

City of Columbia
MUNICIPAL PLANNING COMMISSION
March 9, 2022

1. Organization

1.1. Call To Order

Chairman Charlie Goatz called the March Planning Commission meeting for the City of Columbia to order at 4:00 p.m. The meeting was held in Council Chambers at City Hall.

1.2. Roll Call

Quorum present and included the following:

Present were: Mr. Charlie Goatz
Mr. Thomas Hutto
Mr. Randy McBroom
Mayor Chaz Molder
Mr. Ray Pace
Councilman Ken Wiles

Absent was: Dr. Rose McClain

Other attendees: Ms. Gracie Aldridge, Staff Engineer
Mr. Austin Brass, City Planner
Mr. Glenn Harper, City Engineer
Mr. Paul Keltner, Director of Development Services
Mr. Tony Massey, City Manager
Mr. Kevin McCarthy, Planning Associate II
Mrs. Sandra Richardson, Secretary
Mrs. Melissa Sanders, Planning Associate I
Mr. Douglas Toney, Assistant City Engineer

1.3. Welcome Of Visitors/Rules Of Conduct

1.4 Acknowledgement of Official Communications of the Columbia City Council on annexation and zoning.

Mr. Keltner stated Ordinance 4389 for final consideration was approved; consideration of Ordinance 4384, which is an RS6 Planned Unit Development known as the Drumwright extension, was approved on first reading; Ordinance 4391 which is a rezoning on Pulaski Highway to RM-1 was approved on first consideration; and, the rezoning of Rutherford Lane to RS-10 was approved on first reading.

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1.5 Review of Bonds And/Or Letters Of Credit:

City Engineer Glenn Harper reported all letters of credit are in order.

1.6 Approval of Minutes:

The February minutes were presented for approval. Mayor Molder moved to approve with Councilman Wiles seconding. Motion carried with a vote of six to zero. The special called meeting minutes were presented for approval. Councilman Wiles moved to approve with Mr. McBroom seconding. Motion carried with a vote of six to zero.

2. Consent Agenda:

2.1 Case #22-0007

Request from Martin Engineering & Surveying for Final Plat approval of Summerdale Phase 6 being Tax Map 114 Parcel 19.00 off Precast Drive with surety in the amount of \$103,000.

Discussion:

Mr. Goatz made the motion to approve, subject to technical comments, with Mr. McBroom seconding. Motion to approve passed six to zero.

3. Discussion

3.1 Case #21-0286

Request from Chapdelaine and Associate for Preliminary Plat approval of East 7th Subdivision on the corner of East 7th and East End.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. This request is going from four lots down to three lots. Any motion staff would request that it be subject to technical comments. This still needs cleaned up a little, however outside of that it appears to meet the standards.

Discussion:

Ms. Ashley Alsup, Habitat for Humanity, representing the applicant, was present to answer questions. Mayor Molder made the motion to approve subject to any Technical comments, and Councilman Wiles seconded. The motion to approve passed six to zero.

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3.2 Case #21-0289

Request from Lynn Ealey to annex with a plan of services 626 Baker Road being Tax Map 74 Parcel 37.00 with a zoning of RS-10.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. Staff has received a letter from the County Road Superintendent requesting that the City annex the road up to the point of this development.

Discussion:

Mr. Lynn Ealey, applicant, was present to answer questions. Discussion included funding mechanisms, the reason for the previous deferral was to allow the applicant the opportunity to talk with the County, having the applicant provide an overview of the discussion, and Baker Road correction and safety devices. Mr. Ealey stated that there was some direction given to them to go and speak with the County. The County brought in their third party consultant firm, Collier Engineering, and they directed them to focus on what improvements could be made now with this project, and what expansion could be done on improvements to existing roads. The county engineers, and the County themselves recommending that the City annex a large portion of Baker Road and some of North Ridge Road, which Mr. Ealey's team is fine with. He felt that it was more of an insistence of them doing that. They did get a letter from the County Road Superintendent to that affect which lays out the roads expected to be annexed by the city. They reviewed to make sure they were comfortable with that as it relates to their project and they are. He felt they are clear on what they are obligated to do at this point, and how they need to go about it. It doesn't change some of the specifics that have been discussed. They still expect the traffic study to point out the things that it already has like the need to install the signal, the need to widen roads, the need to fix the curb, the dangerous curve in Baker Road, and the need for the turn lanes. They are still expecting to do all that. He also stated that he felt they got things done that they were sent out to do from last month's meeting. Mr. Harper summarized the original traffic study report. Mr. Keltner asked Mr. Harper for his thoughts on the County request, taking a portion of North Ridge Road. Mr. Harper stated he would think taking Baker Road up to the 90-degree curve, the point that it would become a four-leg intersection and city maintenance should stop there. If anything develops further out that road, he stated that he feels that the City should consider taking all of the roadway, so improvements could be required from the developers. Mr. Goatz asked if it is annexed then would it have to conform to city standards. Mr. Harper stated that those improvements were not directly related to the traffic study. They were improvements required by the City and also by the developer to bring the road up to standards. Mr. Goatz stated which it would have to be done if annexed into the City. Mr. Ealey agreed with Mr. Harper stating the traffic study is not going to say that, but they are voluntarily willing to do so as part of this project. Further discussion included improvements before construction get started. Mr. Ealey stated that they will be back before the Commission with a Preliminary Plat, and he thinks

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that would be a great time to start thinking about the details. Mr. McBroom stated the Commission cannot make it a condition that the road be fixed before Preliminary Plat, or make some of the improvements. Mr. Harper stated in a traditional zoned neighborhood, the traffic study and improvements come at the Preliminary Plat phase. The time to make improvements would be during the construction of the development, because they would have equipment there and be pouring the asphalt, and that would be the time that you would make those improvements. Staff can look at what improvements come at what phase, maybe the improvement along Baker Road would have to occur before buildings are issued Certificates of Occupancy. Further discussion included the project being previously a PUD, the concept plan today, processes, recourse, going by base zoning standards, risks, and specific zoning. Mayor Molder stated that the project presents opportunities to some resolutions in portions of Baker Road that needs some attention, and have needed some attention for a long time. He asked if the City can ensure frontage, footage, spacing and all the things, can it not also then include the road improvements as well. Mr. Keltner stated that it can through the traffic impact study which is required. The phasing of that is laid out at the preliminary plat level of what the improvements will be. The Zoning Ordinance as far as the bulk standards for the base district is essentially what would have to be met. Mayor Molder stated there is a check and balance as to the road improvements that they are offering, but as to the actual road frontages, etcetera, they could do a straight zone under RS-10, and it doesn't necessarily require what this developer is offering at this stage. Mr. Keltner stated that the biggest difference would be the Baker Road lots shown are much larger lots than the RS-10. The lots behind that are actually shown as a RS-10 level, the difference is the Baker Road frontage. Mr. McBroom stated that someone else coming in would have to start over from scratch. Mr. Keltner stated yes. Mr. McBroom asked about the road. Mr. Keltner stated that the road is tied into the traffic impact study. Mr. McBroom stated the study will make it clear what condition the road is in and how it needs to be fixed. Mr. Keltner confirmed. Mr. Pace asked if the City is going to accept this road from the County. Mr. Keltner stated the County has requested that the City annex this portion of the road. He also stated that he would be concerned about going all the way into the North Ridge Road. He feels like Mr. Harper, to take the road to the curve where it is going to be straightened out at their furthest entrance way into Baker Road. Mr. Pace stated at that point their will not be any more right-of-way to be bought at any portion of it. Mr. Keltner stated that is a point, staff can establish the right-of-way with the preliminary plat. Mr. Pace inquired all the way up to Bear Creek, and Mr. Keltner stated all the way up to their property. There is a short gap between their property and Bear Creek Pike. Mayor Molder stated that a portion of the road is already in city limits. Mr. Keltner confirmed a portion of it is. Mr. Pace asked for clarification. Mr. Keltner stated when looking at the concept where lot number one starts, back toward Bear Creek Pike is not their property. Mr. Ealey stated that portion is already city right-of-way. Mr. Keltner stated 300 feet is inside the City. Mr. Pace asked if they are going to put that in the City. Mr. Keltner stated the road is what is being requested, staff cannot annex a portion of it

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unless the property owner petitions the city to be annexed. Mr. Goatz stated there will be a county road gap. Mr. Keltner stated no. They are asking City to take the entire road portion. Land use wise there will be a gap. Mr. Goatz stated in other words this Commission needs permission from the property owner to take this short portion of land. Mr. Keltner stated no, if more right-of-way is wanted, yes but according to the applicant they do not need the right-of-way in this section for the improvements. Mr. Ealey stated that they have been in communication with the property owner. He also stated that they can do what they have to with what they have to work with today. He also stated in reference to North Ridge Road, the County was explaining to him that with the City annexing property and having future city tax payers living on the property that they would be utilizing these roads most likely more than anyone else immediately adjacent to it. North Ridge Road would not expect a lot of traffic. The point from the County was this is the ability for the City to get improvements out of the developer for as much road as possible. Mr. Keltner stated he does not know what improvements could be done on North Ridge Road, as it is a dead end. Traffic going that way would be so low, he doesn't see it warranting improvements. Mr. Goatz stated if the road is annexed would the portion that has to be widened have the right-of-way taken on the developer side of the road verses the people on the other side of the road. Mr. Harper stated all improvements would be done within the right-of-way, which would be accepting right-of-way from the developer. Mr. Ealey stated the County is saying from where the city right-of-way stops to annex from that point to the other end of the applicant's property. Further discussion included the short section needs to be widened, communication with the property owner to get the right-of-way if needed, preliminary plat stage, maintaining checks and balances, and the effect of the preliminary plat if improvements are not done. Mr. Pace asked who would improve it. Mr. Keltner stated that the developer would do the entire part. Mr. Harper stated that the Commission could put that condition on the motion with the preliminary plat even outside the traffic study for the roadway condition. Mr. McBroom stated that is what needs to happen taking it all the way to North Ridge Road. Mr. Ealey stated that is what the County suggested. Mr. Goatz asked if there is liability to the City to improve roads if this is annexed, rezoned, and city annexes the street, but the developer sells the property and nothing happens. Mr. Keltner stated that it goes back to the preliminary plat, at that point the only real right they would have is to build a house on it. Once they get into subdividing the property is where your traffic impact study kicks in. Mayor Molder stated that it wouldn't be dedicated to the City until meeting specification. Further discussion included standing up if is not right, making sure the preliminary plat is correct, seeing the preliminary plat, lots backing up, process, board recommendation, appropriateness for the comprehensive plan, a lot of things to be worked out once this project passes, annexing including the roads, straight zoning, driveways onto Baker Road, access management, safety of community, city ordinance restrictions, development codes, and preliminary plat timing. Mr. Ealey stated that they plan to follow the new codes one way or the other. They think it is great and it has a lot of good things for the

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public at large. Mr. Marc Munkres, 940 Crosby Court, stated that he has concerns about the project, Baker Road, the road is narrow, easement, drainage ditch for the area, traffic, stop lights, it is not a cement road, it was never meant to handle the traffic, location of the project, and adding traffic. Mr. Mark Cook, 925 Harmony Way, expressed concerns include traffic, with the traffic study not addressing left turn off Highway 31 on to Baker Road, and visions of four lanes. Mr. Chuck Mahan, 654 North Ridge Road, expressed concerns in reference to homes with direct access and new driveways on North Ridge Road, their road is not very well maintained, notification on North Ridge Road, and the liability. Mayor Molder asked Mr. Tisher if Baker Road was a city road and the ability to regulate commercial vehicles traveling on a city road, or prohibiting commercial vehicles from traveling along that road. Mr. Tisher stated that you can regulate the route. Mayor Molder said there is some potential that the County and the City can work together as to Baker Road which would prohibit commercial vehicles from using that as an access to get from Nashville Highway to Bear Creek Pike, or vice versa. Mr. Dave Webb, 507 Jonells Way, stated he agreed with Mayor Molder in reference to restricting commercial traffic on Baker Road, previous traffic study concerns, and the connection of the neighborhoods. Mr. David Henson, 667 Baker Road, expressed concerns with road conditions, and holding to the RS-10 standards. Discussion included this was a previous PUD, several variances, now being straight RS-10, withdrawn from City Council, and no control over larger lots. Mayor Molder stated if it fails then that means all of these road improvements that are being discussed that will be done subject to traffic study and getting the right city specifications which is improving the road, it will come into the city. Baker Road will basically remain as is til the County does improvements then addresses the safety issues that appear tonight have been on the radar up to this point. Baker Road will basically stay as is if this doesn't go forward. He also stated that he is in favor, and he will get to see it again in City Council on two additional readings, but he struggles with if the improvement that is going to be made to Baker Road will have a net impact for the better versus the amount of traffic that will be increased on Baker Road in results of the development. He stated that he feels that it is the Commission's best opportunity, it is an RS-10 development, it is a lower density than what others are in the area, and provides an opportunity for significant Baker Road improvements. It is not going to solve the Baker Road problems, but it certainly seems like it is going to improve a long portion of that off of Bear Creek Pike. He also stated that he would hate to see nothing happen and Baker Road still be in the same terrible unsafe conditions for the foreseeable future. Mayor Molder made the motion to approve subject to the Technical Comments, with Mr. Hutto seconding. Motion to approve passed four to two, with Mr. McBroom, and Mr. Goatz voting nay.

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3.3 Case #21-0295

Request from Civil Design Consultants for site plan approval of Legacy at Highland Estates off Willis Way being Tax Map 75 Parcel 51.06.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The applicant presented a revised plan at study session, but it was submitted several weeks passed the deadline. He did ask staff to take a look at that, and staff, looking at it from a process standpoint, felt that it should follow the resubmittal timeline as established, as all the other applicants. Staff was unable to review that and submit comments, and also solicit comments from all of the different utilities on that revision. The applicant did request that the Commission entertain a motion of deferral on this item.

Discussion:

Mayor Molder moved to defer with Mr. McBroom seconding. Mr. Goatz reiterated that this is the second deferral. Discussion included submitting after the fact, and it is important to enforce the timeline. Motion to defer passed six to zero.

3.4 Case #22-0008

Request from TKC Architecture and Engineering to rezone Parcel 2.00 of Tax Map 90J, located at 913 Riverside Drive, from Low Density Residential (R-10) to Medium-High Density Residential (RS-6).

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The concept is showing four lots along Riverside Drive now, but it could be reduced down to two, and it does support the RS-6 request.

Discussion:

Mr. Cole, applicant, was present to answer questions. Discussion included going to single family with twelve or less lots, Rinks Circle is no longer apart of the request as the contract expired, and staff did not grant the variance for the sidewalk that would come at Preliminary Plat. Mr. McBroom moved to approve with Mr. Pace seconding. Motion to approve passed six to zero.

3.5 Case #22-0010

Request from Crunk Engineering for approval of a Final Master Development Plan and Preliminary Plat for Greens Mill Planned Unit Development (PUD) being Tax Map 051 Parcel 55.00.

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Staff Recommendation:

Mr. Keltner gave the details of the staff report. There was a lot of discussion at study session about Maury County Water versus Columbia Water Systems. The applicant would like to discuss this item with Planning Commission.

Discussion:

Mr. Adam Crunk, Crunk Engineering, was present to answer questions. Mr. Crunk stated that at the study session he made a comment stating that he had a conversation with Mr. Otero, City of Columbia Fire Marshal, and that they didn't have a preference whether or not fire water could be provided by Maury County Water System or Columbia Power and Water. Mr. McBroom asked for it in writing at the study session. What he got was a different response, and that response came in the form of a letter from the Fire Chief. The letter states to all City of Columbia annexation requests and development shall be served by Columbia Power and Water Systems, and it was signed by Fire Chief Tyler "Ty" Cobb dated 3/9/22. Based on that letter, they will refer back to what was submitted with the original PUD request which is an extension of the water main down Greens Mill Road served by Columbia Power and Water for this development. Mr. Goatz stated with that being said would staff have to review and maybe defer to the following month for a resubmittal. Mr. Keltner stated that he recommends since the water department would be the ultimate governing body over it, they need to sign off on the approval of the system itself, and let them handle it from that standpoint from a staff perspective. The construction of it would strictly be under Columbia Water view. Mr. Crunk stated that in the technical review Columbia Power and Water offered a comment stating that they currently have a four-inch main on Greens Mill Road. Their responses to the technical comments now would be they agree it requires an extension down Greens Mill Road. Mr. Goatz asked Mr. Keltner if staff needed time to review and respond. Mr. Keltner stated it wouldn't manipulate any of the lot configuration or your road network, the flow rate would remain the same whether it be either water districts since it is just the design, review and approval of the water system, which falls back to Columbia Fire and Water. Mr. Keltner stated that the amenities were a part of the pattern book. They have also upgraded the elevations, also a part of this request. For the most part they are following the RS-10 standards. Mr. Crunk stated that the front setbacks were approved by Council. Mr. Pace asked if they still intend to go under the highway on Greens Mill Road. Mr. Crunk confirmed yes. Mr. Pace asked what size water line would that be, and would the property owners be able to tap into the line. Mr. Crunk stated that he will confirm with Columbia Power and Water but he thinks 10 or 12 inches, and yes the property owners would be able to tap into the water line. Mayor Molder moved to approve subject to Technical comments and Columbia Power and Water approval as to water flow. Mr. Pace seconded the motion. Motion to approve passed six to zero.

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3.6 Case #22-0012

Request from Fulmer Lucas Engineering to rezone Parcel 46.00 of Tax Map 90B, located at 194 Theta Pike, from General Commercial Services (GCS) to High Density Residential (RM-1).

Staff Recommendation:

Mr. Keltner gave the details of the staff report. The applicant is requesting multi-family units which could be either a single owner or it could be a horizontal property regime condo type situation.

Discussion:

Mr. Josh Hutchinson, Fulmer Lucas Engineering, was present to answer questions. Mr. McBroom asked if this is changed, can the Commission require access at Crossfit. Mr. Harper stated that it appears that the driveway separations would meet the prescribed distances in the Access Management ordinance. Discussion included it is a dangerous curve, requesting a connection for the properties to interconnect, and meeting site distance. Mr. Goatz asked what are the concerns in reference to elevations. Mr. Harper stated that there are concerns with the terrain and possible sink holes. Mr. Goatz asked Mr. Keltner to explain to him from the comprehensive plan what it means when a site is not in an area of change. The Connect Columbia Area of Change designation is basically setting up that an area of transition and if a commercial use is already set up, and somebody come in to request for another commercial use next to it, it opens the door up for less scrutiny to the Commission and Council of modifying the comprehensive plan, allowing that to continue. There are areas in Columbia that are not well developed, and this is a way to start some type of pattern. Further discussion including low density, high density, taking in the contents of the area and the opinions of the Commission. Mr. Goatz asked about the adverse effect on the adjoining property owners and grading requirement impacts. Mr. Harper stated in their review of the plan for land disturbance they would make sure that the site would not affect the neighboring property in regards to storm runoff and things of that nature. Additional discussion included widening the road entrance and traffic study. Mr. Hutchinson stated that there is a traffic study currently under way. Further discussion included deferring until after the traffic study is done and the Commission has never required a traffic study prior to a rezone. Mr. Hutchinson stated that the intent with the traffic is to work with the recommendation of their traffic engineer, and the city engineer with any potential road improvement suggestions that might come with that during the site plan review phase. Additional discussion included the school system comments about school buses, private roads within the development, getting the school bus off the street, turn around in the development, safety of the children, turn lane, giving mixed signals, Urban Corridor, deferring to traffic study, improvements, and the Commission's opinion. Mr. McBroom moved to defer hoping to have the traffic study report by then. Mr. Goatz seconded the motion. The motion to defer passed six to zero.

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3.7 Case #22-0013

Request from T-Square Engineering for Preliminary Plat approval of The Highlands Phases 8,9, & 10 being Tax Map 77 Parcels 1.08, 1.09, and a portion of Parcel 1.00.

Staff Recommendation:

Mr. Keltner gave the details of the staff report. This does meet the standards. Staff has verified that the phasing is correct.

Discussion:

Mr. Goatz moved to approve subject to any technical comments. Mr. McBroom seconded the motion. Motion to approve passed with a vote of six to zero.

4. Other Business

4.1. Case #21-0273

Request from Development Services for review and recommendation of a new Columbia Development Code.

Staff Recommendation:

Mr. Keltner gave the details of the staff report.

Discussion:

Discussion included the bulk of the called meeting discussion was sign oriented with discussion of short-term rental as well. Mr. Keltner stated that the use table and standards were sent out previously. Mr. Goatz stated for short-term rental the current zoning is allowed in areas zoned commercial. Mr. Keltner stated that it would be for areas 4, 4C, and 5 for short-term rentals. The current zoning has nothing. It is falling under the description of a hotel. If anyone wanted to operate one currently it would be limited to just commercial areas. This one is proposing to push it into areas of tourism such as downtown which is the CD-5, as well as the 4C, with the CD-4 more of a mixed area. He also stated the way it is set up it would need to be owner occupied. Mr. Goatz stated under the new code it will have to be owner occupied even in the CD-4 district. Mr. Keltner stated that the allowed districts would still be owner occupied. When defining dwelling, there is a set of items that defines it. Mayor Molder asked if this would prohibit AirBnB's in residential neighborhoods where the property is not owner occupied. Mr. Keltner stated that is correct. The CD-5 district in downtown buildings that have rental units are still considered live work type situations, residential zonings downtown. Mayor Molder asked where would this put Columbia on the spectrum in terms of AirBnB. Mr. Keltner stated currently we are very restrictive. Staff does get requests for people looking to buy property to turn it into short-term rentals full time. He also stated that most of the short-term rentals are in the county. In regards to the owner occupied, staff has seen regulations all over the place, but there are quite a few cities that require owner occupied, and they do limit it to certain zones within that. If it is felt that it is too restrictive it can be opened up. Mayor Molder

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stated in theory on the restrictive relative to the neighborhoods is that staff doesn't want transient living in an established neighborhood. Mr. Keltner stated that is normally your main argument, as you track this history of short-term rentals, and AirBnB's in bigger cities that have more history than Columbia. That's the experiences that they have run into, some degree of nuisance to the neighboring properties, unsure of who is next to them every single week. Mayor Molder stated that he thinks there is a balance, in large part AirBnB has a different rate of success in Columbia with people coming here, staying at an AirBnB, eating at a restaurant, and spending money in Columbia. He wants to be as accommodating to that, but on the other hand he does recognize a little better now after the special called meeting, the desire to preserve the neighborhoods. Mr. Keltner stated that it is a preference. Maybe if the Commission wants to restrict it just to the CD-5, but not be owner occupied which is closest to where people are going to want to visit. It is easily modified if wanting to allow it in some places and not in others. Mr. Goatz asked about existing AirBnB's on the square. Mr. Keltner stated yes, it is allowed in a commercial zone that can have hotels and that is how they are classified. The ones that are downtown are all classified that way. Mayor Molder inquired about whatever gets approved today and then there will be an updated version that shows incorporating all the changes that have been made from the very first point up until now. Mr. Keltner stated that if it should just move forward to City Council the document they will be seeing, not the actual list unless requested, would be the new document that would have all the changes in it, so there is no confusion as to exactly what they will be looking at. Additional discussion included signage questions, modifications can be made, and development looks at the entire site. Mr. Goatz stated that he is comfortable with 8 seconds across the board for electronic message boards, and he asked if they need to be voted on individually. Mayor Molder asked how to handle that procedure like amending the document and then passing the document as amended. Mr. Goatz made the motion to amend the item to eight seconds for the electronic sign, with Mr. McBroom seconding. The motion to amend was approved five to zero, with Councilman Wiles leaving at 5:41 p.m.

Mr. Keltner stated some of these are just recommendations from staff based on comments to clarify language. Everyone has been agreeable to that from the beginning on all of those.

For Section 7.1.8.B, internally illuminated versus external lit signs, staff recommended modifying the proposed ordinance to allow signs to be internally illuminated in all districts except CD-2 (rural), CD-3L (large lots suburban), and CD-3 (suburban) with all those being residential. In all other districts, signs are allowed to be internally illuminated for all letters and insignia details. Mr. Goatz made the motion to make the aforementioned amended, with Mr. McBroom seconding. Motion to amend passed five to zero. Mr. Keltner stated that the other items were just clarification items with regards to the textural items to help insure that the point is clear.

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The next item is the no physically changeable letters, Section 7.1.8.R. The changeable letters that are not electronic are just plastic symbols, letters, and numbers that attach to a reader board per say. The request is to have those put back in it. This is really just a preference of this Commission and City Council whether or not that is to be allowed. Mr. Goatz stated whatever the decision is it will just be going forward. If the Commission allows it what category will it fall in. Mr. Keltner stated that it is just the square footage of the signs. Most of the time they are incorporated in with a static sign that advertises the business and then below that will have whatever sell item or message that they want it to relay. It is still encompassed within your square footage total for that sign. Mr. Goatz asked Mr. Stofel, Columbia Neon Co., if the electronic changing signs are taking the place of the changeable letter signs. Mr. Stofel stated this is for people that don't have a lot of money and still would like to put the message out. Mr. Goatz moved to allow subject to the sign size, with Mr. Pace seconding. Motion passed five to zero.

For multi-tenant signs, staff looked at and recommended adding an additional 32 square feet for basically large scale and multi tenants within the 4C (commercial area) or SD-INT (interstate district). This one is granting more signage allotment for a large scale commercial, and also for multi tenants which will increase about 32 feet which is following your directory sign. Mr. Goatz moved to make the amendment to what staff recommended. The motion was seconded by Mr. McBroom. Motion to amend passed five to zero.

Mr. Keltner continued down the numbered list and explained each item. Number eight is concerning the sign setback. Mr. Keltner stated that basically there isn't a sign setback other than the triangles at the corners and driveways. That is established by the setback that the building elects to have based upon the zone. There is a request to formally have a setback. Staff is recommending to leave as is. Mr. Goatz inquired which agrees with the current zoning. Mr. Keltner stated the proposed one is no setback, rather than the triangles on the corner and the driveways. Mr. Goatz asked about the current zoning setbacks. Mr. Keltner stated that it is whether there is a site triangle, but it has a set back of five feet. Mr. Goatz asked why not have the sign five feet off the road. Mr. Keltner stated that there is going to be certain district where if it is required, the five feet will actually limit their ability to even have the sign because this is encompassing all districts. Mr. Brass stated that an example might be it is five feet from the property line not the right-of-way line, and in the historic district the property setback line is actually two feet. Mr. Goatz asked on Hatcher Lane could the signs be closer to the road. Mr. Brass stated that on Hatcher Lane has a significant amount of right-of-way. Mr. Keltner stated that in the proposal one still can't get into the right-of-way. On Hatcher Lane they are going to be looking for property line, and then also in your driveways there is still going to be site distance that it cannot encroach inside of that. Mr. Goatz moved to approve staff's request. Mr. Tisher stated that it is not necessary to move to approve this request.

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Band Signs, Section 7.1.2.B, the height on a band sign. Mr. Keltner stated that staff is recommending to offer some relief within the CD-4, the 4C, and the interstate district were proposing to remove the three-foot sign band. Mr. McBroom asked how would this pertain to the sign at Neapolis. Mr. Keltner stated that he is not familiar with the dimensions of it. He also stated that right now there is not a height limit, it is based upon the percentage of the façade, which is ten percent on the front and five percent on the sides. The City looks at new construction and he understand what Mr. McBroom is saying. In new construction, when looking at the standards for the buildings, it looks at how thick the signs are going to be, and architecture features cannot be covered with the signs. He sees the point with regards to replacing existing ones. Mr. Goatz stated that staff is recommending excluding CD-4C and SD-INT that would be the amendment. Mr. Keltner stated yes, it would be fairly safe to allow that. Staff is comfortable with it. 4C is the commercial corridor. Mr. Goatz moved to amend with the exclusion of CD-4 and the special district, for removing the three-foot requirement, with Mayor Molder seconding. Motion to amend passed five to zero.

Item 11 was in regards to band signs being allowed on the frontage. It does not give a lot of allowance for corner lots or corner building. Staff did put in there within the commercial corridor 4C, and the interstate to provide some relief in the corridor, in that it could be added on to a secondary side. The square footage amount is still limited. Mayor Molder moved to amend to allow it with CD-4C and interstate district, with Mr. McBroom seconding. Motion to amend passed with a vote of five to zero.

Mr. Keltner continued down the numbered list and explained items 15-20.

For item 21, Mr. Keltner stated that it came up about signs 50 years or older at the adoption of the Ordinance, also looking at what if someone wanted to go back to a sign that is historical to the building. They may not fit exactly inside this code book. Staff proposed to let the Historic Zoning Commission modify their authority and review to look at those signs which is outside of the Historic District. They would have the power to do that. We would add language that would basically require the sign to mimic the historic signs in all aspects to be relevant to the original building. An applicant would have to provide proof that the sign was there, and on the original building, but if it is a new building then one couldn't go back and find an old sign and attach it on to a new building. The intent was in trying to restore a building to add to that character to have that allowance. Mr. Goatz asked if the historic district would still be the governing body of this. Mr. Keltner stated since the Historic Zoning Commission already has a process set up for restoration and reconstruction of those, then that body would make that decision. Mr. Goatz made the motion to adopt that language with Mr. McBroom seconding. Motion to adopt passed with a vote of five to zero.

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Item 22 was a comment on Murals.

There was a list of various items, and staff recommended items which included adding language to revoke the annual permit in case repeated violations of standards with regards to mobile vending. Staff request to remove the \$50.00 if that ever was to be changed by City Council so it could be done without having to amend the actual Ordinance to add the \$50.00 to current fee schedule.

Remove the multi-family allowance for short-term rental. It says when you get into apartments it does not allow apartments to have short term rentals within them.

Open porches, and deck encroachments continued allowance up to 25%. Currently it is allowed up to 0 % based upon the encroachment. Staff will be requesting that to be up to 25%.

On page 279, discussion was for removing in district CD-2 in place of other districts.

Driveway separations it is requiring a certain separation and when you get into rear loaded alley situations that separation as written really would not work in that situation. Staff recommend removing that separation for that.

Mayor Molder asked Mr. Keltner on those recommendations if he was asking them to move as amended and subject to the Technical comments. Mr. Keltner stated yes. There is only one more thing in regards to bicycle parking on table 4.3.13. Staff was requesting that it be limited in the districts of 4C and 5. Mayor Molder made the motion to approve the Ordinance as amended subject to Technical comments and recommendations staff has provided and gone over. Mr. McBroom seconded the motion.

Mr. Hill discussed the applicant that was turned down and the new ordinance, Rolling Fields, GCS property, setbacks on commercial property, flood areas, utilities, and density. Mr. Keltner stated in 4C the density is 12 units to the acre, and it would be gross acreage. A duplex may be allowed in a R-10 today. Further discussion included RS-10, with regards to the CD-3, the current calculation for density is net, which allows the deduction of stormwater, floodway, roadways. All those things are deductions and not counted to density. This document bases density upon gross acreage and all of those items are actually counted toward it. There is no discounting of unusable land. Mayor Molder stated that is not the case now. Mr. Keltner stated no. Mayor Molder asked about the case Mr. Hill referenced on Theta Pike. Mr. Keltner stated that staff has scheduled meetings every Wednesday, and they are all aware of the new ordinance. Staff doesn't want anybody to get caught between the two. On the GCS the biggest difference is that his concept would not work if he was to wait until the new proposal come through. The parking lot situation is what was in his concept plan, it wasn't very residentially filling. This proposed document is looking more at the context as opposed to the density. All the GCS should convert over to a 4C. The only ones that go back and forth a little bit are the CD-4, because there is MRC that is mixed in. If it is around a lot of residential it went to CD-4, but if it is mostly commercial areas they let it go to a 4C.

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It allows both commercial and residential, it is a little bit of conversion in there. Mr. Toney stated that the one on Theta Pike is converted to a CD-4. Further discussion included Mr. Hill mentioned commercial. Mr. Pace stated he got a call and he was told that the commercial property had to be within five to twenty feet of the right-of-way. Mr. Keltner stated that he thinks it is just confusion. Mr. Keltner stated staff often has to explain what each document is and what it does. When you say right-of-way that is not accurate, everything is set up based on thoroughfares and there are different types of thoroughfares. We think James Campbell as the frontage road, but that is not always correct. One can essentially create your own frontage road with inside that development. Staff has looked at a few that have been challenged, but actually staff can show you how it can work. Further discussion included interpretation, misunderstanding, a thoroughfare does not have to be Nashville Highway, standards, thoroughfare is a road, Chipotle, size and location. Mayor Molder stated that this document is not perfect, and he doesn't feel any zoning ordinance is perfect, or designed to be perfect. He thinks it is more perfect today than it was when staff first started thanks to the input that has been received. Thank you to staff for their hard work on this, and answering questions and emailing, having special called meetings, and just being available. Zoning ordinances are not exactly exciting but are important. He thanked staff again. Mr. Goatz stated that he would like to reiterate that as well and thank the members of the public, Mr. Stofel, and Mr. Hill for their input as well. Motion to approve passed five to zero.

4.2. Case #22-0042

Request from the Development Services Department to review and recommend to the City Council to approve by Ordinance the Proposed Engineering Standards and Specifications.

Discussion:

Mr. McBroom moved to defer, and Mr. Goatz seconded the motion. Motion to defer passed five to zero.

4.3. Case # 22-02041

Request from Development Services Department to review and approve the Revised Subdivision Regulations conditioned upon the approval of the Engineering Standards and Specifications with the same effective date.

Discussion:

Mr. Goatz move to defer, and Mr. McBroom seconded. Motion to defer passed five to zero.

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5. OTHER BUSINESS:

Mr. Mc Broom stated that First Fridays are awesome, but getting crowded. The vendors are pushing everybody in the street, and that needs addressing. One food truck generator caught on fire and everyone is going to have to work on safety. Mr. Keltner discussed the IPADS.

6. ADJOURNMENT:

Mayor Molder made the motion to adjourn, with Mr. McBroom seconding the motion. Motion to adjourn passed six to zero. Meeting adjourned at 6:31 p.m.

Planning Commission Chairman

Date

DRAFT