

MINUTES

PLANNING AND ZONING COMMISSION MEETING

NOVEMBER 20, 2014

COMMISSIONERS PRESENT

**Mr. Steve Reichlin
Mr. Rusty Strodman
Mr. Andy Lee
Mr. Anthony Stanton
Ms. Tootie Burns
Ms. Lee Russell**

COMMISSIONERS ABSENT

**Ms. Sara Loe
Dr. Ray Puri
Mr. Bill Tillotson**

I) CALL TO ORDER

MR. REICHLIN: I'll call the November 20th, 2014 Planning and Zoning Commission Meeting to order.

II) APPROVAL OF AGENDA

MR. REICHLIN: At this time if any of us or staff has any adjustments to the agenda.

MR. ZENNER: No adjustments to the agenda, just a clarification on the first request for tabling. It is noted and has been published that the item -- the three items there were requested to be tabled again. We have received today a request for withdrawal, and we will just need to vote on that during this particular component -- the tabling component. But the applicant has desired to withdraw, not table to the December 4th meeting.

MR. REICHLIN: Thank you, Mr. Zenner. Is there anything else? Seeing none.

III) APPROVAL OF REGULAR MEETING MINUTES

• November 6, 2014

MR. REICHLIN: Having reviewed the minutes myself -- it didn't take very long -- I thought maybe one of us might have a -- not seeing any other items, a motion on approval --

MS. BURNS: I move to approve the minutes as presented.

MR. STANTON: Second.

MR. REICHLIN: By Ms. Burns and Mr. Stanton. Thank you. I'll take a thumbs up on that.

(Unanimous vote for approval)

MR. REICHLIN: Thank you very much.

IV) TABLING REQUEST

Case Nos. 14-170, 14-172, and 14-173

A request by S & S Columbia, LLC (owner), Roderick & Debra Alviso (owner), and Whittier Avenue Properties, LLC and Susan and James Lyon (owners) to annex 2.0, 1.90, and 0.46 acres, respectively, into the City of Columbia and apply M-1 (General Industrial District) as permanent zoning. The subject sites are located on the north side of Harvester Road, approximately 550, 750, and 950 feet, respectively, east of State Highway 763, addressed as 1301, 1399, and 1405 East

Harvester Road. (A request to withdraw this item has been submitted).

MR. REICHLIN: This request to table has been modified to a request for withdrawal?

MR. ZENNER: That is correct.

MR. REICHLIN: And does the staff have any more comments on this matter?

MR. ZENNER: I do not. It is being withdrawn based on a series of issues that are being worked out and that based on the Planning Commission's rules of procedure, an extension beyond the December 4th meeting would have been their third request for tabling, which is at the discretion and option of the Commission only. The items outstanding with this particular project based on Staff's coordination and contact with the applicants' agents did not seem to be moving further in the discussion stage. It was therefore suggested that it be withdrawn. It may come back as a resubmitted application or collection of applications at a later date. This is an annexation request and does require Council involvement for the public hearings as well as the Planning Commission's involvement for the actual permanent zoning. So there is some details associated with this that were unknown at the time application was made and have come along to resolve -- to raise themselves through the review process. This is not a result of any inability to work with the applicant, but more so just technical issues associated with the applicants and the owners of these three individual parcels trying to comply with other regulations that we have.

MR. REICHLIN: Thank you, Mr. Zenner. I'll entertain any comments from Commissioners and/or a motion.

MR. LEE: Do we have to make a motion to approve withdrawal?

MR. ZENNER: You do not. It's just a purpose of -- if you want to for the public record, you are more than welcome to, but you do not. It is withdrawn. As long as you consent or you acknowledge that they have asked for that and you are fine with it, go right ahead.

MR. REICHLIN: Well, then we will go with a thumbs up.

(Unanimous vote for approval)

MR. ZENNER: Thank you.

MR. REICHLIN: Thank you.

Case No. 14-180

A request by St. Charles Road Development (owner) to annex 127.81 acres of land into the city of Columbia, and to apply R-1 (One-Family Dwelling District), O-P (Planned Office District) and C-P (Planned Business District) as permanent City zoning. The subject site is located on the north side of St. Charles Road, on both sides of Battle Avenue. (A request to table this item to the January 8, 2015 meeting has been submitted. This is the applicant's second tabling request).

MR. LEE: Make a motion to approve tabling.

MS. RUSSELL: I'll second.

MR. REICHLIN: Roll call, please, Mr. Secretary.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns, Mr. Lee. Motion carries 6-0.

MR. STRODTMAN: The motion has been approved.

MR. REICHLIN: Okay. We'll move on to our Public Hearing items.

V) PUBLIC HEARINGS

Case No. 14-168

A request by Crockett Engineering (agent) on behalf of Roth Dudley Kent Etal 1/2 and Wendeling Development, LLC (owners) to rezone approximately 1.80 acres of land from R-3 PUD (planned residential) and O-P (planned office) to O-P (planned office) and obtain approval of an O-P development plan/preliminary plat to be known as "River Region Credit Union". The subject site is located on the southeast corner of Huntridge and Carter Lane. (This item was tabled at the October 9 and November 6 Planning Commission Meetings).

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department.

Staff recommends approval of the rezoning and O-P development plan.

MR. REICHLIN: Thank you, Mr. Zenner. Are there any questions of the staff? Just briefly, I wondered -- and just to make sure I understood correctly, the minor amendment to this does not require our approval; is that correct?

MR. ZENNER: No. The minor amendment to the actual C-P -- O-P for Providence South Plaza is a permitted modification per the zoning code and is an administrative action.

MR. REICHLIN: Okay.

MR. ZENNER: Verified that all of the criteria associated with that plan was within compliance and the boundaries of the original approving ordinance. If it had not been, it would have required a major amendment and would have been before the Commission.

MR. REICHLIN: Okay. At this time, I'll open the public hearing.

PUBLIC HEARING OPENED

MR. REICHLIN: Obviously, we will entertain all comments from both proponents and opponents. The -- if you have organized activity in either camp, you get six -- you will have six minutes to present your position, and subsequent to that, there will be a three-minute time limit that we will be watching.

MS. LAMAR: Good evening. My name is Phebe LaMar. I have offices at 111 South Ninth Street. I'm here this evening on behalf of River Region Credit Union. River Region Credit Union is the contract purchaser for the property that you have been hearing about from Mr. Zenner located at the corner of Carter Lane and Huntridge Drive, right across Carter Lane from Macadoodles. The property is currently zoned R-3 PUD, and we are seeking to rezone it to O-P, and the small portion of it that's kind of on the south side of it is actually currently zoned C-P -- or O-P, and we're seeking to include that in the O-P plan that is in front of you. The building will primarily be occupied by the credit union, but for some period of time, it may also have an office or two that will be complimentary to the banking use that the credit union has in there. That would be something along the lines of an insurance agency, a financial planner, an attorney, something along those lines. And the full use of the -- full list of the uses that would be permitted

is included in the statement of intent. The use that is proposed makes good sense in this location. The property is a transitional property located between a high intensity commercial use, which is the Macadoodles property on the -- on the southwest side of the property. It's got Providence Road on the west and then residential uses immediately to the east and to the north. An office use such as this one with built-in limitations to the hours of operation and the ability to agree to limit the lighting, other than by the ATM located on the front of the property to the hours of 7:00 a.m. to 7:00 p.m. provides a perfect transition in this location. We've had several discussions with the neighboring property owners. Prior to even filing the application, we met with the neighbors first to try to assure that we were aware of their concerns and it could incorporate methods of addressing those concerns into the plan. The City then had its public information meeting, at which there were three or four neighboring property owners in attendance. We also had an additional meeting following that to have additional discussions and to be sure we had sufficiently addressed the concerns, if there were any, for the neighboring property owners. I'm happy to answer any questions that you have. I believe we have addressed the concerns of the -- that the neighbors mentioned to us and brought up to us, and I'm hoping that they are here in support this evening, although I can't guarantee that. So I'm happy to answer any questions that you have. Rick Nichols, who is the president and CEO of River Regions Credit Union, is also here if you want to ask any questions of him. And Tim Crockett is going to be speaking in just a moment with any -- with some additional specifics as far as the plan. So I'm happy to answer any questions.

MR. REICHLIN: Do you have any questions of this speaker?

MS. LAMAR: Thank you.

MR. REICHLIN: Thank you very much.

MR. CROCKETT: All right. Mr. Chairman and members of the Commission, my name is Tim Crockett with Crockett Engineering Consultants, 2608 North Stadium. I'm going to go through my presentation relatively quickly. I believe Mr. Zenner did a good job of -- with the staff report covering all the items. This is just a few side characteristics in the site plan itself. But again, I would like to note that the rezoning of this piece of property is nothing more than adding a specific use of office uses. We are looking for banks and other financial institutions, offices for professional uses, but we wanted to really knock out the commercial uses, the sale of rental of goods, and the high-intense office uses. That was something the neighbors were very concerned about with what type of use we were going to have on this property and it is certainly something that doesn't fit our plan, so we are happy to eliminate those uses. Really briefly, I want to talk about some of the concerns that we talked about with the neighbors. Again, as Ms. LaMar talked about, we did have two meetings offsite. We also met with them during the public information meeting here at City Hall. They had a concern about noise. We can implement some issues -- some modifications to the plan regarding a restrictive of hours of operation, which we have done, eliminate obnoxious and high-intense uses, and then, of course, we're going to screen and baffle any of our HVAC units that we may have. And I think that addressed most of their concerns with noise. A big concern they had was screening. Obviously, there was a buffer to the south that we were looking to reduce or eliminate portions of. They had grave concerns about that. We showed them our landscape

plan and how we are going to address the screening and how we are going to enhance the screening in the area and then around our development, and they seemed pretty pleased with that. Lighting was another concern. We talked about not providing point discharge, we talked about eliminating or reducing the height of our poles, and we're also putting all of our -- our lighting on timers. It is a credit union. We are going to have limited hours of operation. We're not going to light the parking lot 24/7. At this time at night, the parking lot is dark. It is going to have minimal lighting for security around the building only, but we're not going to light the parking lot when no one is there. No one is going to be there to use it; there's no need for that. And so we were able to address those concerns with the neighbors by those means. And then, of course, they also had concern about traffic -- several things of traffic, they were concerned. They did not want an additional connection out onto Huntridge. We never proposed that, but that was something that they were really concerned with. Our plan eliminates any future access to Huntridge. It does not allow for that connection. That's why we have two points out onto Carter Lane. We feel that that is a residential neighborhood and we can preserve that residential neighborhood by not having access to it. And then also they had concerns with pedestrian connectivity up along Carter Lane. This development will actually enhance that. It will actually construct long overdue needed sidewalks in that area that they were very appreciative of as well. So I think we addressed most of the concerns that they had with regard to traffic. Again, you can see our landscape plan. Typically, we don't have a landscape plan of this detail before this Commission. This is something that we felt that we needed to do for the neighbors. We told them we were going to do an enhanced landscape plan. We wanted to ensure that they were going to get that; therefore, we included it with this plan here -- not just the conceptual landscape plan, but something that goes much further beyond that with much more detail. Being that it is included with this plan, it is something that we can be held accountable for. And again, this is just an architectural rendering of the site. So with that, I would be happy to answer any questions that the Commission may have.

MR. REICHLIN: Are there any questions of this speaker? Mr. Stanton?

MR. STANTON: I'm trying to pull up a letter of intent. Did you -- did you omit the types of uses that the neighborhood was concerned with?

MR. CROCKETT: Correct. Yes. Yes. Yeah. The types of uses that they had were really concerns with the high intense commercial uses, which wouldn't be allowed under office anyway, but that was really what they were looking for. They were concerned that they were going to be, you know, more commercial-type uses, more high-intense office uses, which we're not looking for anything along those lines.

MR. REICHLIN: Ms. Russell?

MS. RUSSELL: I have a question and a comment. The hours of operation --

MR. CROCKETT: Yes, ma'am.

MS. RUSSELL: -- is this Monday through Friday or are they also going to have Saturday hours?

MR. CROCKETT: It is Monday through Friday, and we believe we have some Saturday hours at well.

MS. RUSSELL: Okay.

MR. CROCKETT: But I believe they are -- early afternoon is when they close.

MS. RUSSELL: Okay. And I want to commend you on the landscaping plan.

MR. CROCKETT: Thank you.

MS. RUSSELL: Thank you.

MR. REICHLIN: Mr. Strodtman?

MR. STRODTMAN: I just want to expand Ms. Russell's question. Would those hours apply to the other residents -- or the other tenants in the building?

MR. CROCKETT: I believe that would be a question for Phebe on that a little bit. I'm not sure how that is written in the statement of intent. I apologize.

MS. LAMAR: The statement of intent doesn't actually include that, but, yes, there will be -- there will be limited hours on the other occupants in the building. They may go slightly past 7:00, but it's not going to be any type of office use that would go beyond, say, 9:00 o'clock at night. I mean, it's possible that a financial planner might have meetings in the evening, but that would be limited to relatively normal hours. So, yes, those will apply to any tenants.

MR. STRODTMAN: Thank you.

MR. REICHLIN: Anybody else? I was curious with regard to if you are going to have limited hours for the operation of the facility, will that also extend to the ATM?

MR. CROCKETT: No. No. The ATM is going to be a full-service around-the-clock ATM. And that was one of the concerns early on. We originally had the ATM -- typically, you see ATMs back around the drive-through facility, but after our first meeting and discussion with the neighbors, we felt the need to pull that to the front of the site, away from the rear of the site where the residential units were. That way, you know, the evening hours are -- you know, nonbusiness hours of operation for the ATM, we would be less obstructive to the neighbors if we did that. We've also had conversations, and I think the neighbors would like some enhanced landscaping around that area. By all means, we are more than happy to do that. But by moving it forward, closer to Carter Lane and away from the residences, was an attempt to get that away from the rear of the site.

MR. REICHLIN: Thank you. Any other questions?

MR. LEE: Yeah.

MR. REICHLIN: Mr. Lee?

MR. LEE: Mr. Crockett, the -- just to clarify, the ATM is a 24-hour operation?

MR. CROCKETT: Yes, sir.

MR. LEE: And will have reduced lighting, low-down --

MR. CROCKETT: Correct. It will have canopy lighting that will -- that is -- that points straight --

MR. LEE: Focused down?

MR. CROCKETT: Focuses straight down. Correct.

MR. LEE: Okay. Thank you.

MR. CROCKETT: Thank you.

MR. REICHLIN: Thank you. Any other speakers either in -- for or against on this matter?

MR. HAHN: My name is Mark Hahn; I live at 515 Huntridge Drive. First of all, I would like to thank the Commission for your service to the community. We appreciate that. As a -- I'm not speaking officially for our neighborhood association. I'm the vice president of the Huntridge Homeowners Association, but speaking as an individual tonight. First, I would like to commend the team here for their transparency and willingness to work with us on the various concerns that we had. They were very forthright and very receptive to our concerns. Those concerns were drainage in the condominium to the south, so that berm takes care of that property. The drainage does not go onto Huntridge Drive, which would go into that watershed, it will go into the Carter Lane -- Green Meadows, actually, on that side -- the south side. Also preserving the big trees -- the large deciduous trees on the south side, so that was good news to hear. We understand that the ATM does need some enhanced lighting, so it's nice to see that up front. For security reasons, of course, it needs the extra lighting. So I guess in closing, individually, I'm in support of this because it's probably the most palatable option for that property given the current zoning, and it will be as unobtrusive, I think, as anything that could be put there. Thank you, again.

MR. REICHLIN: Thank you. Are there any questions of this speaker? Seeing none. Thank you very much. Is there anybody else wishing to speak on this matter? Nobody. I'll close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners, please? Mr. Strodtman?

MR. STRODTMAN: I'll take a wing at it. I think it is pretty straightforward. I plan on supporting it. And it was very encouraging to see the neighborhood, even if it is an individual -- representing an individual. It's nice to see and nice to see the applicant worked so well addressing the neighborhood's concerns. So I think you both are doing that, and as I mentioned, I plan on supporting it.

MR. REICHLIN: Mr. Stanton?

MR. STANTON: This is the type of development I personally like to see where they interact with the community, they make adjustments to make this a win-win situation for both the neighborhood and the business -- the potential business to use the area. So you've done basically what we've been asking for for the last couple of years and taken heed to the citizens. So I plan to support it.

MR. REICHLIN: Anybody else? Well, I would just like to chime in. Yes, I appreciate the efforts. It's nice to see the area developing to its fullest potential in a way that will be an addition to the area, as well as the overall community's needs. So, with that, I intend to support it as well. Do we have any other conversation on or entertain a motion? Mr. Stanton?

MR. STANTON: Before that, I would like to ask a question.

MR. REICHLIN: Sure.

MR. STANTON: Do we have to break it into two pieces, Mr. Zenner? The rezoning and the development plan or can we do it --

MR. ZENNER: You can do it any way you would like to. We would handle it either way.

MR. STANTON: I move that we approve Case No. 14-168 as recommended by the staff.

MS. RUSSELL: I'll second that.

MR. REICHLIN: Ms. Russell on the second. Roll call, please.

MR. STRODTMAN: Yes.

Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns, Mr. Lee. Motion carries 6-0.

MR. STRODTMAN: P and Z’s motion -- or recommendation for approval will be forwarded to City Council.

MR. REICHLIN: Thank you.

Case No. 15-11

A request by Diamond Capital Development Co., LLC (owner) for approval of an M-P (Planned Industrial District) development plan to be known as “Tower Industrial Park, Lot 1”. The 3.29-acre subject site is located on the northwest corner of Prathersville Road and Tower Drive.

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

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. Staff recommends approval of the M-P development plan and design parameters.

MR. REICHLIN: Are there any questions of the staff? Seeing none. We’ll open the public hearing.

PUBLIC HEARING OPENED

MR. SIMON: Good evening, my name is Craig Simon. I live at 2620 Mill Creek Court. I’m also president of Professional Contractors and Engineers. We occupy the existing industrial building across the street from the proposed development. We are very encouraged by the intended use. We think it fits well within the original intent when Tower Industrial was planned and developed, if my memory serves me, almost 15 years ago. And so we’re very pleased to see this potential development and strongly in favor of this particular use. Thank you.

MR. REICHLIN: Are there any questions of this speaker? Seeing none. Thank you very much. Is there anybody else wishing to speak on this matter? Seeing no one. Close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners, please? Go ahead, Mr. Lee.

MR. LEE: It was approved by the staff and it seems pretty straightforward and I intend to support it.

MR. REICHLIN: Anybody else? Well, that said, I’ll entertain a motion.

MR. LEE: I’ll make a motion to approve Case No. 15-11, a request by Diamond Capital Development LLC, owner, for approval of an M-P (Planned Industrial District) development plan to be known as the “Tower Industrial Park, Lot 1”.

MR. STANTON: Second.

MR. REICHLIN: Mr. Stanton seconds. We’ll take a roll call, please.

MR. STRODTMAN: Yes, sir.

Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns, Mr. Lee. Motion carries 6-0.

MR. STRODTMAN: A recommendation for approval will be forwarded to City Council.

MR. REICHLIN: Thank you, Mr. Secretary. Moving right along, we'll entertain comments of the public.

VI) COMMENTS OF PUBLIC

MR. REICHLIN: Seeing nobody rushing to the podium, we will entertain comments of the staff.

VII) COMMENTS OF STAFF

MR. ZENNER: Well, your next meeting will be December 4. We are nearing the end of your calendar year, but we do have some more business to take care of before we get to the holidays. Your agenda for the 4th will consist of two different items -- or four different items. I'm sorry. I was looking at River Region Credit Union and I thought we just dealt with that one. We did, but it is a final plat. So we have two subdivisions and two public hearings for December 4th. River Region Credit Union, this will be the final plat of what you just approved for the O-P rezoning request and development plan. And then Veterans Campus, this is the development proposal that is off of the Business Loop, the conversion of the hotel for veteran housing as well as a drop-in center for veterans, just before you get to the on-ramp for U.S. -- or Highway 70, right there at the end of East Boulevard or East Drive, as we head off towards the Columbia Country Club. And then the two public hearings we will have on this agenda are the MBS South O-P rezoning and development plan. This is off of Ash, out across to the south of the existing MBS facility. The rezoning and the development plan, they go along together. This was a project site that was rezoned probably three or four years ago for O-P. We need to make a couple of modifications and then the development plan will come along with that to allow for construction to commence. Cobblestone Cottages, this is a project that was part of the Gates Plat 2, Route K and Old Plank Road. If some of you watched the news this morning or last night, the Parks and Recreation Commission had on their agenda this evening a discussion of this particular project as it relates to its impacts on the Cascades Park, which is immediately to the north and the potentially park acquisition property that is part of the Gates Plat 2, just to the southeast of it. This particular request actually involves already existing PUD-4 land that is proposed to be expanded by roughly an acre and a half, and then a development plan allowing for 12 single-family detached houses on smaller than standard R-1 residential lots. Clint Smith will be bringing this project to you at that meeting. Here are your graphics associated with what we will be discussing. The River Region Credit Union final minor -- or includes the appendage that was to the south that we talked about -- that 7,500 square feet. I apologize, this graphic is just a tad bit errant. And then, of course, Veterans Campus there on the Business Loop right before you get onto East Boulevard and the on-ramp to US 70 is immediately to the north. And then our two projects that we have, for MBS, if you all are familiar with where the MBS facilities are today, and then the Cobblestone Project there off of Route K and Old Plank Road. That is all we have to offer you for this evening. And we thank you for your attention.

VIII) COMMENTS OF COMMISSIONERS

MR. REICHLIN: Let's not forget about Comments of Commissioners. Is there anybody?

IX) ADJOURN

MR. REICHLIN: I'll entertain a motion for adjournment.

MS. BURNS: I move to adjourn.

MS. RUSSELL: Second.

MR. REICHLIN: Okay. Had to think about it. Well, I'll take a thumbs up on that.

(Unanimous vote for approval)

MR. REICHLIN: Have a good night.

(The meeting was adjourned at 7:45 p.m.)