

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**November 9, 2017**

**Case No. 17-77**

**A request by Crockett Engineering Consultants (agent) on behalf of Brooks Development, LLC for approval of a 398-lot preliminary plat on R-1 (One-Family Dwelling District) zoned land, to be known as The Brooks Preliminary Plat #2, pending annexation and permanent zoning. The 161.84-acre subject site is generally located on the north side of State Route WW, approximately 900 feet west of S. Rolling Hills Road.**

MR. STRODTMAN: At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to this Case 17-77, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. Thank you.

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 approval of the preliminary plat for The Brooks Preliminary Plat #2.

MR. STRODTMAN: Thank you, Mr. Smith. You did a good job. This is one of our larger plans that we've seen for several years, so thank you.

MR. SMITH: Thanks.

MR. STRODTMAN: Commissioners, any questions for Mr. Smith? Yes, ma'am?

MS. BURNS: Mr. Smith, you indicated that to the north in that property in future development that ten acres have been set aside, so -- but there's no plan for -- so I'm concerned about lack of -- of park or green space.

MR. SMITH: Uh-huh.

MS. BURNS: And that -- I know there were some surprises to come in the development agreement, but I -- I'm concerned a little bit about that.

MR. SMITH: Yeah. I'll just address that real quick again. So there's -- there is a requirement for up to ten acres be dedicated to the City for park district, so there's no development plan approved for that location as of yet. It is a planned district, so a planned development plan would need to come through again this body and through City Council at some point in the future. So there would be an opportunity then to review the location of that park site. So that would be part of the conversation when that property

develops. Again, I brought that up just to illustrate that the park district is aware of that requirement and I think the property owners to the north are aware of that requirement, so it will be something that will definitely be on the table as far as discussing when that development comes forward in the future.

MR. STRODTMAN: I would just like to point out though, the important thing is, Mr. Smith, is -- you can clarify is that the applicant is meeting a 25 percent green space requirement?

MR. SMITH: They're meeting the 25 percent preservation of climax forest, actually. Yes.

MR. STRODTMAN: Additional questions of Mr. Smith? I see none. We'll go ahead and -- oh, sorry. Ms. Loe?

MS. LOE: Mr. Smith, I appreciate that this one does appear to have gone through CATSO review. The CATSO minutes mentioned a public hearing, but there was no -- no acknowledgment of what the outcome of that was. Any comments on what public comments were?

MR. SMITH: I believe there was minimal public comments. I was at that public hearing. I believe Mr. Crockett was probably at that public hearing, so maybe he can refresh my memory.

MS. LOE: Okay.

MR. SMITH: But I think, in general, there weren't objections to it, per se, that I can recall, but don't hold me to that, but we can review the minutes of that. I did not include that, and my apologies on the -- on that.

MS. LOE: Well, I've just lost a little track of is El Chaparral now connecting up to Ballenger?

MR. SMITH: Correct. El Chapparal will be and has always been --

MS. LOE: We go back to the CATSO map?

MR. SMITH: Yeah. So, El Chaparral has always been or where it intersects WW now, the extension of that to the north has always been the location of a major collector. So this is El Chaparral here. So, it was generally originally designed to go east-west, but now it will be more north-south. So it would take the place of this one. This moves to the west, so they run more kind of parallels as opposed to intersecting.

MS. LOE: That was going to be my next questions. We appear to have lost that east-west connection through there. Are there any comments on that?

MR. SMITH: The -- I believe that the decision there was that the internal connectivity of the subdivision will provide the necessary connectivity between those. The intersection of the major collectors was not necessarily -- necessary, per se, to still kind of provide the -- the benefit of having those collectors running through the property to the -- through the property and then one to the west, as well. But I do know they --

MS. LOE: What's the distance between Richland and WW where that property is?

MR. SMITH: I believe --

MS. LOE: I mean, we were just talking half mile collectors being --

MR. SMITH: It's about three-quarters of a mile -- this is three-quarters of a mile, so it's probably --

MS. LOE: Okay. So it's about a mile and a half?

MR. SMITH: A mile and a half to a mile.

MR. ZENNER: And the original -- the original east-west connector, Ms. Loe, was at roughly that half-mile marker. It should be noted, as well, and you can see it on this graphic that Brooks Plat 1 does have a trailing road running off to the west. I think as the staff report read, there is a common lot that is just before you get to the of that road segment, that Hoylake actually ties into, so the design in the street network that is part of the Brooks Phase 1 or Plat 1, the main collector or the main artery that runs through the Brooks 1 would be extended westward. Now, it is likely that it's going to come back up into the property that's undeveloped at this point, and then the stub streets from the south are what are going to provide fingers back up into the undeveloped acreage. Part of the original development agreement that went with the Richland Road tract, which is what is to the north, had indicated that the collector -- that the east-west street that has now been relocated and replaced by Hoylake was a requirement of the CATSO plan, and the idea there again being that we wanted to create east-west movement from Rolling Hills back down to WW to El Chaparral. That now has been at least modified along the northern property boundary and replaced, of course, by what now has been shifted further to the west as the north-south street segment coming off of El Chaparral which would come into The Brooks on its westernmost stub. All in all, the CATSO plan does not necessarily define the corridors in an exact location. It is more from a conceptual planning prospective. So the shifting of the roadways which occurred at the CATSO committee assured that we still have the level of the street connectivity that we needed, but just in a slightly different layout believed to be by that committee as an appropriate exchange or transition between the two. The developability really of the remaining portion of the Richland Road tract to the north of this is going to be somewhat hampered given the steep slopes and some of the other environmental constraints that it will have to now abide by due to the new UDC. Since this property is unplatted and if it is subdivided, it does need to meet full compliance. And so there will be some more significant impacts to the developability under the density class that it has on it. And the ten-acre parcel, again, for park dedication is at the discretion of the Parks Department. There was significant discussion with this project coming in and how to allocate either the ten acres and take a portion out of this project or retain it to the contractual obligation that was to the north, and the Parks Department, at the time that this project was being reviewed and they were asked for comment, determined that they were going to rely on the contractual requirements to the north to extract the ten acres out of and potentially create more of a linear park that's part of the trail system that's utilizing the north fork of the Grindstone. So, there -- there - - I think, as Mr. Smith pointed out in his staff report as well, there are opportunities potentially for possible trail connections back to this future linear park that may be created on the ten acres that needs to be dedicated to the north, and all of the northern street stubs that come out of The Brooks project here that we're reviewing actually are conducive to that. Design of the road network to the north will then further those overall objectives, and I think you'll have an opportunity for residents to have access to recreation, but maybe not recreation directly within their actual development itself. So there is -- there are some

tradeoffs here. The Parks Department is -- has got their radar way up on this. They realize that this is an opportunity for them and they realize with this particular project proceeding development to the north where the ten acres are required, the ten acres will come. It will just come at the point when the northern parcel develops and that may very well be predicated on the success of this southern parcel.

MR. STRODTMAN: Any additional questions, Commissioners, of staff? I see none. I'll open up the public hearing.

**PUBLIC HEARING OPENED**

MR. STRODTMAN: Anybody like to come forward to give us any relevant information on this case, please come forward.

MR. CROCKETT: Thank you. Members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Mr. Smith. I got it right. I wrote it down, Mr. Smith. Again, Tim Crockett, Caleb Colbert and Quinn Bellmer with me here tonight representing the project. Again, a quick overview. I don't need to go through those items; you've discussed them already. Again, just a quick sketch showing the project itself. I can't remember the last time we've had this many lots and this few cul-de-sacs, so this is one thing that we're really listened to and tried to eliminate as many cul-de-sacs as possible.

MR. STRODTMAN: We appreciate that.

MR. CROCKETT: You've already seen these. I would like to talk one thing with regards to developer contributions, and some of these are required due to the traffic study, due to the development itself, but there are substantial outlays in capital with regard to this project that are going to benefit the community. First of all, the upgrade of Hoylake Drive. That's the east-west collector that comes down to the south and ties into Elk Park Drive. Upsizing that, typically, it's the developer's responsibility for a residential portion. In this case, he's going to build the entire project, which is about \$186,000 of additional cost above what a residential street would be. Again, we're going to install a fourth leg of the signalized intersection, and this is -- you know, Ms. Loe, this is part of the reason why CATSO looked at the realignment was what this does is it allows that new collector street to come down and tie into a signalized intersection as opposed to being pushed further to the west and go into a location that's not signalized at this time. Furthermore, when they looked at that, the internal traffic from this development, all the residential units in this development can be handled by the internal street network and the collector streets. What this street is doing, the collectors network out here, is taking additional offsite traffic through this site. Okay? So we're going to collect -- over time, we're going to collect a large volume of traffic that is not associated with this development. It's going to come through the development. The traffic engineers looked at that and discussed, and they said, well, if we cut it a little bit shorter and go into Elk Park Drive as opposed to El Chaparral, then we're going to have a less distance, a smaller distance of offsite traffic going through a residential neighborhood, and they thought that was better. Of course, we're going to build a pedway along WW. That's about \$56,000 above what a normal sidewalk would cost. And, of course, we're going to put turn lanes on WW. Now, you could say, well, this is part of your development's responsibility because it is required. It is, but for this development, we do need turn lanes.

We don't need to signalize the intersection, believe it or not, but we do need the turn lanes. However, they're going to be on collector streets, one of them, specifically, is a major collector street that's going to benefit, you know, the whole area and not just this development. We've done calculations with regards to capacities, as when this collector gets built and this area gets built out, it's anticipated that those improvements were going to be less than about 40, 45 percent of this area. Our development will contribute to that -- to the need of that collector. So a substantial portion will be from other portions in the City. Something else we're going to is we're also going to widen the shoulders along WW. This is part of the development agreement and, of course, we're not discussing the development agreement with you tonight, but just want you to know that there are additional contributions that are going to be made for this development that's not just associated with the internal portion, but also along with WW. Again, staff -- they proposed -- the proposed permanent zoning is generally consistent with the goals and objectives of the East Area Plan. They've also indicated that the tract is compatible with the adjacent zonings. The preliminary plat is compliant with all the zoning and subdivision -- subdivision and zoning regulations and, of course, they support it. With regards to the park, Mr. Zenner is exactly right. We met -- we did meet with the Parks Department. We asked them are you looking for ten acres, are you looking at ten acres on this piece of property or the property to the north. The -- when the property to the north was zoned several years ago, that developer made an obligation that they would dedicate ten acres to the City when they developed that property, so they're under that obligation. When we met with the Parks Department, we asked them what their specific location, what's your desired location for ten acres. Is it this tract; is it the tract to the north? They have plans to develop ten acres along the creek to the north. They want a linear park that ties into their trail network that they can directly tie to and impact that area, so they have their eyes set on a piece of property specifically for that. And so we did reach out to them, we did ask them, and Mr. Zenner is correct on his comments when he stated about the park issue. So, again, with that, I'm happy to answer any questions that the Commission may have.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, are there any questions for this speaker? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Mr. Crockett, to follow up on the Park and Recreation issue, this is one of the larger things we've done in a minute as far as the subdivision goes.

MR. CROCKETT: Yes, sir.

MR. MACMANN: And by my calculations, we're looking at over 1,100 residences and probably 400-plus cars. And internal to this development, we don't have -- and you just addressed that -- we don't have a park or anything like that, but we do have the pedway along the south. And as Mr. Smith has mentioned -- now you've got me wanting to say the opposite thing. As Mr. Smith has mentioned, you -- they had discussed with you the possibility of internal pedways that interlot -- between lots. Can you talk to me about that a little bit?

MR. CROCKETT: But, obviously, we'll work with the City on that. To be quite honest, there's been no specific conversations between us and the Planning Department with those. I mean, honestly,

this -- tonight is the first night that we have actually seen what they are asking for, but certainly we will discuss it with them during the design phase of the project. I mean, we want to build something that's -- that's workable for our residents, that's workable for the City, you know. We'll discuss it at the design stage, but, you know, I can't really comment on it too much because --

MR. MACMANN: I just -- I wanted to -- I really wanted to get that on the record.

MR. CROCKETT: Sure.

MR. MACMANN: Because we're going to have a park up -- up at the top, and I think it's a good place for it.

MR. CROCKETT: Right.

MR. MACMANN: And we're going to have a school to the southeast.

MR. CROCKETT: Right.

MR. MACMANN: And you're going to have a lot of -- there's a lot of existing people to the southwest.

MR. CROCKETT: Right.

MR. MACMANN: So we're going to need some besides vehicular access ability when we get to that point --

MR. CROCKETT: We agree -- we would agree with that. We want our residents to be able to access to those facilities, whether it's the park or the school, that -- that helps our -- you know, it helps all of us.

MR. MACMANN: It helps every -- I think it helps everyone.

MR. CROCKETT: Sure.

MR. MACMANN: I just wanted to get it on the record. Thank you very much.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Any additional questions of this speaker? Ms. Loe?

MS. LOE: The connector that Hoylake?

MR. CROCKETT: Yes, ma'am.

MS. LOE: I don't really understand the coming down to Elks --

MR. CROCKETT: Uh-huh.

MS. LOE: -- and that being the intersection. But the connection up to the north, has that road been identified also as a major collector and is being built that way?

MR. CROCKETT: Yes. The one that's at -- the one that is going to tie into El Chaparral?

MS. LOE: No. The one on the northeast.

MR. STRODTMAN: Brooks --

MS. LOE: That Hoylake is going to be tying into?

MR. CROCKETT: Yes. It has been identified. It was identified early on as a major collector on the CATSO plan when that first phase of the development took place, so it has been designed as a major collector, and we're going to tie into that major collector for this property.

MS. LOE: Okay. Because looking at the plan, it looks like there are some residences that may be --

MR. CROCKETT: There are some residential driveways. That was a negotiation between the developer and the City at the time to acquire a few of those residents direct access to that -- to that road, but they are limited. There are none on this -- on this location.

MS. LOE: All right. Thank you.

MR. ZENNER: We won the second argument, not the first.

MR. CROCKETT: We negotiated.

MR. MACMANN: Just -- can I follow up on that?

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Just to be clear, in this particular development question, there are no connections to Hoylake?

MR. CROCKETT: There are absolutely no connections.

MR. MACMANN: That's --

MR. CROCKETT: No driveway connections to the -- to the Hoylake Drive. And I will also note that the road to the -- to the far left of the screen, the north-south, that is a neighborhood collector, as well. So I don't think that was mentioned in staff report. And the reason for that is that helps serve the PUD-4 to the north. When our traffic study looked at this piece of property, it didn't look at just the road networks and this piece, it looked at the surrounding zonings of the properties that are going to tie into it and how that this development would affect them, to make sure that we don't cut a future, say, PUD-4 off from being able to have the capacity to -- to develop to that zoning.

MR. STRODTMAN: Yes, Mr. MacMann?

MR. MACMANN: Quick follow up, and I need to follow up with staff before I come back to Mr. Crockett. Planner Smith, you said there are approximately 30, 35 common lots in this; is that correct?

MR. SMITH: Yes.

MR. MACMANN: All right. Mr. Crockett?

MR. CROCKETT: Yes.

MR. MACMANN: We've been going through time in older -- not that old -- five- or ten-year-old subdivisions doing replats and such getting rid of common lots.

MR. CROCKETT: Uh-huh.

MR. MACMANN: You've got 35 of them.

MR. CROCKETT: Absolutely.

MR. MACMANN: Where are we going here?

MR. CROCKETT: Let me tell you -- let me tell you the reason why. Several of them are common lots that Mr. Smith indicated that we have a large area of tree preservation that we -- and it's going to adjacent to the -- the amenity lot where we may put in a clubhouse, a swimming pool, or something along those lines. And we want to -- we want to put that adjacent to that piece of property that can be -- maybe

we'll put a trail or something like that through there. Of course, the lake is a common lot. But the majority of those, Mr. MacMann, are common lots dedicated to storm-water quality and storm-water detention facilities. The regulations indicate that we cannot put those on private lots. We've done that before in the past inside an easement, and we prefer to put them on a private lot inside an easement, but the City does not necessarily allow us to do that. And so in order for us to be compliant, we have to put common lots around every time we have a bio-retention cell or a detention facility.

MR. MACMANN: And I may follow up with that just a little bit more. Your HOA is going to be the responsible party on those?

MR. CROCKETT: Absolutely. These are not -- these are -- and all of that's covered. And we -- when we design those, we have to sign a covenant, if you will, that we give to the City that basically says that we're responsible for them.

MR. MACMANN: As part of the development agreement?

MR. CROCKETT: I'm sorry?

MR. MACMANN: As part of the development --

MR. CROCKETT: No. This is part -- this is part of the design stage. Before we get any design plans approved or the final plat approved, we have to -- we have to sign that and turn that over to the City, where it basically says we will maintain it, and then, if we don't, it gives the City the authority to do so, but, of course, then it will come back on the HOA.

MR. MACMANN: Yeah. But charge you. I have no more questions at this time. Thank you, Mr. Crockett. Thank you, Mr. Chairman.

MR. STRODTMAN: Commissioners, any additional questions of Mr. Crockett? I see none. Thank you, Mr. Crockett, and I also thank you for disclosing the contributions being made by the applicant. It's nice to see the dollar amount tied to those. We see the items a lot of times, but we don't see the costs, so it's nice to kind of put those together, so we appreciate that.

MR. CROCKETT: Right. Thank you.

MR. STRODTMAN: Any additional speakers like to come forward, please do.

MS. PEARN: Good evening. My name is Pam Pearn; my address is 2003 South Alamos Place, which is in the El Chaparral Subdivision. So, I come to you tonight as a resident of the county as opposed to a City resident. It's very educational for me to get to see this in more detail and to hear the comments both from the staff report and from Crockett Engineering. Up to this point, really the information that we, as a neighborhood association -- a 400-home neighborhood association to the southwest of The Brooks have heard about this is pretty much what we've been able to find online. We did, however, one month ago have two representatives from MoDOT and Thad Yonke as the planner from Boone County come out and speak with our neighborhood association primarily about traffic concerns along WW as it affects the El Chaparral intersection there. At our request, MoDOT had done a traffic study for us at the beginning of September there, and between 6:30 a.m. and 6:30 p.m., did record 11,000 cars passing that intersection. For those of you who haven't been out that way, there is -- there



are currently no traffic-calming measures between the Highway 63-Keene Street and Rolling Hills roundabout. So 45 miles an hour, got some hills, got some curves, kind of difficult to see. We've had some close calls as the Boone County Fire Department across the corner can attest to. What we were told at that point by MoDOT was that while -- so we were told that WW falls under MoDOT's concern as a state highway, and I'm not clear how this affects that -- this plan. We were also told that when we talked about CATSO and the need for -- for some sort of traffic intervention to help things go better at the intersection of El Chaparral and WW, that while it wasn't a CATSO plan, there were not funds available to address that, that a roundabout would be preferable, turn lanes not preferable based on lots of studies that they threw out, and basically those were unfunded mandates. So 11,000 cars are coming past that intersection in a 12-hour period. That's before, of course, we complete the new school in The Vineyards. That's before we complete those three more plats that are being worked on in The Vineyards, and it's as Old Hawthorne continues to expand to the north of us on Rolling Hills. So I am very pleased to hear that it sounds like there is a plan perhaps as part of the development proposal -- I'm not clear on that -- with the El Chaparral connection into The Brooks Subdivision, and I found out tonight that that would be directed another way. But I want to make the City Planning and Zoning aware that there are some other parties perhaps that aren't at the table or who are communicating different information to the folks that are in the surrounding area in the county as it affects traffic, as it affects a number of things. The other thing that we've been working very closely with CAM on is the Grindstone Creek riparian corridor, and that certainly is something that has been referred to in development of The Brooks. Currently, as I'm sure you are aware, both sections of the Grindstone Creek feed into the Hinkson Creek, and so we are working -- our neighborhood association is working directly with CAM to develop and triple the size of the riparian corridor along the South Fork of the Grindstone Creek as it runs south of the El Chaparral Subdivision and where there is an intention eventually -- it's on City property now -- to put a trail along there, as well. So as we're working hard on that, we would appreciate hearing how these additional subdivisions will provide good stewardship for water quality as it feeds and through our neighborhood. So, traffic, we'd love to hear more about traffic calming, addressing the increased traffic demands of WW, and also the creek. Thank you very much.

MR. STRODTMAN: Thank you, ma'am. Commissioners, are there any questions for this speaker? Yes. Ms. Kerns, maybe?

MS. LOE: Is it Ms. Stern?

MS. PEARN: Pearn.

MS. LOE: Kern?

MR. STRODTMAN: Would you please -- Pearn. Would you please come back? We have some questions for you.

MS. PEARN: Sure.

MS. LOE: I was just wondering, were you aware or were you at the CATSO public hearing?

MS. PEARN: I was not aware of that.

MS. LOE: Okay. Thank you.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: A couple things. Unfunded mandates. Just the information to take back to your HOA pretty much. I did some quick calculations in my head, and if your base number is 11,000, your car trips are going up, with the school and the subdivision, go up another 2,000 or 3,000, so 25, 30 percent. That's just -- don't hold me to that. I'm just running that through. I would suggest that your HOA closely monitor traffic in the future to communicate to the City and to MoDOT. And as far as your riparian goes, the Council -- and correct me, the first phase of that was authorized to be paid for last Council meeting, was it not?

MR. SMITH: I don't know if I can answer that.

MR. MACMANN: I believe that the first phase of what you're talking about was just authorized on Monday.

MS. PEARN: Correct. What we have been doing is we have had two meetings --

MR. MACMANN: Uh-huh.

MS. PEARN: -- informational meetings between the neighborhood and the CAM subcommittee, and we have been doing some invasive tree removal. There has not been any additions to that, but we have been working to educate our homeowners about that process, why it's important, recruiting volunteers to assist with that. And we have been assisting with some invasive removal that is down there in that floodplain along the South Fork of the Grindstone Creek.

MR. MACMANN: Well, I just -- I just want to pass that information along to you because that's --

MS. PEARN: Uh-huh.

MR. MACMANN: -- you're on the borderlines, though.

MS. PEARN: Uh-huh.

MR. MACMANN: And I just -- to Mr. Crockett's -- kudos to Mr. Crockett because they try to pay a lot of attention to -- he lives here, we live here -- the storm-water runoff and environmental issues.

MS. PEARN: Exactly. And it's Pearn, by the way. It's spelled with a P, so it's like learn but with a P. Thank you.

MR. STRODTMAN: Any additional questions, Commissioners? Thank you, ma'am. Anyone else in the crowd -- in the audience like to come forward? We will close the public hearing portion of this case.

#### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, questions, comments, more information needed, a motion? Mr. MacMann?

MR. MACMANN: I -- it looks like my hand was up.

MR. STRODTMAN: You had your pen pointing up.

MR. MACMANN: In the case of 17-77, The Brooks Preliminary Plat Number 2, this is the annexation part or the permanent zoning part. I've lost my --

MR. ZENNER: Preliminary plat.

MR. MACMANN: Preliminary plat. See, I got -- so, dealing with the preliminary plat for 17-77, I move to approve.

MS. LOE: Second.

MR. STRODTMAN: Thank you Mr. MacMann and Ms. Loe for the second. Commissioners, we have -- a motion has been made by Mr. MacMann and the appropriate second by Ms. Loe. Is there any discussions needed on that motion? I see none. Ms. Burns, when you're ready.

MS. BURNS: Yes. Thank you.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.**