetings and find a place to park. If there's an event at The Blue Note and there is other parking -- other activities, it's really hard to find cars [sic], so I applaud you for doing that. But I think the -- you need to expand the parking requirement to something that's more equitable to an R-3 proposal. If R-3 has to supply X amount per bedroom, then -- then downtown should also. I don't agree with the square footage because you could have luxury apartments that are one bedroom with a huge amount of square footage, all they need is one or two parking spaces. So I think it should be based on either occupancy or bedrooms, and I hope you consider that. Let's see. Finally, I think I stated this, but I want to say it again. There is overflow into other neighborhoods. My neighborhood is subject to that and there's other in the

North-Central I know have -- are constantly faced with parking overflow, so I hope you will consider a mandatory parking requirement. Lastly, the tall structure is a great idea requirement. I worry that who is going to approve what and disapprove what. There are municipalities that have restrictions on heights, specifically, Santa Fe has a restriction, and if you've ever tried to buy property in Santa Fe, it hasn't hurt their property values at all. They restrict it to a certain height. I think a certain height for C-2 wouldn't be a bad idea. I applaud the fact that you guys are considering the infill part where people have buildings, they put in apartments, I don't think they should be required to build structures. So I hope you will look at the whole picture and take some of my suggestions with you when you consider this. As far as tabling it, I think you guys will have a lot of think about, so thanks for your time.

MR. REICHLIN: Any questions of this speaker? Seeing none, thank you. Next speaker, please?

MR. GLENN: I'd like to thank you all for fine work. I do have some questions. I'm sorry. My name is John Glenn, 300 Macaw up on the north side of town. I'm having trouble with some of the general --

MR. TILLOTSON: Speak up here, please.

MR. REICHLIN: Yeah. Speak into the --

MR. GLENN: I'm having trouble with some of the general terms, and not addressing some more specific. And I know you can't get too specific on this. But public realm -- and I know some of the letters that come up saying that public realm is kind of fuzzy thing, so I'd like to see a clarification on that. Parking behind the building -- with our mayor screaming about stormwater mitigation, and we're talking about paving more area, why not have some type of a stormwater mitigation with this? Chicago does it, other cities do it. We can use a, you do this, we'll give you this, that type of situation. I'm having trouble at this being pushed through and not addressing some things. All these magazines talk about streetscapes. We're not talking about anything on streetscapes. There's an article about streetscapes and improving communities in every one of these magazines. That kind of brings me to my next question on tall buildings. Who is going to determine the width of the sidewalk and what that sidewalk looks like? When you put a retail business in the tall building and say you have a nine-foot sidewalk and you have a restaurant move into it, where are they going to put their tables outside? We have it here on -- right out here. We have people sitting on those tables with their dogs. You can barely get through at times. So I hope you all would consider the streetscapes along with this because, currently, with the development behind the United Methodist Church, with the building right to the sidewalk, that is not a comfortable spot. You live in a city -- and I think Sara mentioned that -- if you're in a street apartment, the sound creeps up the walls. It's not a very comfortable living environment. So I wish you would consider that. The other thing I'm really, really having a problem with is we're pushing these three things, and we're two years out on this zoning. And there's -- there can be a lot of harm done. And from what I've seen with the current three projects of building a foot off the street, building to the sidewalk, there's no adequate room for trees, for heat islands. We're not preparing the street trees to live in a long-term situation. I'm just -- I'm disappointed. One thing, the Comprehensive Planning Task Force, people love the downtown, but the

way we're developing, I don't want to come down here. It's not pleasant. That's all I have to say.

MR. REICHLIN: Any questions of this speaker? Seeing none, next speaker please.

MS. GARTNER: Good evening. Carrie Gartner; I represent the Downtown Community Improvement District, 11 South 10th Street. You did receive our letter, and we do have a lot of concerns about this proposal. And I should preface this by saying that we are not opposed to C-2 changes overall. In fact, last year we sent a pretty comprehensive list to Council of ways that we think C-2 could be improved. And, in fact, we're very much in support of bringing in the consultant. We've already spoken with a consultant, and we're very much in support of that process. We have two main concerns. The first is that these are ad hoc changes in the middle of a long-term planning process. And the planning process is going to look at the downtown as a complete ecosystem. This actually pulls out a piece here and a piece there without looking at the whole, and that can lead to some unintended consequences. For instance, requiring parking, we just don't know what the ripple effect of parking requirements will be at this point. We don't know what that will do the pedestrian feel of downtown, and we just don't know if it means somebody tears down a building to build a parking structure. So part of the reason you bring in a consultant and have a slower deliberate process is so that you can prevent some of these unintended consequences. I think the second concern we have is that it really does short-circuit the public discussion process. I know that what we have heard over the past few months from a lot of folks involved in this issue is that everything is moving too fast and that the City is moving too fast on a lot of things. One reason you have a longer, slower public discussion process where you get a lot of folks at the table is so that people feel vested in the solution. And, right now, whether you are pro-growth or anti-growth, smart-growth, or like the majority of us, right in the middle, I'm not sure that everyone feels vested in the solutions right now because it is moving too quickly. I do think that if we slow down, work on this consultant process, we'll have time to bring everyone to the table to really work on these solutions. And I am optimistic that the groups aren't that far apart. Mr. Teddy's analysis of the initial input on C-2 zoning really showed a lot of common ground, and I think it's just going to take time through this process to find that common ground so that we do protect the downtown that we love and so that people are not saying they no longer want to come downtown. So we do recommend that you request that City Council set these aside in favor of this longer, more comprehensive process. And I'm open for questions if you have any. All right. Thank you.

MR. REICHLIN: I have -- I have -- excuse me. I have one.

MS. GARTNER: Oh, yes.

MR. REICHLIN: Sorry. I mean, in view of the fact that you'd like to see it go at a deliberate pace and there is clearly not enough regulatory oversight with regard to some of the proposals that we've heard bandied about, how would you -- how would you respond to that situation?

MS. GARTNER: Oh. That people are saying that there's not enough regulation and they want quick laws passed?

MR. REICHLIN: Well, what I'm suggesting is that there are projects that we referred bandied

about going forward or in the imminent future or would like to see happen while we're doing this deliberate process. Now, how do you -- what impact do you think that could have?

MS. GARTNER: You know, one thing my organization does is it -- we're doing a couple things. We sit down with a lot of developers and we're in the process of working with a design consultant, ourselves, to really set aspirational goals. So one thing a lot of people are saying and we agree with is active ground floors. That keeps the pedestrian sidewalkscapes very lively -- not necessarily commercial. Our -- our idea is, we set aspirational goals and then we work with developers to say, okay, here are six ways to do an active ground floor. Some of it's commercial, some of it's community spaces, some of it's public art, some of it's seating, public-space use. So the thought is if we can sit down with developers -- and I've done that personally -- and ask them to adjust their developments to really kind of set some of these -- to follow some of these aspirational goals, that is -- that is one way to really work through some of these immediate issues, rather than changing the City code. All right. Thank you.

MS. TURNER: Do I state my name? This is like the Council? Okay. Alyce Turner; I live at 1204 Fieldcrest, and I'm a City resident. And I guess I'm Joe Q. Public. I'm not here representing anything, even though I'm on two City commissions, Energy Environment and Public Transit. So I think everyone in this room is here because we want a vibrant downtown. You can call us opposition, supporters. We all want a vibrant downtown and how do we get there. It's true things have seemed rather rushed, and I, for one, don't want to keep coming to Council meetings for every individual development over the next two and a half years because, minimally, our consultant report, we're four months into a twenty-four month period, that's basically two years, and then that's going to need to be vetted. I think each of you know more than myself that the Comprehensive Plan took, what, three-plus years. So I do think we need some interim guidance for the City. I -- I don't work with as many developers as some people in the room, but as Joe Q. Public, concerned about when I hear a 26-story apartment places across from Peace Park, that seems a little extreme to me right now for the size of Columbia and the concern when we built an eight-story parking garage and how that is still there among a lot of the community. So I'm here in support of having interim regulations and I can see that tabling it for a couple weeks would be really appropriate. I'm aware of the fact that this was talked about in March. I read the newspaper. I was at some hearings. I'm surprised that some other people in the community with vested interests in pace of development didn't see this, but, you know, discussing it for a period of time is reasonable, but do we need interim guidance. The one issue I'd like to just throw in my two cents is on parking. I'd like to see in the interim continuing what Brookmoor did with bus passes. I think we want to encourage as much public transit. We're going to have an extended bus system starting this summer. We want to encourage people to take it to the grocery store, to wherever. So I'd just like to throw that in. You could look at that. Thank you.

MR. REICHLIN: Any questions of this speaker? Seeing none, next -- next speaker, please?

MR. STAMPER: Good evening. I'm Don Stamper; I'm a lobbyist with offices at 2604 North Stadium Boulevard. I speak this evening on behalf of the Central Missouri Development Council, one of my clients. I'm handing out to you a memo that I authored earlier today on their behalf, and citing some

concerns that we have with the draft that is before you. This is a dilemma of major proportions. And, first of all, it doesn't matter how many times you discuss it or how many times it's discussed at the Council, if it's a flawed document, it's a flawed document. If it were -- it's a flawed document, it will result in bad public policy. This document is in no way ready for public consumption let alone adoption. If adopted in its current form, it will create more legal liabilities than any solution it'll bring to the table. It will tie itself up in the courts for years to come because it flirts with the taking of property rights. The group that I work with, in addition to our observations that we handed out to you, is very, very big on property rights. We think that you can't take them. We think if you do, you have to compensate for them. And there are lots of places in this ordinance where C-2 zoning is being rendered useless, and I think probably that's part of the great design. My father used to teach me that just because I'm paranoid doesn't mean they're not after me, and so I am little paranoid about this. I think there are those that want to kill C-2. I think there are those that want to make any commercial development in downtown go through a planned process so that they get out of -- that they gain control over things that they don't currently have control over. The idea that you and the City Council would adopt this in the middle of a process where we're looking comprehensively at our Planning and Zoning regulations is preposterous. It's preemptive, it's a manipulation. You can't really look at C-2 without looking at the impact those decisions have on other zoning classifications. I'm just shocked that we're here. I think it's knee-jerk policy. I think it's wrong-minded. I think the proper process would have been for the City to have sent to you this draft for your deliberation, for your review, for your work-session activities so that you could go through it and return to the public and ultimately to the City Council either a document that you can believe in or a document that shouldn't go forward. The city staff does a great job of developing these things. There are lots of areas of concern in the document. Some of them we've listed on the paper that we gave to you. There are others that are going to come forward as we have greater debate and greater deliberation on the proposal that's before us. So I urge you not to postpone it for two weeks, but postpone it indefinitely. Put it in your work cycle. Make it go through the deliberation that it's entitled to. It could be that after you go through all that deliberation, you come back around to a point that you really can't change C-2 zoning significantly without have a whole lot of disruption and a whole lot of problems. And so I don't want to stand here before you and argue about height, ten, twelve, fourteen stories. I mean, I don't know what that magic number is, but I do know when I feel like I'm having an end run made on us and when they're threatening our property rights. And so I respectfully submit that for your consumption and considerations. If you have questions, I would be happy to entertain them now, or if you have questions after the fact, I'd be happy to take your calls.

MR. REICHLIN: Questions? Thank you.

MR. STAMPER: I'm just a little bit passionate about this -- just a little in case you missed that.

MR. SIMON: Mr. Chairman and Commissioners, my name is Dan Simon and I'm a lawyer with offices at 203 Executive Building in the city. I don't appear here to oppose or advocate for this ordinance, but rather to suggest that there are some changes that need to be made in it that are minimal. My

wording is not minimal. As Mr. Wheeler can tell you, nothing I do is of small words, but they do not impact at all the intent behind this ordinance. I do appear here for a group of men who own downtown businesses and who have done business in this community for a number of years -- Travis McGee owns a business in downtown, is one of the developers of the Lofts on Ninth Street across from the Journalism School, a building that's brought a lot of credit to this community; Mills Menser is the owner of Buchroeder's; Mr. Rice -- Bruce Rice owns Parker Funeral Home. These three men have decided that they want to take the Lofts concept in a much smaller type building and place it on the northeast corner of Tenth and Broadway, which is now a vacant surface parking lot. They want to use this for a mixed-use project -- retail commercial on the first floor and thirty-two luxury apartments on the top four floors -- twenty-eight one-bedroom, four two-bedroom. Not student apartments, these are intended for downtown urban dwellers, professional people that like the downtown environment. They want access to City services, they want to be in walking distance, biking distance of where they're going to go, and want -- want to have minimal use of their motor vehicles. This project, as best we can tell, has large public support from virtually every group we've talked to. Councilman Skala has publicly endorsed it on the radio and publicly -- and has introduced an ordinance that assists us in doing this. These men, in reliance on the current law, have spent about \$1 million to go forward with this project. They have played by every single rule and regulation that's now in effect. They have gone beyond those rules. They have agreed to spend a substantial sum of money to direct sewage away from a problematical City sewer main to another one. They've agreed to contribute \$50,000 to public infrastructure, a contribution that's way out of proportion to their impact. They've agreed to lease 40 parking spaces in the Short Street Parking Garage, with the accompanying bus passes and to provide those to the residents of this building. Now, I ask myself, this is the kind of project that every single planning development or every single planning document I've seen, including the Visioning Process that I worked on, has endorsed for downtown Columbia. Why would anybody want to prevent it? Why would anybody want to tell these businessmen, who have spent \$1 million, just take your money and throw it down a rat hole? Why would anybody want to prevent comparable projects in downtown Columbia? I'm not talking about large-scale apartments -- student apartments, I'm talking about this kind of project. Yet, this ordinance, if it's adopted as is, without changes, will have precisely the same effect I've talked about. It will prevent this project -- at best convert it to a nonconforming use, and it will prevent comparable projects. I don't think that's a consequence that you intend. I think it's an unintended consequence and it's one that can be easily prevented. Now, I described these things in a letter of April 3. I don't know why, maybe because it came from me, that letter seems to have received little attention, so I have done another letter of April 23, which I've just handed out to you, much longer. It describes this and it describes the changes, and I've taken one additional step. I have, in your packet that I just handed you, a suggested amendment where I ask that somebody in this group, if this is going to go forward, make a motion to change this ordinance pursuant to this amendment, which I'll be happy to discuss, but my time is up, and somebody second it, and ultimately, it be passed. The rest of this, we don't oppose. If you're going to go forward with it, that's a matter for the

City Council. The City Counselor, who, by the way, is an outstanding lawyer, has not seen this until yesterday. She may be much better able than I to do this in much succinct language than I can, and I defer to her judgment. But I would ask respectfully that you consider this matter, you consider the matters mentioned in my letter, and consider this amendment, and I would hope that you would make it so we don't have an unintended consequence that I think is both disastrous, it's unfair, it's unjust, and abhorrent. If I can answer any questions, I'll be happy to do so.

MR. REICHLIN: Any questions of this speaker? Seeing none, thank you. Next speaker, please?

MS. RAY: I'm Kristi Ray; I'm representing the Columbia Chamber of Commerce with offices at 300 South Providence. I just want to come up and say thanks to Tim and the staff because, as he clearly described, this was a process that was started back in 2013, and we've all played by the same rules and supported the City's efforts in redoing the zoning codes. And I just want to say that, right now, what you're doing is changing the rules in the middle of the stream. Just listen to what Mr. Simon just told you. People are living with these zoning codes, doing what's -- what is asked of them, doing what is right, and then, all of a sudden, we're going to go, well, by next May or this coming May, we're going to change the codes. And we don't think that's fair, we don't think it's equitable, and we just want to say finish out the process, like we've said. We've hired a consultant, we trust these people, and you've allowed everybody to be part of it. Now, all of a sudden, we're going to try to change the rules in the middle of the stream. So we ask you to deny this and let the consultant do their work and come back. All of us have input into that process. Thank you.

MR. REICHLIN: Any questions of this speaker? Seeing none, thank you. Next speaker, please?

MR. YRONWODE: Good evening. My name is Peter Yronwode; I live at 203 Orchard Court. May I say I represent nobody but myself, but I do recognize -- I do recognize the necessity to do something about the C-2 zoning at this time. While it certainly makes sense to delay and deliberate and probably the process ultimately will be better for it, you only have to drive down the new concrete canyon of Walnut Street west of College to see just why we need this right now. All of those buildings were built under the current C-2 and, frankly, they're abominable, and you know that there are plenty of other speculators just waiting to cash in on the existing C-2 ordinance and generate further ugly and inappropriate structures. And if something isn't done about it right now, they will beat you to the punch, and we'll have a nice lovely new zoning code and it'll be a day late and a dollar short. Now, I recognize Mr. Simon's clients certainly have an investment here, and I think his project is probably worthwhile. However, I suspect that there are other processes that could be followed that the planned development process, for example, that would accommodate his investors without materially changing the consequences of -- rather the nature of his project. I must say that I have much less confidence in the individuals that Mr. Stamper represents because I feel that we have a lot of speculators just waiting to cash in on this town at this time, and if we delay too long, then we'll be too late. And that's -- that's why this process has moved forward as far as it has, and I trust that after maybe a couple of weeks' deliberation, we can improve the proposal that the Planning Department has presented to you and bring it

before Council and relieve at least some of the anxiety that a lot of us feel about the fate of downtown as it -- as it fall -- one property after another falls into the hands of these speculators. So, again, I urge you to consider this carefully, make the appropriate amendments, ask the questions that you brought up, for example, and no doubt, a whole lot more, but that we not delay this process unnecessarily and live to regret the consequences. Thank you very much.

MR. REICHLIN: Are there any questions of this speaker? Seeing none, next speaker, please.

MR. KESPOHL: Gary Keswohl, 2215 South Country Club Drive. I've been sitting here listening to this conversation and some of the speakers have asked questions about -- about the ordinance, and I think it's poorly defined. I know Tim has had to give an interpretation several times of what the ordinance should say or what it means to say. That's where Council gets in trouble, by not having a succinct ordinance that people understand. It has to be interpreted by someone on staff, and that's where the City gets in trouble. I would like to ask if -- it's nowhere in the ordinance, are surface parking lots grandfathered? It's not in the ordinance.

MR. TEDDY: Surface parking lots that have been built, already exist; is that what you're saying?

MR. KESPOHL: Yes.

MR. TEDDY: Yeah. Yeah. I mean, the requirements in zoning generally are future focused, so anyone that would build a new parking lot or expand an existing one would go through that conditional-use process.

MR. KESPOHL: Okay. The ordinance doesn't say that.

MR. TEDDY: Well, we're not amending that part of the ordinance.

MR. KESPOHL: Okay.

MR. TEDDY: Yeah. That --

MR. KESPOHL: Is repair and replacement of existing parking lots okay?

MR. TEDDY: Yeah. I mean, generally speaking, any kind of nonconforming structure, you want to encourage maintenance of it.

MR. KESPOHL: It seems me there is a --

MR. TEDDY: It's the -- it's the aerial extent that can't be expanded. You couldn't add parking spaces in a nonconforming lot.

MR. KESPOHL: It seems to me there's a movement afoot to get away with -- do away with surface parking, and I understand that, but --

MR. TEDDY: Well, that -- that already exists in the ordinance. And that has, for a number of years, there was concern that buildings were being torn down for parking lots.

MR. KESPOHL: The one that really concerned me was the 50-year-old building. If you put an addition on that building, as Ms. Loe asked, do you have to conform to the parking on the entire building, and it wasn't written that way. It needs to be written that way.

MR. TEDDY: Yeah. It -- as I said, intent -- and point taken about the clarity of language, but the intent is new residential space. In no way is there a parking requirement being established for office or

commercial or government or institutional, religious, any of that. This only applies to residential. Why is residential different? It's because the -- the car needs a 24/7 place to be stored. Other parking is periodic. It's employee, customer, visitor, guest parking, so --

MR. KESPOHL: I made a trip down to the information meeting we had a few weeks ago, and one of the ideas I had been kicking around is why doesn't the City have a minimum building height downtown? I think part of our job -- part of your job, is to protect the neighborhoods around the central city -- Benton-Stephens, East Campus, North-Central. If you had a minimum building height, it would protect those neighborhoods from the buildings, the commercial encroaching upon those neighborhoods. It just makes sense to me to do that, and maybe not have a maximum. I mean, the fire -- the fire department, the fire chief has told me they can fight a fire as high as the building is tall. You just put a sprinkler system in it -- a better sprinkler system. So it seems to me that -- that if we -- if we're going to take care of our neighborhoods around the City, we should have a minimum building height -- five stories, six stories. You can't build anything -- redo and build anything less than that height. It would protect those neighborhoods. I would like to recommend that you table this indefinitely until the -- until the work comes back from the commission you've hired -- the people you've hired to study all the zoning classes. I think the whole thing needs -- I've been pushing for this for four years, and finally you've hired a consultant to do that. Now, let's wait on the report. And I would encourage you to table this indefinitely until that report comes back. Any questions?

MR. REICHLIN: Questions of this speaker? Seeing none, thank you. Next speaker, please, if there is anybody.

MS. FOWLER: Good evening. My name is Pat Fowler, and I live at 606 North Sixth Street. And I came up because Mr. Kespohl started talking about neighborhoods, and I was the president of my neighborhood association when C-2 came to our neighborhood and wreaked havoc in the lives of our neighbors, both homeowners and residents that were rentals. But I want to bring something else to your attention. And I know that there's a lot of money at stake. I know that commercial zoning permits residential uses, but let's remember what they're building. They're building dense housing for young people in a way that doesn't in any way, shape, or form resemble a neighborhood where we would like our own children to live or we'd like to neighbors' children to live or our nieces and nephews to live. And the City, on the one hand, enables a certain kind of development, while, on the other hand, they spend a lot of money doing an evaluation of what are safe and healthy neighborhoods. And I know you can say, well, this doesn't have anything to do with it, but when you think about what they're ultimately doing with this zoning classification right now, because they perceive there's a lot of money to be made, we are really shortchanging and disadvantaging our young people, whether they live here -- hopefully, their parents won't let them pay that kind of rent if they already live in Columbia -- or they're young people coming from out of town who are able to figure out ways to use their student loans to rent these very expensive apartments. Let's stop and remember that these are not just narrow decisions, these are things that affect the young people. And when you talk about neighborhoods, if we're going to use a

commercial zoning category to build a neighborhood, why don't we make sure it really is a neighborhood. Thank you.

MR. REICHLIN: Any questions of this speaker? Thank you. Next speaker, please?

MS. RADER: Hi. My name is Julie Rader; I live at 3326 South Country Woods in Columbia. My husband, Jack Rader, and I own several properties downtown -- Shakespeare's, Casablanca, and we also and operate Bengal's, which is at the corner of Sixth and Elm. As property owners, we urge you to heed the recommendations of the CID, one of which was that interim changes to the C-2 zoning are inappropriate because they short-circuit the efforts of the City's consultants. Ad hoc changes to zoning may indeed have unintended consequences that negatively impact our City. The goal should be to consider standards -- for standards -- excuse me -- the goal should be consistent standards for C-2, not permitting process where rules are determined on a case-by-case basis. As everyone on this Commission knows, urban planning requires predictability and certainty which are also important tenets of smart growth. In essence, we already have a de facto building moratorium downtown because of the utility shortage. Therefore, an interim amendment is not necessary because most projects are indefinitely delayed as it is, so the most logical path forward is to wait for the consultants to finish their zoning setting. Furthermore, Tom Schauwecker said in the Tribune that interim zoning amendment would lower property values downtown. Since we already have a de facto moratorium, why put the City at risk of lawsuits from property owners and developers? Thank you. Questions?

MR. REICHLIN: Questions of this speaker? Seeing none, thank you. Next speaker, please?

MR. STERN: Hi. My name Reuben Stern; I live at 309 West Broadway. I'm just here as a concerned citizen in all of this. I have been hearing this conversation about downtown for years and years and years, since 2007 or 2008 when Sasaki Plan came out, through the whole Visioning process, there has been this conversation about downtown. And I just want to make two quick points. One of them is that all of those discussions, when the public is asked for its vision for downtown, it almost always involves mixed-use buildings, not sheer residential all the way down to the ground. So whether or not this is the way that that gets addressed, I don't know, but that, I hope, will be kept in mind as this process continues to go forward in time to have a downtown that actually is mixed use as everybody in the public, outside of the vested interests of downtown, who are the rest of the community that have an interest in it continue to say as the process moves forward or doesn't move forward, as the case has been the last couple of years. So that's my first point. The second point that I wanted to make is just a lot of our tax dollars have gone into Eighth Street, the Avenue of the Columns, as it's been dubbed. The City has poured a lot of money into making that a destination street as opposed to a pass-through street. And it would be a shame if that money became wasted because Eighth Street was not a destination street as a result of the construction that took place on it. So my point on this is, if there are going to be restrictions put forward on the kind of use that the ground floor can be done, I hope that Eighth Street would be included in that rather than just Ninth and Broadway, so I would take that into consideration if you decide to move this forward. Those are my two points. Thanks.

MR. REICHLIN: Any questions of this speaker? Seeing none, thank you. Anybody else wishing to comment on this matter?

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners. Who wants to go first?

MR. TILLOTSON: I really don't have a lot of comments. I'd like to thank everyone that come out and spoke for or against, or to slow down or go fast, but I'll just -- kind of counting the people that spoke. And it seems to me that I'm going to support in favor of tabling this for as long as it takes, till there's enough public input to make sure if there are any changes made, we're making the correct changes. So I'm just going to be in support of tabling it.

MR. REICHLIN: Mr. Stanton?

MR. STANTON: I also appreciate the public comment. I'm a strong advocate for solution-based conversation, so those who offered solutions versus just no -- those are greatly appreciated. And I would encourage those that didn't have the opportunity to offer your perspective on the solution that you get ahold of us via e-mail or any other means. Get those to us so that we can bring that into the conversation. I'm also looking to probably support tabling this for further discussion, further review, but our decision is essentially that we have your -- your solutions. I just don't want to hear no -- I want to hear your feedback and how can we make this win-win and help us or you'll have to confer to our knowledge and our -- what we have available to make the decision. So please help us out and forward that information to us so we can make better decisions.

MR. REICHLIN: Ms. Burns?

MS. BURNS: I would -- I guess, what I'm hearing tonight is people do want to have this tabled. I understand that I know that the City Council had asked this particular Commission to review this and get back to them, so I have to weigh that against what I'm hearing. I don't want anything rushed through. I want to come up with a good product. I think it's important for people who spoke to know about the Clarion comment on this and what they said is we -- this is in a letter to Mr. Teddy dated March 17th. We think the proposed interim controls on residential parking requirements, maximum building height, and active street frontages on selected streets reflect a focused attempt address the most pressing challenges in that district. We support the use of these tailored controls pending the much broader changes to the C-2 zoning. So, I mean, they are in support that we make some tailored changes. As far as Mr. Stamper was talking about property rights, and I respect those too, and I don't think anyone is being targeted here or singled out, and I think governance changes all the time. I like the way Mr. Teddy called the process future focused, and I think that that's a good way to think of it. I think the community has asked for this, and so I would like to see it moved forward, coming up with a good and accurate document, but moving forward in a timely manner.

MR. REICHLIN: Mr. Strodtman?

MR. STRODTMAN: Thank you. I'm going reiterate what a lot has been discussed. You know, I -- I'm in support of denying this, and at minimum, tabling it. I -- I feel like it's not been vetted, it's a

knee-jerk reaction to the uses that we're experiencing, and it's not the traditional way that we would address a matter of such. And so I think as a result, we need to stop this and, you know, figure out the solutions in a more formal, timely manner with our citizens, get their input, make sure everyone has been heard. And I kind of expected a bigger audience tonight. I kind of thought that we would have more citizens here tonight, so it tells me that we haven't gotten out to those citizens yet and that there's still time needed to hear their input before we make a decision. So I'm, at minimum, wanting to table it, if not to deny it.

MR. REICHLIN: Ms. Loe?

MS. LOE: I'm -- I'm considering either moratorium on C-2 simply because we're running into other issues. As someone brought up, we have a natural moratorium with the infrastructure issue already, and it seems to be getting more complicated every day. Or discussion on this to see if it's something that can truly be added cleanly without stepping on a lot of other issues. I think it is a complicated process. It's a bit of delicate surgery, so to speak. So I appreciate the requests for tabling. I, myself, am realizing that there's much more history behind this than I was aware of, and I'm still going through that, so I wouldn't mind a little more time before I have to render a decision.

MR. REICHLIN: Mr. Wheeler?

MR. WHEELER: Well, personally, I think this gets stretched out way beyond my time on the Commission, so I'm going to be a little more pointed about my -- what I -- how I feel about this because I might not be around when we finally get to discuss it. So I do believe that we have a de facto moratorium on construction downtown. Mr. Simon's project is probably an exception to the rule, but some of what we're really concerned about is, basically, on hold. And -- and so, you know, really what I think the discussion comes down to is how we got here. And over the last couple of years, maybe three, but really the last two, we've seen several projects come in on the end of Walnut down where the old Athena's Restaurant was, and this body never approved one of those except for the Athena Restaurant. And I just want to point that out. Past Councils did. Many of the members that are on the Council currently approved those projects and shouldn't have, and we told them why. It was parking. Parking is what it is, and parking with student housing -- and I'm -- and I think -- and I've said before, that is -- should be, in the new zoning, it should be a classification of its own. Dedicated student housing is a different animal than residential apartments. And the parking requirements, whether Ian Thomas believes it or not, are much higher. And we had a pretty good example, I felt, of the PUD-56, whether you agreed with it or not, they came in here, they've got 102,000 beds across the country, they know what they're doing, and they said we need additional parking, we need more parking than you're making us put in, and we're -- we're providing that, and it got turned down. There is a natural limit to what will be needed for student housing because the University of Missouri can't get much beyond 40,000 students. And so once we get -- once we reach that limit, this desire to this specialized student housing is going to diminish. And so if we target it where we want it, that would make much more sense than trying to push it around, manipulate it, and tell these students they don't need cars. That's not going to work, so that's a little pet peeve of mine. So

I'm going to move on to property rights. I agree with Mr. Stamper that by adjusting C-2 zoning, we are taking what is a right for those property owners. I also think that when we changed to allow residential dwellings downtown, we never envisioned this destruction of buildings. What we were looking for was utilizing space that was already in place. So I -- I think that there's got to be some give on this, but I think the appropriate way to do that would be to bring those property owners together, do an overlay, and change this residential requirement to make it work for everyone -- make it work for the community. And that brings me to my -- what's really my -- what's eating at me is that I don't think the stakeholders have been brought to the table here. I think this is rushed. I think this is seven people setting up there in some kind of Utopia, thinking that they can dictate to the rest of the community, and especially these property owners, and that really ticks me off. So -- so, you know, I'm -- I'd throw this out and -- and if that be -- I'd vote for that, if we want to deny it. But at the very least, we need to table it for enough time to get some input from the community and especially these stakeholders and these property owners to get it right and change it. But I also think that if we make a change -- if you change the C-2 zoning, I think we're opening ourselves up to a lawsuit for taking a right from these property owners and, frankly, I'm not sure that I disagree with their position on that, so --

MR. REICHLIN: Thank you, Mr. Wheeler. I should have let you go last.

MR. WHEELER: Yeah.

MR. REICHLIN: I'm not going to be nearly as eloquent as you have been. I would like to say that I have a concern about some of the projects that are being proposed, but I live in a community where growth is always going to -- always has been, is now, and will continue to be a contentious issue. I have to say that just as a matter of process, the thing that struck me most was Mr. Stamper's comments regarding how this was presented to us and what our normal protocols have been in the past with regard to -- something with regard to a change in an ordinance. We spend quite a bit more time vetting it and bringing in other points of view, and with -- with that regard, I tend to feel that the tabling is probably our best option and -- and wouldn't be opposed to a denial, just from the point of view that there's just too much of a momentum being built without enough community support on a broad base. Yes, Mr. Wheeler?

MR. WHEELER: I just want to make one more quick comment, and I don't want to power slam City Council too much. But if we deny it, basically, we're recommending to City Council that they take our recommendation that we deny it, and I don't think we can count on City Council to do that. So with that in mind -- it would be my preference, but I don't know as they would take our recommendation. So I think the better course of action that we give the stakeholders the -- more of a chance to get their input heard would be to table it. I mean --

MR. REICHLIN: Mr. Stanton?

MR. STANTON: I definitely concur. I -- your infinite wisdom, Mr. Wheeler, that's correct. If we deny and they don't accept our recommendation, I'm under the impression, basically, they can adopt.

MR. REICHLIN: Which they could do anyway, but --

MR. WHEELER: True.

MR. REICHLIN: Yes.

MR. STANTON: But if we table it, then it's left to more interpretation. So, yeah, tabling would be a better --

MR. REICHLIN: Does anybody care to frame a motion regarding this? Mr. Wheeler?

MR. WHEELER: I would recommend that we table this until the May 22nd meeting.

MR. TEDDY: One month?

MR. WHEELER: One month.

MR. TEDDY: Yeah. I think that's -- that's good. That enables us to respond to comments that are made in the record tonight. We can -- where there were questions or just comments made, we can --

MR. WHEELER: Right.

MR. TEDDY: -- and their input in, as well. Is there any other information that you would all like to have? Please let us know. And that's not something you have to answer right now, but we're going to have a meeting in between now and then. But if there's additional background information or analysis you would like, please let us know.

MR. ZENNER: And for the purposes of allowing the public to at least understand where to send comments if they are watching or if they have not had an opportunity at this point, www.planning@gocolumbiamo.com. It will come into our regular general mailbox, and it will be distributed to either myself or Mr. Teddy to incorporate within that actual revision document that will be provided. If there are specific questions and contact information, we would also like to have that stated within that transmission and we can, as time permits, respond appropriately.

MR. REICHLIN: So we have a motion on the -- on the table at this time?

MR. WHEELER: To the May 22nd meeting. I do want to ask Staff a question. Will we get a chance to discuss this in a work session then prior to that 22nd meeting?

MR. TEDDY: I believe that's appropriate. At our work session tonight, we explained that there are some other topics that are very important, too, that have been waiting. We don't want to cut into that quality time too much, but we can at least give you a briefing. We'll put it on the agenda so the public is aware that you're going to have that discussion. You don't want it to be a continuation of the hearing, you want it to be more focused on just things that you need to make your decision. Let us have an opportunity to brief you on any other information that we're going to provide you with and let you have some questions about how we get to May 22nd with that time. I think that would be entirely appropriate to have some time in your work sessions to talk about it.

MR. REICHLIN: So we have a motion, requesting a second.

MR. TILLOTSON: I'll second.

MR. REICHLIN: Mr. Tillotson will second. Mr. Strodtman?

MR. STRODTMAN: Discussion?

MR. REICHLIN: Do we feel that we have a need for discussion on the motion? Anybody care to

comment?

MR. TILLOTSON: I'd just like to throw in there, because I never come back and spoke a second or third time, so I'd like a second one.

MR. REICHLIN: Surely. Go ahead.

MR. TILLOTSON: I, too, really would like to deny this, and I think denying it shoots us in the foot because I think it would just go right through the way it is. So I think the more we can get input on both sides and try to come to something that is workable -- and property rights is very important to everyone in this room. And I think any time we make changes to deter that, we are really putting a strain on our democracy. So I do think the Commissioners, in moving forward with tabling this, are trying to get what's right for everyone.

MR. WHEELER: While we're discussing the motion, I just want to say that it may be appropriate May 22nd to table this for additional time, provided we're getting some reasonable help and a solution. And I just wanted May 22nd so I can get another shot at it, but anyway -- that would be my last night, so I can say whatever I want.

MR. REICHLIN: We wouldn't want to deny you that opportunity.

MR. TEDDY: And not restrained like tonight.

MR. REICHLIN: Mr. Strodtman, may we have a roll call, please?

MR. STRODTMAN: Yes, Mr. Vice-Chair. A motion has been made and seconded for Item 14-48, a -- the motion has been made to table Item 14-48, a request by the City of Columbia to revise the zoning standards within C-2 to the May 22nd Commission meeting.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodtman, Mr. Tillotson, Mr. Wheeler, Ms. Burns, Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion carries 7-0.

MR. STRODTMAN: The motion for tabling has passed.

VI) COMMENTS OF PUBLIC

MR. REICHLIN: Anybody wishing to address us that hasn't already had the -- then we'll move on to Comments of Commissioners.

VII) COMMENTS OF COMMISSIONERS

MR. ZENNER: Staff comments first, Mr. Chairman.

VIII) COMMENTS OF STAFF

MR. REICHLIN: Comments of Staff?

MR. ZENNER: That would be typical.

MR. REICHLIN: Did I -- did I --

MR. ZENNER: Yeah. You skipped over us, but that's okay.

MR. REICHLIN: Did we skip over you again?

MR. ZENNER: You've heard enough, maybe, tonight. Your next meeting -- your next meeting --

MR. REICHLIN: Maybe -- maybe I'm up to here.

MR. ZENNER: Your next meeting will be May 8th, and we do have a number of items on that

May 8th agenda, a total of five, as you can see here. It may be -- or six. It may be reduced to five. We are still waiting for one public hearing item that may be withdrawn. Four subdivision actions, as well as two potential public hearings, at least one of them will occur. In general, what you have here are the subdivision actions, Joann Subdivision, this is a final plat -- final minor plat to create several lots on this site along Mills Drive, as well as Joann Street just to the west of Forum Boulevard. Your next project deals with the new elementary school for CPS. This is the southwest elementary, just south of Thornbrook at the corner of Route KK and Scott Boulevard. This is again to create a legal lot for the purposes of building the new school on it. We do have a development agreement that will be along with this, but it may not be ready for the Commission's review. And while that is not necessarily a requirement to the plat, that development agreement does address particular public improvements that the district is making to the adjacent road frontages, as well as the public infrastructure system. We will have comments as it relates to that development agreement; however, at the time that we give the staff report for you -- just the development agreement may not be available. It is in the process of being reviewed by both CPS's attorneys and our attorneys at this point. Two more of the subdivision actions deal with the Gates Plat 1. This is a rearrangement subdivision plat off of Old Plank Road, which is on the southern extremity really of our developed area here within the City. The overlay that you see here is the proposed replat on top of the existing final plat that is -- was recorded back in 2012. This particular project will have a little bit of additional discussion associated with it as we are also going to be bringing forward to the Commission in a somewhat unusual action the request to approve a revised preliminary plat to go with the overall 94-acre development which was approved back in 2005. Again, we will have more of a detailed staff report associated with that, and the rationale behind the approval of the revised preliminary, as well as this rearrangement plat for you in your staff report on the 8th. And the final item that we have in the subdivision category here on the May 8th meeting is just a subdivision plat to create two lots on a parcel that's located off of Chapel Hill just to the east of the Twin Lakes Park. This is a development site that's actually being developed for a continuing care retirement community. There are two lending institutions associated with this parcel, and each of them are wanting ownership interest in the tract as it is developed in phases. So the lot division is to create the individual parcels for such ownership. The public hearing items that are on this agenda have to do deal with an annexation of property that is in the highlighted red area. That blue hatch that you see on the map has to deal with our urban service area per the Comprehensive Plan. This is a parcel that is currently zoned R-M in the county, which is multifamily. It is, however, used as a commercial building today, and it is desired to be redeveloped commercially inside the City. It is in an industrial area in general, and the proposal will be to bring this property in as a permanently zoned C-3 parcel, and annex it at the same time. The provision of city sewer is what is necessitating the need to the annexation. We have annexed property through annexation agreements to the northwest of this site, so this particular area is consistent with our -- our infrastructure policies that we have in place. And, finally, the public hearing item that may be withdrawn is at the end of Smiley Lane. Some of our Commissioners that have been around long enough remember

this parcel when it came in the first time. This is currently zoned A-1, and the applicants -- or R-1, and the applicants are requesting A-1 zoning, as stated in their application, for the purposes of being able to have horses on this property for their own personal use. The R-1 zoning classification does allow a conditional use to permit that usage of the property, and we are trying to get confirmation from the owners that they are desirous to go through the conditional-use process, which is a shorter time frame and does not permanently change the zoning designation of this property. We are having a challenge getting ahold of them to confirm their withdrawal of the request; therefore, we have had to advertise at this point and we are giving you notice that it may be on the agenda, but this may be one of those items that is withdrawn. Those are the items that we have on the upcoming agenda. As Mr. Teddy pointed out, we will introduce an item onto your work session at the next meeting to deal with tonight's issue as it relates to the C-2 amendments. For those that are still watching or may capture this within the newspaper, our work sessions are not public hearings and they are, therefore, typically not utilized as a forum for those that have concern with projects that are pending a public hearing before this body to be a venue for them to address the Planning Commission. Now, that is entirely to your discretion if you want to allow for public comment, however, as Mr. Teddy pointed out, we do have several other items that need to be addressed by the Commission on the agenda that evening. If we do have public, we will hopefully have focused discussion at that point as it relates to their questions; otherwise, we may diminish our ability to discuss those other issues that are your work program that same evening. That is just a point of clarification as to how we typically operate our work sessions; however, it is entirely left up to the discretion of the Commission if you would like to follow that past practice. With that, I have nothing else to add for you this evening, and thank you for your attention.

IX) ADJOURNMENT

MR. REICHLIN: I move we adjourn.

MR. TILLOTSON: I would too. Second.

MS. LOE: Second.

(The meeting was adjourned at 9:10 p.m.)