

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
MAY 19, 2022

Case Number 124-2022

A request by A Civil Group (agent), on behalf of Green Meadows Property LLC (owner), seeking approval of a four-lot preliminary plat of approximately 18.4 acres of R-1 (One-family Dwelling) district zoned property. The subject property is located at the southwest corner of Smith Drive and Louisville Drive and is commonly addressed 825 Louisville Drive.

MS. LOE: May we get a staff report, please.

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the "Quail Creek West Plat B" preliminary plat subject to technical corrections.

MS. LOE: Thank you for the report. Before we move on to questions of staff, I would like to ask any Commissioner who has had any ex parte related to this case to please share that so all Commissioners have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for Planner Kelley? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Kelley, do we know, and we may not, the stability of these sinkholes over time? Have we had -- do they fill up with water, have they collapsed, you know, those kind of issues?

MR. KELLEY: Sure. I -- I don't know the specifics. When they come back to get a permit -- get a building permit, they'll provide a detailed geotechnical report and address storm water at the time of building permitting.

MR. MACMANN: That's what I wanted to hear. Thank you, Planner Kelley.

MS. LOE: Any additional questions for staff? Commissioner Placier?

MS. PLACIER: Yes. My question is related. Since we are approving these four lots, one of which is mostly sinkhole, it seems that we might want to have that geotechnical information now, but we don't. Is that just usual that that waits until the building permit stage?

MR. KELLEY: It sort of depends in this case given the size of the lots. They have quite a lot of room in which to move a building envelope around, and the -- they have access showing that the driveways can get around it. Our building and site staff, specifically our site engineers, felt it was comfortable in this scenario to look at the geotechnical report when the building permit comes in. Given there are four residential lots that -- it's not going to be a developer coming in and building all four at once. It will probably an individual home builder for each, so it just made sense to do it individually.

MS. LOE: Commissioner Rushing?

MS. RUSHING: This is not the first time we've seen this development, and when it was before us before, those sinkholes were a major subject of discussion. So I would assume that the property developer has that information and, you know, I would have appreciated had it been made available to us because without some information indicating to me that development of this project is safe, I'm not inclined to vote in favor of it. End of comment.

MS. LOE: Any additional questions for staff? If there are none, we will open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: If you can please give your name address for the record.

MR. MURPHY: Madam Chair and Commissioners, Kevin Murphy with A Civil Group, offices at 3401 Broadway Business Park Court. Some questions about the sinkholes. We've -- I've identified, I think, above and beyond the area that would normally need to be recognized as this. I would say that the adjacent property, Breckenridge, I believe, that was recently and still being constructed, there are numerous sinkholes on that property where they -- they filled in the majority of those sinkholes, and which is probably an option on -- on this property, too, when they -- when they do that. There -- there are methods for filling these sinkholes and making them go away. I'll also state Louisville Drive, when it was built by the City a number of years ago, it was built over sinkholes and no remediation was done, and it's still standing as it is.

MS. RUSHING: Has there been any contact with the State regarding this karst area?

MR. MURPHY: The -- again, the previous development to the west that was just done a couple of years ago -- three, four years ago, there was a lot of discussion about that, and I don't believe the State was involved in it. They were contacted and I don't believe they were involved in it much at all.

MS. RUSHING: Have you had engineering studies done of those sinkholes to --

MR. MURPHY: This property owner has not. Again, the adjacent property owner where you can see from the diagram there, there's a hundred-something lots over there, and they had done a limited study that did touch upon and identify the areas on this property, as well. And, again, they just addressed the ones that were on their property and again, they filled in some of those sinkholes in an appropriate manner.

MS. LOE: Commissioner Kimbell?

MS. KIMBELL: What materials do they put in a sinkhole?

MR. MURPHY: Typically, rock and a cementous mix, or a liquid cementous mix to --

MS. KIMBELL: Okay. Just wanted to know.

MS. LOE: Any additional questions for this speaker? I see none. Thank you, Mr. Murphy.

MR. MURPHY: Thank you.

MS. LOE: Any additional speakers on this case? Seeing none. We will close public comment.

CLOSE PUBLIC HEARING

MS. LOE: Commission comment? Commissioner MacMann?

MR. MACMANN: I'd like to follow up on Commissioner Rushing's comment after my comment at the beginning. I think in this case, the more information we have, the sooner we have it, it's easier to make a decision. I'm from St. Louis where the entire thing is built over sinkholes and it's occasionally a problem. We end up with broken buildings. And though I do appreciate we've done a survey here, this karst area is not always -- not stable over time. That's why I've asked if we had any movement or anything of that nature. So in the future, if a geotechnical report is possible, and I know that's an expense because you've got to pay for that, I would rather have that in the beginning than later.

MS. RUSHING: I made my comment.

MR. MACMANN: I was referring to Madam Chair. I'm done with my comment, so please, if you would.

MS. LOE: And I see no one else with initial comment. I do have an additional question for staff. Since our action tonight is approving the plat, the plat is identifying the sensitive areas, how do we know that those -- without the information, the additional information, how do we know those areas are adequately identified?

MR. KELLEY: When you say "we," do you refer to the Commission or the time of, like, building permitting, for example?

MS. LOE: We, the Commission. I'm assuming the areas designated as sensitive are being locked in as shown on this plat.

MR. KELLEY: Yeah. So they're -- they're notated on the preliminary plat, and actually we can have a plat note the final plat noting the sensitive areas as far as showing it on the plat goes.

MS. LOE: So what is that shading based on?

MR. KELLEY: It's drawn around a contour I think was suggested on a -- the -- some geotechnical information that Kevin Murphy mentioned, the applicant. The site to the west had some geotechnical studies done that touched on this area as well. It just, I don't think, went into as much detail because they weren't developing this specific property.

MS. LOE: So you've heard the questions from the Commission. Is there any other comment to provide assurance that the area not shaded as sensitive is stable for development?

MR. KELLEY: I think the information I can relay is after speaking with our site engineers who would, you know, review the geotechnical information, they were comfortable with the contour this was drawn around and their familiarity with that previous geotechnical information and the size of these lots. They were comfortable reviewing the, you know, final geotechnical report stuff at the time of building permitting.

MS. LOE: So additional review with more detailed geotechnical would be done at time of building siting?

MR. ZENNER: I think what the plat reflects at this point is what is known and most reasonably to be allocated as the sensitive area based on the contours and the information gleaned from the adjoining

properties report.

MS. LOE: Uh-huh.

MR. ZENNER: That is not to say that those sinkholes may not shift over time, which I think is the question that you're driving at. That is, hence, the reason why before permitting would be allowed, we are going to require geotechnical for each of the individual lots. So if, in fact, that sink has expanded, the more detailed geotechnical related to each individual lot and its future development is going to be known and, at that point, appropriate action would be taken in order to ensure that structures built on the property would not be, for lack of a better term, swallowed up by a sinkhole should the circumstances be so severe that that would be what may happen.

MS. LOE: It is known to happen. Thank you, Mr. Zenner. Commissioner MacMann?

MR. MACMANN: Just a further commentary on more information in the future. As many of you know, I do work in construction, and often when a builder doesn't want to pay for a very thorough geotechnical, you get a substrate report, it says substrate X. Our partners down the street do this all the time, which means you kind of assume responsibility for it. I would rather have -- do the construction and taking that financial responsibility that your building is going to stand, I'd rather have more thorough data in the future. I appreciate the process that we've taken now, and I appreciate the economic concerns that push that cost and/or risk onto a future developer. Where it makes a difference for us is we have -- or there have been drawn plat lines around safety margins around known surface features that reflect the sinkholes and any builders from Missouri knows that just because it looks like this up here doesn't mean it looks like that down there. It may require -- there may be utility and platting concerns, replatting concerns that come into the -- in the future, necessarily. This is -- we're trying to avoid the problems of the city I grew up in, the problems that everyone else is referring to because bad things can happen. I don't have any more comments at this time, Madam Chair. Thank you.

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: Yeah. I would just echo what Commissioner MacMann just said, which is these plat lines are based on where we believe the sensitive areas to be. But if this topography is to be believed, I think they may be larger than indicated, and I think you're probably looking at three lots here, not four if -- if you're trying to be safe and not just trying to get as many in as you can. And so I'm very concerned about the idea of -- you know, it seems to me that everything else around here, this is a very sinkhole prone area, and everything else around it has been squeezing into this last area that's got the densest bunch. It's -- it's concerning. Thank you.

MS. LOE: Commissioner Burns?

MS. BURNS: If there is no additional comment, I'll go ahead and make a motion. In the case of Quail Creek West Plat 8 preliminary plat, Case 124-2022, I move to approve the preliminary plat of Quail Creek West Plat 8.

MR. MACMANN: Second.

MS. LOE: Moved by Commissioner Burns, seconded by Commissioner MacMann. We have a

motion on the floor. Any discussion on this motion? Seeing none. Commissioner Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Ms. Burns. Voting No: Ms. Rushing, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll. Motion fails 2-6.

MS. CARROLL: We have six no votes and two yes. The motion is defeated.

MS. LOE: Thank you. That recommendation will be forwarded to City Council.