

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**JUNE 21, 2018**

**Case No. 18-30**

**A request by Crockett Engineering Consultants (agent) on behalf of Fred Overton, Inc. (contract purchaser) for approval of a 67-lot preliminary plat on R-1 (One-Family Dwelling) zoned land, to be known as Bristol Ridge, pending annexation and permanent zoning. Additionally, the application is seeking design adjustments from Sections 29-5.1(c)(3)(i)(H) and 29-5.1(c)(3)(ii) of the UDC pertaining to connection to undeveloped lands and block lengths, respectively. The 31.01-acre subject site is generally located on the east side of Bearfield Road, approximately 1,400 feet north of Gans Road.**

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends the following actions:

1. Denial of the requested design adjustments;
2. Approval of the preliminary plat subject to the correction to comply with the UDC provisions prior to forwarding for Council consideration.

A Commission support of the design adjustments would not require revision to the submitted plat.

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, questions of staff on the staff report? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Mr. Smith, could we return to the -- there. That's exactly where I want to go. Thank you very much. The proposed road to the north, the collector there, is -- where is that on CATSO; do we know?

MR. SMITH: This one, or the east-west?

MR. MACMANN: Uh-huh. The east-west.

MR. SMITH: The east-west would be an extension of the collector that currently comes through Discovery Park and stubs into the park district property, which is the Phillips Farm Road. That's probably a good -- so this is the start of that collector. CATSO does show it -- it technically shows it to the south, but I think they've recently amended it, so it will be shown as this location. This is the planned location for the collector. The collector is actually shown extending all the way to the west, so it's a complete --

MR. MACMANN: Is there -- if I may, is there a time frame on that?

MR. SMITH: Not that I'm aware of, no. The park district is constructing a portion there or would

be, depending on if they're moving forward with their approved PD plan, so they do have plans for some of that construction for that field house.

MR. MACMANN: But that stops well short of this area?

MR. SMITH: Correct.

MR. MACMANN: That's my question for the moment. Thank you, Mr. Chairman.

MR. SMITH: And this alignment, I would say, not to -- sorry, not to cut you off, this alignment is again proposed. It may not be exactly here, it could be further to the north, it could be further to the south.

MR. MACMANN: Well, as you said, given our terrain, we have -- if we're going to go east-west there, we don't have -- have all the options in the world.

MR. SMITH: Right.

MR. STRODTMAN: Any additional questions of staff? I see none. We'll go ahead and open it up to public input.

### **PUBLIC HEARING OPENED**

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. Thank you for the time, and this is the project we've been kind of alluding to so far, so I appreciate that. With me tonight is Fred Overton, the applicant for the -- for the proposed development and again the overview, I think, Mr. Smith did a pretty good job. We have 59 single-family lots, even though it's noted as 68, it's 59 single-family, the other are common lots, roughly 31 acres, and of course annexations and zonings pertaining to the site. Again, as you see, and this is the preliminary plat that's before you tonight. Of course, I want to spend most of my time addressing the two design adjustments that we're requesting tonight, both for street connectivity, as well as block length. Street connective, again, this is what we're proposing. This is what City staff has asked us to do, actually asked us to stub a street from our development going north across the creek into undeveloped property. Now as we talked about that is, you know, the UDC is in a little bit of conflict here, and staff agrees with that. We have some issues with regards to that. First of all, we have two blue line streams. And I believe Mr. -- Mr. Smith indicated that is a minimal footprint creek that runs across our north property line and I will disagree with that. That's a relatively large creek, and it may not look that it is physically in the field, but it drains all of Phillips Lake Park, all of Phillips Lake. It's a substantial creek. It's a regulated waterway that drains roughly 500 or 600 acres and goes way on the other side of Highway 63, so it's a large drainage area, so it is significant. It has a -- it's a type two stream buffer. We add the blue-line streams, then we add in the steep slopes, we add in the floodway that's out there, we add in the flood plain, we add in the climax forest, we add in the stream buffers, and then we add in a trail that the Columbia Parks and Recreation wants to add out there, and you can see what we're up against. You can kind of see the areas that we're trying to -- that we're asked to stub a street to that may or may not be extended in the future. Then you take out the fact that it's not a 50-foot of right-of-way that we're going to be grading, this is just a schematic, but we're going to be grading a much larger swath going through that area because you have to fill it in that location. You

have to fill it so that we have ample storm structures underneath the creek so we can get over it, and then we have to fill on both sides of it, so it's a large swath that we're clearing out, and then you can see all the sensitive that we're going to be encountering. So that's the -- that's the reason why we're -- that we're opposed to making that connection or -- and why we were asking for the design adjustment. We also -- Mr. MacMann kind of talked to your question a little bit with regard to Phillips Farm Road. This preliminary plat has been to CATSO, not that that's a common occurrence, but staff has asked us to discuss this before CATSO for the very purpose of the east-west road that we may or may not tie into. CATSO has looked at it and said that this development doesn't have any impact on that roadway alignment. The issue with that is is they don't know where that road may go. Obviously, I don't think it's going to slide much further south, but it may go further north. If it does go where it's on the CATSO plan, you can see that if it goes through there and this road must tie into it, you can see the challenges that it's going to present. And so, you know, that's -- that's the concern that we have with that regard. Again, we have the criteria for design adjustment. You know, is it consistent with the -- with the comprehensive plan? We believe that it is. It will not create significant adverse impacts on any lands abutting the proposed plat. I don't believe that it will. It would actually prevent adverse impacts with regards to sensitive areas. It will not make it significantly more difficult or dangerous for automobiles, bicycles, pedestrians. It will not. I don't think that it's going to have any issue with regards to -- with regards -- to make it more difficult for automobiles. The idea there is that the east-west road to the north of us is a neighborhood collector. The purpose of a neighborhood collector is to transfer the traffic from a neighborhood collector to the adjacent major collectors and arterials. Well, we have major -- major collectors adjacent to our property, and so we think that that's how they're going to filter out. Again, we are going to provide pedestrian connectivity. So the only time -- so connectivity isn't just vehicular, it's also pedestrians, as well, which we're providing. And of course the design adjustment request is to address a unique feature. We believe the unique feature is the abundance of sensitive areas in that location, and then it will not, you know, adverse impact on public health and it will not. Of course, the UDC states that when a new subdivision adjoins unplatted or undeveloped lands, it'll go through here and it says is unnecessary and inappropriate due to existing proposed developments. It goes to the end, or designation of sensitive areas. And so the UC [sic] states that -- that, you know, that it's okay to ask for design adjustment in this location, and staff even states that if the connection -- if the -- if the connection impacts a sensitive area, that should be taken into account when determining the connection is appropriate. And so I think that -- that that statement right there is -- I think we can illustrate that it's not appropriate at this location. I want to talk about block lengths a little bit. Again, you've seen this. This is what staff is asking us to do. On a two-dimensional standpoint, this looks great, and when you say yes, we can do this. And then you simply take your eyebrow out and put a street connection through there, it's not -- not too hard to do. When you look at it on a three-dimensional standpoint, when we're up against, as Mr. Smith indicated, we're staying out of the stream buffer and the sensitive areas across our north property line. But to do that, the two streets are going to be separated by about 32 foot of vertical

difference. And so to add a connecting street between the two, that street is going to add a couple more intersections, it's going to be steep in grade, and we're going to have to cut, adjacent to those sensitive areas, cut the material down, cut the hillside down even further to make that connection. So when you look at 2-D, yes, it makes perfect sense. When you add that third element, that -- the third dimension in there, I think that's the issue that we have. Again, we can go through design criteria. This is very similar to the other one. We believe it's going to be safer for pedestrian uses by not having so many intersections, as well as intersections with steep grades in the development. The request is, as staff states that the request does not appear to address a unique feature to this site. However, the request also does not appear to significantly impact surrounding property owners of the -- of the safety of the site. Now, they say it doesn't address a unique feature, and I will say that it does because we want to protect the -- the steeper slopes on the backside and we don't want to have steeper -- steeper streets than 32 percent -- or, excuse me -- 32 for the vertical difference. I think that's a unique situation to this piece. In conclusion, the preliminary plat is in accordance with the UDC and other City policies, and we believe the design adjustments are justified and appropriate. I would like to talk about just real briefly, and I'll finish up really quickly, and I believe that Ms. Abigail -- and I'm sorry, I didn't catch your last name -- but I would like to comment on her comments just a little bit with regards to this property will be in full conformance with the storm-water regulations for the City of Columbia both with quantity and quality, so we are going to protect the environment, so we are going to cleanse the water before it discharges from our property. And then that is -- that crossing down there, it is Clear Creek. There's no hiding that. It is an actual portion, the upper reaches of Clear Creek. And so, we want to stay out of that as much as we can. And so, we're doing what we can and we have stream buffers. We're going to do full compliance with the City regulations. And so, with that, I would be happy to answer any questions, and I respectfully ask for your favorable consideration of the preliminary plat along with the two design modifications.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, questions of this speaker?

Mr. MacMann, have you got a question?

MR. MACMANN: Thank you, Mr. Chairman. Good afternoon -- or good evening, Mr. Crockett. Can you enlighten me on why a stub to the east wasn't viewed as an option, rather than going north where we've got to cross the creek, or go down the --

MR. CROCKETT: Absolutely, Mr. MacMann.

MR. MACMANN: We have fewer sensitive areas there.

MR. CROCKETT: When you talk about to the east --

MR. MACMANN: I'm kind of looking at the east --

MS. LOE: Lot 40 or 39.

MR. CROCKETT: Because we're tying into an existing street that already comes in from the neighbor to the south, so that comes out of the development already. And then as you see, this -- this -- these steeper slopes and this blue-line stream continues to go in a south -- in a southeast fashion. So, basically, you go over there and you encounter the same situation if you're -- if we're talking about the

same location.

MR. MACMANN: I think we are. I think we are. And I knew it came in right there. I was looking at the letter of the regulations rather than –

MR. CROCKETT: Sure. Absolutely. Yeah. I think the location that we have shown, I think staff would concur, that's really about the only location that we really have to work with, and is it appropriate or not? I -- staff believes it is, we believe it's not, and that's the reason why we're asking for the modification.

MR. STRODTMAN: Anything further, Mr. MacMann?

MR. MACMANN: When we discuss, I'll say something.

MS. LOE: Well, I follow up on that.

MR. MACMANN: Go ahead.

MS. LOE: This -- because I don't understand why it can't be located close to where the stub-out coming in from the previous location is. I mean, at that point, they've pulled away pretty much from the Lake Drive, so, you know, why -- why doesn't Lot 39 or 40 work? You're out of the floodplain. I agree you're close to where Braxley Court ties in.

MR. CROCKETT: Oh, bear with me, please. What you're referring to and going off of here and going across, basically, on our far easterly side, we're still going to have to cross that stream buffer. We're still going to have to cross the creek itself because –

MS. LOE: Right.

MR. CROCKETT: -- what happens, it comes in, and we still have some significant features over there. And then it runs into -- not too far over, we have another major collector that runs north and south through there, so we have connectivity back through our -- through that development, and we're basically going to have -- you know, we're going -- we already have connectivity to that location, to that area, with the connection to the south, because then it consequently has connection further to the east from that point.

MS. LOE: From the Lake Drive, whatever that's called?

MR. CROCKETT: From Phillips Lake Drive?

MS. LOE: Phillips Lake Drive.

MR. CROCKETT: That's the east-west that goes across to the north. That's not constructed yet.

MS. LOE: Right. Because it doesn't look to me as if this partial seems to plug connection for any future development on the northeast side of it.

MR. CROCKETT: Correct. Because that -- that development north of us is bound by two major collectors and a neighborhood collector already. You will already have those three roads going through that development.

MS. LOE: No. It's bound on the west side by Clear Creek. I mean, just as you've pulled the property lines for this development below the creek –

MR. CROCKETT: Right. Let me -- let me -- let me scroll through here.

MS. LOE: I'm saying if we don't allow a connection through and the property to the northeast of

this property wants to connect to the south or west, you're forcing it to go over Clear Creek.

MR. CROCKETT: No. The -- what's going to force it to go over Clear Creek is going to be the neighborhood collector that's on CATSO, because that road will -- will go through this piece of property, and that connection will also -- it's in the -- in the works to go out to go through the park and tie back into Ponderosa. And then -- and then --

MS. LOE: That will be a connection. I agree.

MR. CROCKETT: Right. And then north and south, and I -- I'm sorry I didn't show here, north and south along the east property line of that tract is another, I believe, a major collector that comes from Bristol and it is projected to go up and tie into Nifong or -- yeah. I believe it is Nifong. And so, that will be a major collector on that property, as well. So it will have several points of connectivity via major and neighborhood collectors.

MR. STRODTMAN: Any additional questions of this speaker? I see none. Thank you, Mr. Crockett.

MR. ZENNER: Mr. Chairman?

MR. STRODTMAN: Sir?

MR. ZENNER: Before Mr. Crockett leaves the podium, we just have a question to ask from the staff perspective.

MR. CROCKETT: Uh-huh.

MR. ZENNER: Tim, we're looking at the plat that you all have submitted this evening for the Planning Commission as consideration -- the actual physical plat for this, and we're having great difficulty identifying any floodplain or flood way along the secondary creek, the unnamed tributary.

MR. CROCKETT: There is none. There is no regulated floodplain or flood way.

MR. ZENNER: So the map that you have shown the Planning Commission here that was all of the overlaid colors --

MR. CROCKETT: Uh-huh.

MR. ZENNER: -- is identifying something that is not actually supported by anything that the Planning Commission is considering before them this evening?

MR. CROCKETT: No. What is -- what is shown here, Pat, is stream buffer and the steep slopes along that secondary waterway. The -- the yellow color or orange color is stream buffer, because it is a type two regulated waterway. And then the teal color is climax forest. And then the green that's underneath it is the steep slopes right there. That's the steep slopes. There is the climax forest. There is the stream -- the stream buffer. So there is no -- there is no -- the yellow there is the flood way. There is the floodplain. So there is no floodplain or flood way that goes up that secondary creek, but there are other sensitive areas that are along it.

MR. ZENNER: Thank you for that clarification. We were just a little bit confused with what was being presented. Thank you.

MR. CROCKETT: Okay. Okay. Yeah. Thank you.

MR. STRODTMAN: Thank you, Mr. Crockett. Anyone else like to come forward this evening?

MS. BRIDGEMAN: Good evening. Abigail Bridgeman, 4807 South Bearfield Road, Columbia, Missouri. I see that we have a connection to Bearfield Road and already standing on Bearfield Road are two private driveways that connect to three private residential houses. Will the connection to Bearfield affect any traffic or cause problems for families leaving their private residence?

MR. STRODTMAN: I'll refer to staff. Mr. Smith?

MR. SMITH: Well, the -- the request for subdivision was reviewed by our Public Works Department. It did not trigger an automatic traffic impact analysis which sometimes can determine if the impact on the roadway necessitates any improvements on that street. Given the low amount of new residential homes which would be, I think, 58, they could do an additional traffic impact study even if it's not automatically triggered, but upon review, they did not think it was warranted at this point. So no official study has been done on that. They did feel the additional trips being generated by this site could well be handled by the existing road as it is, given the low existing traffic volume. But Bearfield is currently not considered to be constructed to any type of City minimum standards. It has, I think, approximately 22 feet of pavement, which is below what the City standard for a local residential street is. It's unimproved, non-curb and guttered. So other things to take into consideration is one -- is something that Council can look at, as well, as far as the conditions of the infrastructure at that point, but that is the current situation on that site.

MS. BRIDGEMAN: Thank you.

MR. STRODTMAN: Thank you, ma'am. Anyone else like to come forward this evening and speak on Case 18-30? I see none. We'll go ahead and close the public input portion.

#### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, discussion, comments? Mr. MacMann?

MR. MACMANN: I kind of want to get your all's feedback on the stub or lack thereof. I view the north stub proposal to be problematic in the extreme, particularly given our work session topic. I understand the connectivity issue. I don't see a good solution there, other than stepping off right after where they come in. I mean, do you all see something different that I don't see?

MR. TOOHEY: Well, I mean, we had a case a few months ago off of Vandiver where they wanted connectivity through sensitive areas and we denied that request, so --

MR. MACMANN: Well, down to the west of this location, well to the west of this location.

MR. TOOHEY: I understand. We had a case over there where they wanted to go through sensitive areas, and we denied that request. So, now, here we're looking at approving one.

MR. MACMANN: I would rather not approve one is what -- I guess is what I'm saying. I'm just trying to look for a response to staff's concern for connectivity. I mean, I guess I understand what staff is saying, but going north is a problem in my view.

MR. STRODTMAN: I originally thought that maybe there was a direction, like Ms. Loe had suggested, maybe move it further, you know, southeast, but it still continues to be a problematic design

even there. And then as we get closer down to the existing tie-in, it kind of defeats the purpose of having it then. But I -- and I also kind of agree with Mr. Toohey that this is kind of a flip. It's usually the City saying, you know -- but it's different.

MR. TOOHEY: And I do agree. I mean, you're trying to balance the sensitive areas with the connectivity, so what's more important in this situation?

MR. STRODTMAN: So did you have --

MS. LOE: I have real reservations about the rest of the site to the east and northeast, and the connectivity to that site if we don't approve someone. I fully appreciate the comments that we've tried to avoid connecting across sensitive lands, but it does appear to me that if we don't provide something, we would be pushing that site to potentially connect to the west across even greater issues. I mean, Clear Creek has a great -- bigger floodplain at that location. We're crossing bigger areas. So we're beginning to land lock that site to an extent. It has the park on the east, other -- I mean, yes. CATSO may, at some time, come through, but just as this development benefitted by having Bradington there, I don't think we should isolate a piece of property and say you've got to wait for the City to build a road before we'll let you do anything else. So if we don't have a solution, I'm not sure I can support the proposal.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Commissioner Loe, where would you put that stub?

MS. LOE: Well, again, I was hoping that closer to the east -- southern east edge would work better, but Mr. Crockett says no. So I'm thinking it may have to be a different geography of site, a different plat shape in order to accommodate something. They -- they -- this seems very neatly drawn within the boundaries of the sensitive areas. Unfortunately what that's doing is isolating the rest of this site and --

MR. TOOHEY: But they're -- go ahead. But they're also having to deal with the steep slopes along with it, so I don't know --

MS. LOE: Well, I agree. I think these spots look pretty challenging, given that proposal or presentation we were just given.

MR. STRODTMAN: Additional discussion? Motion for consideration?

MR. MACMANN: On the second design adjustment, I have no problem with a long block in this case.

MR. STRODTMAN: I agree. Mr. Stanton?

MR. STANTON: As it relates to case -- oh. Can we do it?

MR. STRODTMAN: Is there any additional discussion needed? Are we ready for Mr. Stanton's motion consideration? I think we're ready, at least to hear what you have to say.

MR. STANTON: As it relates to Case 18-30, Bristol Ridge Preliminary Plat, I move to approve the preliminary plat with design adjustments.

MS. LEE: Second.

MR. STRODTMAN: Commissioners, we have a motion by Mr. Stanton for Case 18-30, and a

second that was received by Ms. Russell. Is there discussion needed on the motion that we have at the moment? If not, I would ask Ms. Burns for a roll call when she's ready.

MS. BURNS: Okay.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Ms. Russell, Mr. Toohey, Mr. Harder. Voting No: Ms. Rushing, Ms. Burns, Ms. Loe, Mr. MacMann. Motion carries 5-4.**

MS. BURNS: Five to four, motion carries.

MR. STRODTMAN: So recommendation -- our recommendation for approval will be forwarded to City Council for their consideration, and what am I doing, with the 5-4?

MR. MACMANN: Automatic review.

MR. ZENNER: They -- this is an item that will appear under old business on the Council's agenda. Given that this is responding to the annexation request, as well -- the annexation and the permanent zoning, as well as the rezoning, I would imagine that full set will be put under old business so they are all discussed together.

MR. STRODTMAN: At the same time. Yes, Mr. Crockett. Yes, please come forward, sir. Just name and address. I'm sorry.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. Given the handful of no votes on that, would it be appropriate that there could be a statement for the record that the no votes possibly -- I don't want to put words in your mouth -- but that the dissenting vote was due to the design adjustment and not necessarily the preliminary plat. Would that be something for the file we could ask for?

MS. BURNS: I would be uncomfortable with that.

MR. CROCKETT: Okay.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I would second Commissioner Burns, because I -- I have multiple reasons to vote in the way I voted.

MR. CROCKETT: Okay. Thank you. Appreciate it.