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October 28, 2016

Planning & Zoning Commission
Columbia City Hall
701 E Broadway
Columbia, MO 65201

Re: M-DT Regulating Plan for the 200 block of 9th Street

Dear Chairman, Commissioners, & City Staff,

I own the Jennifer Building, LLC (217-219 N 9th Street) and I write to respectfully request that the zoning designation for my building on the regulating plan be changed from blue to orange. I am unable to attend tonight's meeting as I'll be at a dinner for my husband's company's Board of Directors retreat. I marked the location of my building (using my crude photoshop skills) below:



I believe that the 200 block of 9th Street should be orange for "Urban General" instead of blue for "Townhouse/Small apartment" because:

- The corresponding blocks of 5th, 6th, 7th, 8th, 10th, Orr, & St. James Streets are all orange;
- The current zoning of my building is C-2. Rezoning that spot to "Townhouse/Small Apartment" would take away a substantial portion of my property's value;

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217 N. 9th St., Columbia, Mo 65201 • t: 573-443-2288 • f: 573-443-2289

- In addition to the two businesses in my building (a law firm and a group counseling business), I'm surrounded by other businesses like a bookstore, a bar, "Breakout Columbia," Woody's Garage, and a large office building currently occupied by other law firms.

Please do not rezone my building to be for "Townhouse/Small Apartment." Please make a motion tonight to change the proposed M-DT regulating plan to designate that block orange for "Urban General."

As an aside, I believe that it would be ideal to rezone the block to the north of mine on 9th Street as "Urban General" as well. Ninth Street goes straight into the heart of the campuses of both Columbia College and Mizzou. I think it would be great to have a busy, bustling avenue (9th Street) connecting those two beautiful campuses.

Thank you for your consideration and for all of your hard work on making Columbia such a special place to live, work, and raise a family. Please do not hesitate to contact me with any comments or concerns.

Sincerely,

/s/ Jennifer K. Bukowsky

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Patrick Zenner <patrick.zenner@como.gov>

Please do not eviscerate PR154-05 in the name of the M-DT

John G. Clark

Nov 10, 2016 at 11:24

Mr. Zenner, Mr. Strodtman and members of the Planning and Zoning Commission,

Since I may not be able to attend the meeting at 6 pm tonight, I am providing my comment by email. Please have my email message read into the record and the attached materials included in the record.

A number of proposals made by Andrew Waters and others (including P&Z member Ms. Russell with respect to filling stations) will have the effect of eviscerating the guidance adopted by the City Council on July 5, 2005 for redevelopment going forward of Providence Road from Stewart Road to the Business Loop.

Why and how eviscerate? Carving out special rules for the portion of the Providence Road Corridor included in the M-DT Regulatory Plan that is not in conformance with PR154-05 will make it nearly impossible to require or encourage other redevelopment in the Corridor to follow the guidelines.

The guidelines in PR154-05 take the long view of maximizing the benefit of redevelopment of the Corridor for property owners, abutting neighborhoods and property owners, central Columbia served by Providence Road, and Columbia as a whole. The recommendations made by Mr. Waters have uniformly taken a very narrow, short-term view of thinking about redevelopment of the Corridor. I encourage you to reject that view for a UDO that is meant to provide guidance for the long term.

As you will see from the attached materials, prior Commission members and staff as well as members of the North Central Columbia Neighborhood Association and City Council have invested considerable thought into providing guidance for the redevelopment of the Providence Corridor. We all expect that major portions, if not most portions, of the corridor will be redeveloped over the next 20-25 years.

I ask you to embed the guidance provided in PR154-05 in any and all UDO M-DT and other provisions that may affect future redevelopment of the Providence Corridor.

All the best,

John G. Clark

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3 attachments

PR154-05 7-5-05.pdf
140K

ProvidenceRoadCorridorinfopacket091707.pdf
526K

 **ReportC.pdf**
271K

November 2, 2016

General response to “Staff Response & Recommendations” to the Parking and Traffic Management Task Force on 10-26-2016 and alternative Recommendation in lieu of Parking and Traffic Management Task Force Recommendation Concerning M-DT Residential Parking Requirements in the draft Unified Development Ordinance

The UDO is about creating a set of land use rules that will help us create a great community, going forward.

Zoning rules define what development we want (will allow) and what development we do not want (won't allow) as part of creating a great community.

The proposed form-based zoning code (M-DT) is a set of such rules.

Section 29-4.4, including the residential parking rules, defines (regulates) the kind of residential development we want (will allow) and don't want (won't allow) in the M-DT zoning area of downtown.

The prohibition – “Entities subject to these minimum parking requirements are prohibited from meeting this requirement, in whole or in part, through the provision of publicly funded parking facilities by the City of Columbia, or by any City proxy entity, in any manner, including but not limited to, any of the following – lease, or sub-lease, sales contracts, permit, license, zoning ordinance, development agreement, building or occupancy permit.” – is such a rule. It says that **we only want (will allow) residential development that meets the minimum parking requirement at its own expense, not through any type of public subsidy.** This prohibition helps implement the Comprehensive Plan goal of making development, in this case DT residential development, pay its fair share of capital parking infrastructure costs by internalizing the cost of the minimum parking requirement in its development costs.

Such a rule is perfectly permissible and I believe desirable.

I believed and still believe that the prohibition is absolutely necessary to stop or dramatically slow down further large scale residential development in our downtown. And, as you may be aware, there are more such developments already in the pipeline.

I also completely reject the staff arguments against such a prohibition in our zoning code as specious to the point of being self-serving. The staff have done virtually nothing to date to prevent the destruction of our downtown and surrounding neighborhoods; their promises and protestations to the contrary do not persuade me that they are remotely on our side.

And the arguments made that we should look to the Council to protect us by working with the staff to develop such protective tools reveal a woeful lack of awareness of the Council's inability/unwillingness to do so, **absent a bright-line prohibition in our zoning code such as the one we originally approved.**

Note that more stringent parking requirements that internalize such development costs are already being met on-site by the CHP and ACC residential developments in the non-C-2 part of downtown.

Note that on October 26, 2016, five (5) of eleven members of the Parking and Traffic Management Task Force voted to retain the prohibition presented above. I ask you to support their view.

Submitted by John G. Clark, 11-2-2016

**Recommendation in lieu of Parking and Traffic Management Task Force
Recommendation Concerning M-DT Residential Parking Requirements in the draft
Unified Development Ordinance**

I recommend the following language for Section 29-4.4 Parking and Loading (a) Applicability, (2) Exceptions, (i) M-DT District, (B) of the draft Unified Development Ordinance (UDO) regarding M-DT residential parking requirements:

Residential development and redevelopment in the M-DT district shall provide a minimum of one-quarter of one (0.25) parking space per bedroom. This requirement can be satisfied on the site or within one-quarter (0.25) miles of the site, subject to the following exceptions:

- (i) All required accessible parking spaces, per the Americans with Disabilities Act standards in the Columbia Building Code, shall be built on-site.
- (ii) Entities subject to these minimum parking requirements are prohibited from meeting this requirement, in whole or in part, through the provision of publicly funded parking facilities by the City of Columbia, or by any City proxy entity, in any manner, including but not limited to, any of the following – lease, or sub-lease, sales contracts, permit, license, zoning ordinance, development agreement, building or occupancy permit.

In addition, the Task Force recommends that the one-quarter (.25) parking space per bedroom requirement be reviewed periodically as conditions continue to evolve and as we increase our understanding of parking supply and demand.

Drafted and submitted by John G. Clark, member of Parking and Traffic Management Task Force representing NCCNA.
10-27-2016

10/27/16

Good evening Commissioners,

My name is Pat Fowler, 606 N Sixth Street, I am active in my NCC neighborhood association and a neighborhood representative to the City's Historic Preservation Commission.

I have a list of items to bring to your attention this evening as part of the M-DT discussion:

Urban storefront which I understand excludes residential on the first floor along a rather narrow swath of Ninth and Broadway, does not reflect those locations where urban storefront currently exists. Location matters, I understand that, so if businesses are thriving in their current location throughout M-DT let's not legislate them into a scenario where they are displaced by high end residential redevelopment. Downtown is also to be an employment center, a shopping center, a mixed use hub. Keep the downtown in downtown. For your consideration I have listed the highest and lowest addresses along downtown streets that contain uses I understand fall within urban storefront. Please expand this designation accordingly to those streets and blocks that currently have vibrant business activity at the street level.

From a historic preservation perspective, if you legislate a permissive use of first floor residential in too large a swath, you create a perverse incentive to tear down our historic facades along Broadway and north and south along Fourth thru Hitt Street and along Walnut and Ash and replace them. We differentiate ourselves as a college town USA with our historic downtown so close to our historic campus. Heritage tourism is real and financially benefits many of our downtown business owners.

Parking requirements for new downtown residential appear to be too low given our lack of a comprehensive approach to car storage and minimal parking coordination with the University. Please raise those minimums unless and until a coordinated and likely-to-succeed plan is in place to address the needs of surrounding neighborhoods. When insufficient parking exists downtown, you drive away the grown-ups who would like to spend their money downtown, and create all kinds of negative consequences as our students and commuters look for car storage options overhanging our driveways. Our historic places of worship are having difficulty on their worship mornings when all the spaces are filled with weekend car storage.

I am going to open an old wound by saying I am in favor of minimum of 2 real stories throughout the M-DT, particularly close to the creek where our environment is fragile; a 2 story minimum gives opportunities for adaptive re-use rather than the trauma associated with demolition and redevelopment every 20 years.

Protecting our mixed uses as downtown transitions to our North Central neighborhood: I am concerned that the current and contemplated uses along Park Ave, namely the Rose Music Hall and the adaptive re-use of the Koonse Glass building are not permitted uses under new code. Please fix that. The range of our North Central mixed uses is exceptional and is one of several reasons many of us invested in our homes there.

Students, seniors, children, persons in well run transitional living programs after being released from prison. We are the neighborhood where all persons and uses are welcome, as long as those uses remain in scale with our uses and do not displace us as owner occupied homeowners and long term

renters. Schools, churches, soup kitchens, car mechanics, shelters, youth programs, job training programs, transitional living programs, housing for persons with disabilities, welders, lumber yard, freight railroad, office, solar installers, plumbing supply, our own urban farm, gas stations, an outstanding private college, the necropolis haunted house, a brewery, distillery, rental homes and owner occupied affordable small footprint homes.

In scale is key to our success and survival, and I am concerned that we adopt the stepped down scale contemplated in the H3 charrette of 3 to 5 stories as redevelopment approaches our homes. To encourage mixed uses, I am in favor of the continuation of home based occupations in the town house sections of the M-DT, rather than prohibiting them or displacing them as the proposed code currently states. Home based occupations and mixed uses are good thing for our neighborhood; they assist property owners in being able to maintain their property affordably and encourage owner occupied in a variety of housing types.

One unexpected benefit I cite of mixed use is the example of a home - bound senior in need of assistance, on oxygen, who was rescued from her home along Park Ave when the mechanic at the car repair shop across the street spotted smoke coming from her home. If that street were single purpose residential with limited foot traffic along it during the business day, we would have witnessed a tragedy of some proportion instead of the better outcome we had.

Our historic downtown abuts a vibrant neighborhood with a 95+ year history. Let's treat it like the unique and valuable place it is and accommodate the mixed uses we already enjoy and value as downtown blends into us.

Scale matters as does the presence of 774 affordable addresses in North Central which I will be back to discuss with you next week when you reach the neighborhood protections portion of the new code on pages 291.

I am happy to answer any questions you might have for me. Thank you for your time and attention to these concerns.

Re: Urban Storefront/current conditions

10/27/16

City of Columbia Planning & Zoning Commission Members,

I drove the blocks and then used the city's parcel maps, looking for the highest and lowest address that currently includes urban storefront uses downtown. I probably missed a couple.

However, here's a pretty good starting place for the discussion of expanding this zone in the new M-DT.

- 400 block of West Broadway, where the old Katy Station is, through the 1100 block where Papa John's pizza is, both sides of Broadway
- 8, 10 and 111 Hitt St between Broadway and Locust (where No Gas is located)
- 7 S. 10th St through 29 S. 10th St, both sides
- Beginning of N 10th through 27 N 10th, both sides
- Beginning of N 9th St through 36 N 9th St, both sides
- Beginning of S 10th St through 29 S 10th St, both sides
- S 9th is already covered all the way to Elm, perhaps it needs to continue to University on the East side
- N 9th Street, until it reaches the Boone County Government Center has urban storefront in the small buildings immediately behind 825 E. Walnut (the former Athens Hotel)
- N 8th St has urban storefront spanning 16 N 8th through 38 N 8th Street on the East side
- S 8th St includes 000 through 201 (Tiger Hotel, store fronts under the Miller building, D&M Sound) with some all residential gaps and parking garage in between
- N 7th St has law offices along the west side including 11 N 7th and 107 N 7th Street with Boone County property in between
- 6th St to the North is government property, either city or County or CHA
- The first block of S 6th St has restaurant and retail at 13 thru 25 S. 6th St
- 5th St to the North has a block of retail/restaurant at 11, 17 and 19 N 5th St
- S 5th St incorporates commercial, law offices, restaurants and residential on the second floor through the property addressed at 415 Locust St
- The 400 and 500 blocks of Cherry St fit the urban storefront uses with restaurants, clubs, until it reaches the corner at Fedex /Kinkos and then continues with some hops to the Candy Factory at 701, Addison's at 717, and with small shops along the south side until it reaches 9th St. Cherry St picks up again with block containing Pizza Tree at 909 and Harpo's on that corner
- Alley A, between S 9th and S 10th, contains a mix of upstairs residential and ground floor retail, restaurants and professional services
- From the 100 block of Walnut through the 1100 block (past Orr Street)
- Both sides of Orr St, 109, 106, 110 through Orr St Studios

Respectfully submitted,
Pat Fowler

29-4.4 Parking and Loading

(a) Applicability

(1) General Requirements

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(2) Exceptions

(i) M-DT District

.....

- (B) Residential development and redevelopment in the M-DT district shall provide one-quarter (0.25) of one ~~(0.25)~~ parking space per bedroom. This requirement can be satisfied on the site or within one-quarter (0.25) mile (1,320 feet) of the site. Measurement of the walking distance shall be from entrance to entrance. within ~~one half (0.5) mile of the site.~~

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Attention Mr. Zenner

Please share this letter with the Commission. I appreciate our conversation today. While I do not have text to insert for most of the following concerns, I hope that appropriate changes can be developed as you deliberate.

Providence Road: In regard to the C-store, automotive repair/service uses in this corridor. I would propose an exemption, or revision, to the RBL/front setback requirement for these uses to allow them to have a conventional site plan. This corridor is a unique part of downtown and requires special consideration due to its high traffic which attracts a certain type of retail user. C-stores need to be accommodated in the District to support the working/living populations.

In general, I support the idea of using limited exemptions to the UDC as necessary to allow property owners in certain situations to develop uses that would otherwise be eliminated and preserve property rights.

National Register/Historic Properties: I would support a broader exemption to allow for renovation/expansion of (certain percentages or sizes to be determined) historic properties to avoid compromising the historic features.

Small Site Development/Small Expansions: The CID's request for a blanket exemption for small lots may not be reasonable, however, full compliance with the UDC appears to reduce feasibility and adversely affect small sites or small expansions. Something along the lines of the open space exemption for lots less than 10,000 square feet should be discussed/considered.

Alleys vs Curb Cuts: The downtown alleys are very narrow. As such they are not well suited to handling solid waste in the volumes that are produced by some uses. I appreciated your consideration of the solid waste plan requirement for changes in use, as well as new development. Requiring alley access for certain purposes such as parking or solid waste maybe fine in some situations, however, such access may be inadequate for others. Mr. Zenner indicated that curb cuts to accommodate parking garages/solid waste would be allowed. I would not want the ability to secure or retain a curb cut to reduce the options to meet a solid waste plan requirement. I think use of existing curb cuts for garages/parking/solid waste should be a "by right" unless the Director finds a significant public safety reason to disallow them.

Page 187, 25' setback when no alley: I did not understand the rationale for this requirement and would like you to revisit the reasoning for this.

Regulating Plan: I would propose two Regulating Plan Map changes. First, I would propose the Urban General designation be extended east of Hitt along Locust to either mid-block or to Waugh. As disclosure, I am a member of First Presbyterian Church (but I am not speaking for them). First Pres owns land at the northeast corner of Hitt and Locust. If this property were ever developed, the transition to Small Apt/Townhouse could adversely affect a use, (i.e. a parking structure) by limiting the height on the east end of the property. Future uses will have primary frontage on Hitt (6 story) but allowable height would drop by 2 stories midway through the property. Part of the rationale for this request is the fact that large apartments already exist or are planned south and east of the property today.

Second, I would like for you to consider changing the Regulating Plan from Small Apt/Townhouse to Urban General along Locust, Waugh and College Ave, extending from Locust to Broadway. I believe this area has the same characteristics as the land along Broadway and College, north of Broadway, and would be well suited to Urban General uses in the future. Such a change should grant Stephens College and affected churches any exemptions necessary to allow them to continue operating/expanding their existing uses, but allow them the higher zoning designation which better reflects long term use potential. Part of the rationale for this change is that this corner is one of the primary District gateways and traffic volumes are high on College.

Single Family Home on Commercially Zoned Lot: Allowing a residential use on a commercial lot to significantly control use of adjacent commercial/industrial property will bring significant uncertainty to the market for any property so affected and should not be a part of the code.

Thank you for your time and consideration.

Allan Moore