

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

OCTOBER 6, 2016

Case No. 16-196

A request from JR2 Development, LLC (owner) to annex land into the City and designate R-1 (One-Family Dwelling District) as permanent City zoning. The 28.84-acre property is located on the west side of Highway PP and is addressed 3891 North Highway PP.

Case No. 16-197

A request by JR2 Development, LLC (owner) for approval of a 78-lot preliminary plat of R-1 (One-Family Dwelling District) zoned land (pending approval of a concurrent request for annexation and zoning). The 28.84-acre subject site is located on the west side of Highway PP, and is addressed 3891 North Highway PP.

MS. LOE: May we have a staff report, please?

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

Case No. 16-196: Staff recommends approval of R-1 as permanent City zoning pending annexation.

Case No. 16-197: Staff recommends approval of the preliminary plat, subject to a revision to extend a stub street to the subject site's northern property line.

MS. LOE: Thank you, Mr. Zenner. Are there any questions for staff? Seeing none. I'd like to open this up to the public comment portion.

PUBLIC HEARING OPENED

MS. LOE: If anyone has information that they would like to add to the discussion, please come forward and state your name and address for the record.

MR. SIMON: My name is Keenan Simon; address is 1901 Pennsylvania Avenue. I work for McClure Engineering Company here in Columbia. I'd just like to thank you for your time this evening, and I would also like to thank the City staff that has helped us through this process. Our vision statement at McClure is building stronger communities, and we support JR2's plan to provide Columbia with a responsible and green development. The central location of that site, we are in negotiations with the City Parks Department. We plan on making that a neighborhood park -- a public park. We'll have a trail system with that, as well. In regards to the stub road to the north, I had sent out a packet of information in regards to why we believe that a stub road is irrelevant. And this pertains to the estate lots of roughly six to seven lots all to the north that have homes on them. Along with that, there is a stream buffer that goes and kind of right through the middle of all those estate lots, which really prevents those lots from being developed. With that, it would pretty much limit anyone from moving forward to make that a residential development. With that said, I'm here for any technical questions you might have, and that with, I'm done.

MS. LOE: Questions for Mr. Simon? Mr. MacMann?

MR. MACMANN: Director Zenner, could you pop up that -- give me a little further out so I can see what he's talking about to the north there? Thank you. Can you -- you can see this, sir? Could you say what you -- explain what you just meant. That stub -- basically, you're saying that stub is going -- only going to open up a few more lots for any future development to anyone to the north; is that what you just said?

MR. SIMON: No. I mean, what I was stating was that those lots to the north are mainly estate lots --

MR. MACMANN: Uh-huh.

MR. SIMON: -- five-acre tracts with home sites, you know. And my thought is, and what I had an argument with that I wish I had a display because it kind of shows where the stream buffer, the main draws of the property to the south that we are proposing the development to drains and it kind of winds back and forth. And with the City ordinances with stream buffers, it really limits that area from ever being developed or it would be very difficult for the future development through that, not only with the estate lots that are currently there, that will probably remain there in the future.

MR. MACMANN: Well, let me just ask you just a quick follow-up question.

MR. SIMON: Sure.

MR. MACMANN: If you were to provide a stub in there, you would lose a lot. Right?

MR. SIMON: Not necessarily, but it just seems to be undesirable from the property owner to the north when speaking with them, and also doesn't really enhance our development in any way.

MR. MACMANN: Pardon my memory here, but they have not spoken in support or detracting of a stub officially to us?

MR. SIMON: The property owner to the north is here this evening, and I believe they will speak.

MR. MACMANN: All right. That's all I have. Thank you very much.

MS. LOE: Thank you, Mr. MacMann. Any other questions for this speaker? I had one question, Mr. Simon. You have a stream buffer on this property, as well?

MR. SIMON: Yes. That is correct.

MS. LOE: Thank you.

MR. SIMON: Okay. Are there any other speakers on this case?

MR. LOHSE: Charles Lohse, 3821 North Highway PP. There is a traffic issue on PP already. I guess one question is: Will they put a turn lane in off of PP into that subdivision, or are we not going to do that? And how much eruption are they going to have once they go down PP with the sewer line in people's yards and driveways?

MS. LOE: Maybe staff can help us with those questions?

MR. LOHSE: And there is a sewer issue on Thompson. That pump station is full, which pumps into part of what they're going to. It all leads down to Hinkson Creek. If they're going to do this, I'd like to see a flow meter put in that Hinkson Creek line and see what the capacity is before the decision is made. My understanding is that's just an eight-inch line down through Hinkson Creek there. I could be wrong.

MS. LOE: Any comments from staff on this?

MR. ZENNER: I will defer on the traffic to Mr. Ray. And then as it relates to the sewer, Mr. Lohse and I had had a conversation earlier this afternoon. I have been -- we have received correspondence from our sewer utility that the connection down to the -- what would be to the southwest to Wyatt and Mexico Gravel to that existing sanitary line does have adequate capacity. We can request what the flow rate may be. I'm no sewer expert, so I can't tell you. I just know it runs downhill. And as far as running out on Highway PP, based on the correspondence between the Bells, which are the property owners to the south, and that from Keenan, it would appear as though the sanitary line will not be running out on PP as extensively as it was originally contemplated, which would have been taking it down to the curve at Mexico Gravel and then taking it west on Mexico Gravel. Now, we will have -- if it does come down as I understand the correspondence that we received late this afternoon, it is possible that that sanitary line will come along the southern property line to the western property line of the Bells, and then run down that western property line. It will, when it makes the turn to go onto Mexico Gravel, it will affect possibly the lots that you see here as it gets to Wyatt, which is off of the map. That is a linear utility improvement not uncommon to other linear utility improvements we make. It'll have to be repaired. Any damages that are done as it relates to driveways or the property would have to be repaired accordingly. That will all have to come in through a construction permitting process, obviously. But the impacts to the Route PP, based on what we have received here today, is likely to be significantly reduced. And Keenan may be able to come up and speak to you directly as to where that lift station will be going within the development in order to be able to service what's being proposed. As far as for traffic, I will let Mr. Ray speak to that as it relates to his area of expertise.

MR. RAY: Sure. For those who don't know -- for those that don't know, Highway PP is a MoDOT maintained roadway. And I know the applicant has been working with MoDOT to find a safe location for the proposed street and they've met out in the field and they've nailed that down. MoDOT's never expressed any concerns regarding the potential of a left-turn lane being necessary there in any of the correspondence that they -- that they've had.

MS. LOE: That is a 55-mile zone, though. Correct?

MR. RAY: I believe so, yes.

MR. LOHSE: Correct.

MS. LOE: Yes. So -- and this would be adding a connection back to -- is it Webster?

MR. ZENNER: That is correct. Webster Grove is where it would be connecting on the west.

MS. LOE: So not only is it adding this development, but it's connecting another through street into the development on the west side?

MR. ZENNER: Given the -- given the design -- given the design of the subdivision with the curvilinear street network, it is not a direct connection. The majority of the traffic, obviously, that's over in Maryland Heights flows back towards Thompson to Wyatt. I don't believe this would be used a cut-through. All of the services that are desired from the Maryland Heights property are to the southwest.

Therefore, you would go out of your way to get there. I would like to point out, there is additional road right-of-way with this plat being provided in order to accommodate potential future upgrades associated with Highway PP should they be necessary at a point in the future that would warrant that. Mr. Ray comes to us from MoDOT in the local office and I would imagine that if a demand or something comes up at some point in the future, the City, as well as MoDOT, would probably be coordinating to figure out how to maybe address that. At this point, the traffic volume doesn't really probably warrant any additional improvement.

MR. RAY: That is correct.

MS. LOE: Mr. MacMann?

MR. MACMANN: I had a follow-up question. The gentleman had mentioned, and if you don't know that's fine. I can ask Dave at some other time. That is an eight-inch sewer line serving that generalized area as it runs down to Hinkson?

MR. ZENNER: I believe that is correct. I don't believe that the e-mail had that specifically in it, but I believe I've seen that.

MR. MACMANN: And we probably don't know the age of that device? I mean, you may know, sir, about when that went in?

MR. LOHSE: I do not have any of that.

MR. MACMANN: All right. I'll get up with Mr. Sorrell on that. Thank you, though. Thank you, Director Zenner.

MS. LOE: Any additional questions for Mr. Lohse? Thank you, sir, for your comments.

MR. LOHSE: My only concern is that the driveway coming out on PP will be real close to mine. I'm east of there.

MR. MACMAN: Right there. That's your home here?

MR. LOHSE: No. My home is up. My driveway is this way, but -- right there.

MS. LOE: You mentioned -- Mr. Smith, you mentioned in the previous case that because there was an extension to the urban service area that a traffic study had been done. Was there one done with this project, as well?

MR. ZENNER: Threshold for traffic studies is generally an increase in the peak traffic volume. This project does not -- did not trigger that increase in the traffic. It's 100 trips within the peak hour that would have to be generated, and Breckenridge being 130 lots, it created that, as well as its general location on other capacity streets, so no. The answer to the question is is no, there was not traffic study. There was none required, and it is not solely related to the purpose of an urban service area extension. That is not the rationale for traffic studies. Traffic studies are based upon the increase in peak hour traffic.

MS. LOE: Does MoDOT -- since PP is a MoDOT controlled vehicular way, do they consider locations of driveways and entrances onto that?

MR. RAY: Absolutely. They -- they follow all guidelines from the AASHTO Green book taking

into account the speed of the road, grade of the road, sight distance. And so, Mr. Simon can probably speak to what happened at their meeting, but they met -- if they followed what normally happens, they met out in the field and took a stake and basically went up and down the road to find the best spot that had the best sight distance.

MS. LOE: And if Mr. Lohse has additional concerns, what's his best venue to pursue those?

MR. ZENNER: I mean, this is a -- this is a -- the permitting process for any street is a dual process. Since this is a State route, as well as it will have a City connected street to that State route, it's the State permit will be required in order to work within the State's road right-of-way, and then our permit is also required for that connection which is predicated on the State issuing theirs. Since the State has jurisdiction over the roadway, it would be my recommendation that the jurisdiction is State as it relates to the impacts that incoming and outbound traffic may create. I mean, I hate to say that, but that's exactly -- the State is the one that controls the location, not us. If this was internal to a City street, such as Smith Drive, we would be the one controlling where that location would be, and we'd be the responsible entity.

MS. LOE: Yeah. I was going to say I'm not sure this Commission has that much say over those connections.

MR. ZENNER: Right.

MS. LOE: But it sounds like there are several parties involved and I'd make your voice known.

MR. LOHSE: The only other thing I can say is nobody contacted us prior to this. Thank you.

MS. LOE: Noted. Thank you for your comments.

MR. SIMON: Keenan Simon, 1901 Pennsylvania Avenue, McClure Engineering. Yeah. In regards to the MoDOT entrance onto Highway PP, we met with John Kuhlman who is the regional MoDOT representative. We measured all of the sight stopping distances and he selected that location as being the one that was most appropriate for the development, and that's where we chose that route. In regards to the sanitary sewer, the impact of the disturbed area along Highway PP is going to be altered. We have reached an agreement with the property owner to the south to allow for a sanitary easement on the west property boundary so that we can take that force main outside of the utility corridors that are on Highway PP and try and limit the amount of property that is disturbed in regards to the front yards in that right-of-way. We worked with Dave Sorrell and Lindsey Schaefer at the City for the sanitary issues. We actually dealt with them for four or five months and tried to come up with multiple solutions. Currently, where our tie-in point is at Wyatt Lane, that is an eight-inch line that collects 30 to 40 homes, and then eventually ties into a ten-inch main. The capacity of that line is roughly 10 to 20 percent with the homes that are there, and with us tying into their main hole at that location, we would approximately increase that another 20 to 30 percent, so there would be 50, 55 percent of what the capacity is of an eight-inch gravity line.

MS. LOE: Any additional questions? Thank you, Mr. Simon.

MR. SIMON: Thank you.

MS. LOE: Any additional speakers on this matter?

MR. LOCKWOOD: My name is Chris Lockwood; my wife and I own the property just north of there, 3901 North Highway PP. And I'm fairly against it. We just bought the property a little over a year ago, and we bought to be out in the country, basically, and still be close to town within -- stepdaughters -- or daughter's school district, but still be out in the country. Otherwise -- I mean, I don't own the property under -- or that property south of us, so I understand they can -- I don't have control over it. But I am concerned about the stub street. We just learned about this Tuesday, I think it was, they came out and talked to us. And, originally, they had talked about it in the northwest corner, but where the proposed one is on the map tonight is just south -- well, just south -- or just below our lagoon, basically, below our house. And that kind of concerns me and I don't know any -- have any basis on this, but about my property value. If a potential buyer is going to buy, I mean, I guess they would have control of their property, but are they going to wonder why there's a street going to be going through the property. And I guess, I mean, if they're buying next to a neighborhood, but still, that's kind of a concern. But -- and I have another concern about it because where the woods are, that's a creek, and my pond is -- there's a -- I would say -- I didn't measure it, but I would say it's a 24-inch culvert there and all the runoff goes down in there. Now, supposedly, they have told me they're putting a retention pond there so there won't be any more runoff. It's controlled, but I still worry about that, even -- especially during construction about erosion of my pond dam or anywhere in there through that culvert, so that's about all I have.

MS. LOE: Thank you. Are there any questions for this speaker? Mr. Harder?

MR. HARDER: Is the pond -- I see the two -- it looks like I can see the lagoon with the pond. Is that back there?

MR. LOCKWOOD: Right in the middle. Yeah. That's my pond right there.

MR. HARDER: Okay. Okay. And so, the runoff from pretty much the area that they are using as green space would go --

MR. LOCKWOOD: Yes. And see just south of that, that kind of white little -- that's the drainage right through there and there's a -- it's about an 18- to 24-inch pipe, but that's -- it's already kind of starting to erode right there anyway, but I'm just worried about during construction or anything like that if -- if it's all cleared off and then a big rain comes or something like that, it's all going to end up right down in there in that culvert.

MR. HARDER: And is that -- is that kind of a manmade pond or is that a kind of natural?

MR. LOCKWOOD: It's manmade.

MR. HARDER: Manmade. Okay.

MR. LOCKWOOD: Thank you.

MS. LOE: Thank you.

MR. KROGMAN: Jim Krogman, I'm one of the partners of JR2 Development. I hadn't planned on speaking tonight, but I thought it would be relevant to address the subject that we're talking about at the moment and that's the stub road to the north. Fox Creek is going to be a community development that's developed responsibly, and I apologize if we didn't communicate as frequently or as quickly with

neighbors as perhaps we should have. But I feel like we've engaged these folks and tried hard, just like the previous development did, to listen to their needs, to listen to their concerns, and try to address them. We are going to build energy and environmentally friendly homes there, LEAD designs that are approved through that process. We're going to be addressing or focused on working families. Our target total project sale price is \$150,000 to \$210,000, so we're a very logical extension of our neighbors to the west. I'm very happy with the arrangement we've made to the Bell -- with the Bells to the south. We're developing, let's say, a trust relationship with the Lockwoods. Mr. Lockwood was just here, our neighbors to the north. And I think it's just as important with us to take in the neighbors' desires through this process as it is perhaps what staff would like to see sometimes. There is no reason whatsoever to put a stub road to the north when you have six estate homes already there and very limited buildable ground in the first place. I have assured the Lockwoods that we'll provide them the screening that they want. I have assured them that we'll be good neighbors. We've talked about the possibilities of a number of different things, but I'm asking you to approve our request without the stub road pointing at the Lockwood property. Thank you.

MS. LOE: Any questions for this speaker? Mr. Harder?

MR. HARDER: I have one question.

MR. KROGMAN: Sure.

MR. HARDER: The previous gentleman had mentioned his pond and I was just kind of curious if any kind of a study was done as far as any kind of an increase of water that would, you know, potentially flow in his direction due to the construction and stuff like that?

MR. KROGMAN: Well, I think Keenan would be the best one to address that, but in general, we're not allowed to discharge water any quicker, any faster than it does right now. And so the design of the water retention facilities will ensure that, but if it requires additional rip-wrapping, if it requires a culvert replacement, if it requires us to do some things in conjunction with the Lockwoods' concerns, we're happy to do that. I admit we're not far enough along in those discussions to have clarity around what exactly needs to happen, but certainly the intent is there.

MR. HARDER: Okay. Good. Thank you.

MS. LOE: Any additional questions? Thank you, sir. Are there any other speakers that would care to make comments on this case?

MS. LOHSE: Carolyn Lohse, 3821 North Highway PP. My concern is the trees and the animal life and the wildlife out there. We have deer that come through that particular part of the land all the time. They cross PP and they come up into our land. They go back in the other woods. They have a circle that they make through there. They also go behind that big subdivision over there, too. There's also foxes. There's all kinds of other wild animals. There's geese up there in the pond all the time. And all this is going to change if you put 78 houses out here and all these people. They're going to run them off because those animals are not going to go out there where there's people out there running around all the time. And this is not -- I have -- nobody else say anything about wildlife out there whatsoever. And we

are out in the country, as they say, or out of the City. You bring the City out there, you're going to have people everywhere. You're going to have more traffic, you're going to have more cars up and down the road. The deer are not going to cross and take a chance at getting killed crossing the road where they do now. I think this is something that should be considered. Thank you.

MS. LOE: Thank you. Any questions for this speaker? Thank you. Any additional comments? If not, I'm going to close the public hearing portion of this.

PUBLIC HEARING CLOSED

MS. LOE: Comments of the Commissioners? It's a pensive group at this point. Okay.

MR. HARDER: I'll -- I'll go ahead and speak. This is tying in to the -- to the west of another, I guess, pretty large subdivision that's called -- is it called Garden City or something; is that --

MS. BURNS: Maryland Heights.

MR. ZENNER: Maryland Heights.

MR. HARDER: Maryland Heights.

MS. LOE: Maryland Heights.

MR. HARDER: So it is kind of -- it will be adjacent to that one, as well, too. I was just kind of curious. I had saw that it was tying into another subdivision, and I was kind of curious how big that subdivision was.

MR. SIMON: Are you talking in regards to the --

MR. HARDER: No, just in general. Basically --

MR. SIMON: It's -- the display up there kind of shows --

MR. HARDER: Yeah. But it's kind of hard. I mean, can see maybe one or two -- one road over, but --

MR. SIMON: There's -- there's definitely more lots in the subdivision --

MR. HARDER: Okay. That one helps.

MR. SIMON: -- to the west.

MS. LOE: Mr. Simon, can you give your name and address again. Sorry.

MR. SIMON: I'm sorry. Keenan Simon, 1901 Pennsylvania Avenue.

MR. HARDER: Uh-huh. So -- yeah. I was just kind of curious. Basically, I wasn't able to see it on the map of how large that subdivision was that it would be adjacent to.

MR. SIMON: And it continues west as well. In regards to that storm-water question, we're not allowed to discharge anything more than what is done with the property in regards to impervious area. It can be added, but we do have to detain it so that we release at the same rate. The concerns of increasing the storm-water runoff shouldn't --

MR. HARDER: Thank you.

MS. LOE: Any additional comments? Any comments on the stub road?

MS. BURNS: The stub road is not particularly popular apparently. And if I may continue, I'm not sure about the connectivity, given what's there now. We have a homeowner that owns a significant

portion to the west. I know nobody knows what anybody's plans are, what your plans are, but I don't know that that stub road would ever provide -- I don't know. I'm having a difficult time with the stub road where it is now. I understand for connectivity why -- why it's placed in a new development, but I -- I can't - - nobody has a crystal ball to know how it would increase connectivity in the future.

MS. LOE: Well, you're making use of a stub road at the moment in this proposal off of Webster. So that requirement is benefitting this future use. Columbia Imagined does ask for interconnectivity between developments so that neighborhoods continue to grow together versus being developed as isolated pods. We had a proposal come through not long ago that had it actually maintained some of its stub roads out to the streets, we could have approved it, and it was a difficult site. And because of the limited connectivity was one of the reasons that we rejected the future proposal. So I think the fact that this is a difficult or potentially difficult site, it could actually be advantageous should someone wish to develop it in the future to have future connections on that side of it and not depend on PP necessarily.

MR. MACMANN: I'll follow up on that.

MS. LOE: Yes, Mr. MacMann?

MR. MACMANN: Thank you very muchly. The site we were referring to in your discussion, that had a lot of topography that was a serious problem. There were only so many places it could go. This site is a little more flexible. Are the stubs is a deal breaker here? Does this kill anything not having these stubs or having these stubs?

MR. ZENNER: I think Ms. Loe has accurately indicated on behalf of staff its rationale for why we have stub street criteria. And again we acknowledge, as in the Breckenridge project, that what is not shown here was shown in reaction to trying to work with the adjacent neighbors given the pending improvement of the property which is maybe not as desirable as the existing land use. We do believe, though, the connectivity is important. You will note that on this graphic, they have provided connectivity to the south like we would typically see for undeveloped land. And again I will use the term undeveloped. I respect what the adjacent property owners have indicated and what the applicant and the -- Mr. Simon has indicated that the northern property is developed today, and that needs to go into your weighing of your options as to estate lots being converted. As Ms. Loe pointed out, we don't know what the future may hold. Those lots could be -- I would say if you take a look at a broader aerial view of this property from this and you will notice that the lots that we are speaking of -- I have two mics here on the desk and I always think that I hit the wrong one. If you look at this collection of lots and you look at the road network that surrounds it, you have North Thompson, you have PP. If this were to redevelop, connectivity to the south is definitely desirable because it does allow for an internal connection between Thompson and PP, it does serve a benefit. But when you look at it, if this entire acreage were to redevelop, there is the ability for connection either to Thompson, to PP. It's all subject to how it redevelops. The southern parcel is a little bit more challenged that it does not really have any connection to the west. Therefore, the southern connection into the proposed development does provide you a way to get back out on Webster Grove westward. Otherwise, all of your connections on the Bell property would have to go south or east.

At this point, you have two roadway networks that are large roadways. An internal road is definitely preferred from our perspective. Is it practical? Is it consistent with what maybe has been negotiated with the neighbors? Practical, probably yes. That is our assessment even though there are some environmental limitations associated with the property, they're no different really in many respects from Mr. MacIntyre's analysis than what exists. So practically we would say that, yes, you can. Is it consistent with the prior discussions that may have occurred outside of our involvement in a project? Potentially not. And that, unfortunately, is the decision and -- you all have to make as to does this project move forward with that connection or does it not, and is it consistent with what the recommendations and the conversations have been between the parties that are actually negotiating the support or the nonsupport of this tract of land. We will stand where we are on our recommendation that we believe that the connection to the north should be stubbed to the north like it is to the south based on the process and the procedures that we've used in similar situations throughout our community and based upon the goals and objectives of Columbia Imagined for interconnected subdivisions and neighborhoods. It is in the best interest, in our opinion, professionally that they be connected at some point, maybe not in any of the near term, but that there's an opportunity in the future.

MS. LOE: Mr. Stanton?

MR. STANTON: Mr. Zenner, you're saying eliminate the connection to PP or in addition have a northern access point?

MR. ZENNER: Well, you couldn't eliminate the connection to PP.

MR. STANTON: Okay.

MR. ZENNER: So you have to have the PP connection. That is the principal subdivision connection.

MR. STANTON: Okay.

MR. ZENNER: It's over 30 lots that we're going -- while it's under 100, you don't require to. However, fire service would require anything over 30 to have two points of ingress and egress. So the way that the subdivision has been reviewed, they require that this -- the subdivision layout works. You would never -- you can eliminate and it is the Commission's choice. That is why I made the comment that this is not a variance request. This is a procedural requirement that is -- that is in the subdivision regulations and it is staff's opinion that it is in the best interest in achieving the goals and the objectives of Columbia Imagined as well as interconnected subdivision development that the stub be provided for future usage as was Webster Grove to this undeveloped tract of land when Maryland Heights was developed.

MS. LOE: Ms. Rushing?

MS. RUSHING: With regard to the stub to the north, I was just curious why it's on the east side of the property as opposed to the west?

MR. ZENNER: Ms. Rushing, I can't speak to that. Mr. MacIntyre reviewed the project and I would imagine that if you look at the subdivision layout, just based on my observation, you'll see where

the southern access is. If you were to put a northern access, you would basically create a very long straight street tangent which would actually become, the way we would refer to it, as a drag strip, and that probably is why we would offset them within the subdivision.

MS. RUSHING: Okay.

MR. ZENNER: But Mr. MacIntyre knew why he chose this location, and I'm not sure if it had to deal with environmental-related matters or if it had to deal with the observation I've just made that you would end up with basically a drag strip street running through it, which is less desirable overall than what would be being proposed. And no disrespect to the adjacent property owner to the northeast. I would probably personally share his same concerns of having a stub street coming up to my southern property line that may or may not ever be used at any point in the near future.

MS. LOE: Are we ready to form a motion? Mr. Stanton?

MR. STANTON: I have one more question before we do this.

MS. LOE: Okay.

MR. STANTON: Is it staff's desire -- I'm feeling where you're coming from, but it wasn't -- usually you would have put that in your recommendations. I'm not seeing it in there, or did I miss it?

MR. ZENNER: It is in the recommendation. We recommend approval of the R-1 for the permanent zoning. We're recommending approval of the subdivision subject to the connection -- the stub street connection being provided. That is a subject to, and it is the Commission's prerogative to make motion as they see fit.

MS. LOE: Now are we ready to make a motion?

MR. STANTON: Yes.

MS. LOE: Mr. Stanton?

MR. STANTON: Yeah. That would be 196?

MS. LOE: Oh, right. We're going to do two again. We're going to do 196 first. We can do this in pieces. You guys can take turns. How's that? So do I have a candidate to make a motion for --

MR. STANTON: I'll do 197.

MS. LOE: Okay.

MR. STANTON: As it relates to Case 16-196, Highway PP development permanent zoning, I move to approve -- I move for approval of R-1 as the permanent City zoning pending annexation.

MS. BURNS: Second.

MS. LOE: Mr. Stanton made the motion, Ms. Burns seconded. May we have a vote, please?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Russell, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Ms. Rushing. Motion carries 7-0.

MS. BURNS: That's seven in favor to approve. Motion carries.

MS. LOE: Thank you, Ms. Burns. Recommendation for approval of the preliminary plat will be forwarded to City Council. Now we need a motion for Case 16-197.

MS. RUSSELL: Okay. In the case of 16-197, Fox Creek Subdivision, I move to approve the 78-lot preliminary plat subject to the addition of a stub street to the subject site's northern property line.

MR. STANTON: Second.

MS. LOE: Ms. Russell moved; Mr. Stanton seconded. Ms. Burns, may we have a vote?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Russell, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Ms. Rushing. Motion carries 7-0.

MS. BURNS: We have seven in favor to approve. Motion carries.

MS. LOE: Recommendation for approval on the preliminary plat with revision will be forwarded to City Council for consideration. Thank you. That concludes our Public Hearing and Subdivision portion of the agenda.