



# City of Columbia, Missouri

## Meeting Minutes

### Planning and Zoning Commission

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Thursday, February 22, 2024

7:00 PM

Regular Meeting

Council Chambers

Columbia City Hall

701 E. Broadway

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#### I. CALL TO ORDER

MS. GEUEA JONES: Good evening. I will now call to order the Thursday, February 22nd, 2024 Planning and Zoning Commission Meeting. If we could all take our seats. Thanks.

#### II. INTRODUCTIONS

MS. GEUEA JONES: Commissioner Carroll, could we have a roll call?

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Here.

MS. CARROLL: Commissioner Dunn? Commissioner MacMann?

MR. MACMANN: Aye. Present.

MS. CARROLL: I am here. Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

MS. CARROLL: Commissioner Ford?

MR. FORD: Here.

MS. CARROLL: Commissioner Wilson?

MS. WILSON: Here.

MS. CARROLL: Commissioner Loe?

MS. LOE: Here.

MS. CARROLL: We have eight; we have a quorum.

MS. GEUEA JONES: Thank you.

**Present:** 8 - Sara Loe, Anthony Stanton, Michael MacMann, Valerie Carroll, Sharon Geuea Jones, Peggy Placier, Shannon Wilson and Matt Ford

**Excused:** 1 - Zack Dunn

#### III. APPROVAL OF AGENDA

MS. GEUEA JONES: Mr. Zenner, are there any changes to the agenda?

MR. ZENNER: No, there are not, ma'am.

MS. GEUEA JONES: Is there a motion to approve?

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann; seconded by Commissioner Stanton. Can I get a thumbs up approval on the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous.

**Move to approve**

#### **IV. APPROVAL OF MINUTES**

##### **February 8, 2024 Regular Meeting**

MS. GEUEA JONES: We all received a copy of the minutes from the February 8th regular meeting. Are there any changes or adjustments to the minutes?

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann; seconded by Commissioner Stanton. Could I please get a thumbs up approval of the minutes?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous, no abstentions. Thank you.

**Move to approve**

#### **V. SUBDIVISIONS**

##### **Case # 48-2024**

A request by the City of Columbia (owner) for approval of a 2-lot final minor plat to be known as the "*Cosmo Park Subdivision Plat 1*" in order to confer "legal lot" status upon the resulting parcels. The 499.62-acre property is located northeast of the intersection of North Stadium Drive (Route E) and Business Loop 70 West and is addressed as 1800 Parkside Drive.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of "Cosmo Park Subdivision Plat 1."

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any outside contact with parties to this case, please disclose so now. Seeing none. Questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Palmer, was this advertised as final or preliminary?

MR. PALMER: It was advertised as a final.

MR. MACMANN: That's what I wanted to hear.

MR. PALMER: I really forgot to change it on the staff report, and it ended up on the slide. So I apologize.

MR. MACMANN: I just didn't -- and I would like to thank staff for -- I know it's a City policy now. We don't necessarily have to obey all the rules and regulations, but when we do, I think it sets a wonderful example. I have one more other quick comment. Ladies and gentlemen, there's a lobby here. We're going to be here for a while. If you all could respect the Chair, that would be fantastic, and we'll do the best we can to hear from all of you. Thank you.

MS. GEUEA JONES: Thank you, Commissioner. Any other questions for staff? Seeing none. We will open the floor to public comment.

**PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward. We allow for three minutes for individuals, six minutes for the applicant or any groups. Only one number of each group gets the six minutes, though. So anyone here to speak on this? Going once, going twice. Seeing no movement, we will close public comment on this case.

**PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Is there any Commissioner comment? Commissioner MacMann?

MR. MACMANN: Seeing no questions or comments from my fellow Commissioners, I would like to make a motion. In the matter of Cosmo Park Plat Number 1, final plat -- no technical questions, Mr. Palmer? As is, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval has been moved by Commissioner MacMann and seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Carroll, when you're ready, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

MS. CARROLL: We have eight votes to approve. The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. Moving on to our next case.

**In the matter of Cosmo Park Plat Number 1, final plat -- no technical questions, move to approve.**

**Yes:** 8 - Loe, Stanton, MacMann, Carroll, Geuea Jones, Placier, Wilson and Ford

**Excused:** 1 - Dunn

**Case # 60-2024**

A request by Crockett Engineering Consultants (agent), on behalf of Medicinal Properties LLC (owner), for approval of a 2-lot Final Plat of M-N (Mixed Use - Neighborhood) zoned property, to be known as "*Brushwood Lake, Plat No. 1*". The 10.35-acre subject site is located northwest of the intersection of Scott Boulevard & S. Brushwood Lake Road.

MS. GEUEA JONES: May we please have a staff report.

Staff report was given by Mr. Kiaan Ahamed of the Planning and Development Department. Staff recommends approval of the final minor plat to be known as Brushwood Lake, Plat No. 1, subject to technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so. Commissioner MacMann?

MR. MACMANN: May I quietly and quickly and privately ask staff a question so I can answer your question?

MS. GEUEA JONES: Yes. We will stand at ease briefly.

MR. MACMANN: Thank you. Thank you, Madam Chair.

MS. GEUEA JONES: Commissioner MacMann, do we need to conduct any business?

MR. MACMANN: I have no conflict and no information. Thank you.

MS. GEUEA JONES: Thank you. Any other comments from Commissioners related to conflicts or contact with parties? Seeing none. Commissioner -- or not Commissioner. We've already done you. Mr. -- are there any questions for staff? You threw me off. I have this whole thing. Any questions for staff? Seeing none. We will open the floor to public comment on this case.

**PUBLIC HEARING OPENED**

MS. GEUEA JONES: Are there any members of the public here to speak on this case tonight? Again, please come forward, state your name and address for the record. Six minutes for the applicant and groups.

MR. BUTCHER: I'm David Butcher; Crockett Engineering, 1000 West Nifong. I don't imagine there's very many questions, but I wanted to make sure I was available in case you did have something that you -- you know, technical, that may have come up that we can discuss, and so just call me back if you need me.

MS. GEUEA JONES: Thank you very much. Just one moment, please. Any questions for Mr. Butcher? Seeing none. Thank you very much. Any other members of the public here to speak on this case tonight? Seeing none.

**PUBLIC HEARING CLOSED.**

MS. GEUEA JONES: Any Commissioner comments: Seeing none. Would anyone like to make a motion? Commissioner MacMann?

MR. MACMANN: Seeing no questions or concerns, I'd like to make a motion. In the matter of South Brushwood Lake Road, final plat, Case 60-2024, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing -- oh, Commissioner Loe? Sorry.

MS. LOE: Pursuant to minor technical corrections.

MS. GEUEA JONES: Oh, thank you. Yes.

MR. MACMANN: I will accept that amendment. Mr. Stanton, is that all right with you?

MR. STANTON: Yes, sir.

MR. MACMANN: Thank you.

MS. GEUEA JONES: The motion has been amended to allow for minor technical corrections, and both the maker and the seconder have approved the amendment. Any further discussion on the motion? Seeing none. Commissioner Carroll, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

MS. CARROLL: We have eight votes to approve, the motion carries.

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

**In the matter of South Brushwood Lake Road, final plat, Case 60-2024, I move to approve pursuant to minor technical corrections.**

**Yes:** 8 - Loe, Stanton, MacMann, Carroll, Geuea Jones, Placier, Wilson and Ford

**Excused:** 1 - Dunn

**VI. PUBLIC HEARINGS****Case # 260-2023**

A request by Engineering Surveys and Services (agent), on behalf of Columbia South Real Estate, LLC (owner), for approval of a PD Plan amendment to the Cherry Hill PD Plan, pertaining to Lot 3B. The proposed revisions include increasing the footprint of the building by 8,000 square feet, reducing onsite parking spaces by 21 spaces, and increasing the number of approved multi-family residential units from 10 to 24. The 0.41-acre subject site is located northeast of the intersection of Flagstone Drive and Corona Road. The case was remanded for reconsideration to the Planning Commission by City Council at the request of the applicant, due to staff's oversight in regards to a 2014 development plan amendment and misrepresentation of the existing zoning conditions on the subject lot.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the proposed major amendment to Lot 3B of The Village of Cherry Hill PD Plan, pursuant to minor technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Are there any questions for staff? Seeing none. We will open the floor to public comment.

**PUBLIC HEARING OPENED**

MS. GEUEA JONES: Once again a reminder, name and address for the record, six minutes for groups, three minutes for individuals.

MR. KRIETE: My name is Matthew Kriete; I'm with Engineering Surveys and Services, offices at 1113 Fay Street here in Columbia, and I am the civil engineer on the project. So again, thank you for letting us present this again. I know we've been back to -- to look at this again, and quite a few changes have occurred since then. So, first off, just again, some of the same summary here, but, you know, I want to go through what's changed, some of the history on Cherry Hill. I want to look at Cherry Hill more as a whole than just -- even just Lot 3B. Again, look more at the plan, the parking, and the new building elevation, and we actually have a new one than what you've seen in your report, as well. Just some more feedback we got from the association, some additional changes to that that we'll show you tonight, as well. So first off, you know, like we mentioned, I think we had a little bit of inaccurate history. That 2014 revision, I think, was a pretty critical piece. I had a client who purchased a property that was zoned fully for residential. And so I think that was an important piece that was not properly presented

last time. So, you know, we were talking not about a change of use, but really just a change in building area and residential density. But since then, again, we've changed the building elevations and there has been meetings with the HOA and association. Again, you've seen this letter, as well. I believe it was in your packet -- the approval letter. Again, same thing. Several revisions have occurred along the way, and I -- you know, we talked about the original approval in '99 and the other revisions that have impacted lots 3B. So looking at the overall development characteristics from those original plans, you can see from '99 the retail size, the parking required, the parking provided, and there you'll see that 33 percent reduction that was approved with the original plan as -- as was mentioned earlier. And as you can see as this time has progressed, you've seen the density and intensity of the development actually reduced, but, overall, the parking really hasn't changed, so the actual amount of parking on Cherry Hill has been increasing. You know, so for -- for us, you know, what are we asking for? Ultimately again, it's a change in the residential density on Lot 3B. It's a change in the building area, and it's a larger footprint, and it's a reduction in the parking on there to allow, again, the use of the shared parking on the site. It's those -- those items only. This is nothing about use. So specifically, you know, what's the density change? Well, there's ten units approved; we're looking for 24. The building, though, again is -- is not -- not that much of an increase, but again, it's just another 8,000 square feet. It does cover a larger footprint, and again, the parking is available in the area, so again, that piece is being removed from the site, you know, as a whole. So, again, this is important, I think, to look at it as more than just being Lot 3B. I think Cherry Hill -- the Village of Cherry Hill is a bigger plan. There has always been shared parking as part of this development, and we're asking just to continue on with that and the walkability and the intent of this development. And with that, I mean, the -- the proposed revisions, you know, fit with what was proposed with Cherry Hill originally. Again, same table, now we've added our proposed amendment here, and you can see again that reduction in retail across there, the change in the parking. And what's interesting to note here is when you look at '99 and you look at now, the different in the, you know, the required parking and the provided parking is exactly the same. And, in fact, I'll admit I forgot to update the number. We actually are providing 630 stalls; we're providing more parking as a ratio than we -- than it was in 1999 overall in Cherry Hill. So again the density is down, but that overall parking is very consistent. Likewise, when you look at Cherry Hill, I've highlighted lots out there that had buildings that don't have the required parking on their actual lot. This was always part of the Cherry Hill plan to have that. You know, again, we're not asking for anything new that wasn't already present in this development. Lost a page there. All right. So with that, I think

we had seen an overlay, I had another paper to overlay, and that didn't transfer over when I uploaded this. But overall, our plan again is -- I lost my page -- the changes we've talked about, we've added the additional three stalls where the ATM was over to the left. We've -- working with the HOA, there's, you know, been the addition of removing the locust trees on the association's property and adding additional buffer there. This is on top of the buffer we're already required to install, and we will install, so it's, you know, more or less doubling the buffer up. And that will enhance the landscaping in that association area, as well. We've added the drop-off area. It's hard to see on the -- on the screen, but it's actually over by the accessible stalls behind the building. I think that the original request was, hey, put it out in the street, but that's going to take people upstairs and more grade change. I mean, this is really, if you want to unload groceries, this is right next to the building, right next to the door. This is a much more practical space for it. That's not included in the parking count, by the way. It's -- you know, we didn't include that. Again, one stall, not making a big difference, but it's not included. So again, looking at the required parking, again, as a whole, was 509 required by the Cherry Hill plan. If we were to apply it based on the current UDC standards, 610, again, there's 600 -- actually 630 stalls provided out there on the plan, so we're exceeding it, you know, whichever way you look at it in Cherry Hill. Just to further look at it, we've started monitoring the parking in the area, so we've highlighted -- what we've highlighted in the yellow, we've monitored that parking for just about two weeks, and found that about 17 of those 55 stalls were used on average. Peak rates were in the afternoon, and even at the peak time, there was enough parking to accommodate what we need. The rates make sense looking at what's in Cherry Hill, the businesses that are there. They're pretty much all 8:00 to 5:00 businesses with a few exceptions. So again, the use of shared parking makes a lot of sense out here. You know, when the residents are home, businesses are closed. The parking study, we show highlights the same thing. Again, here's your updated rendering, and you can see that gables have been added to it, so again just a request of the association, add a little more character to the building. So it's a little different than you see, but, again, what else is updated. It's all brick and stone exterior now. It is four-side architecture. It does tie into Cherry Hill and the architectural style of Cherry Hill now. And now you can also see in the context of it. And one nice thing that you can't see now, it's not on there, but behind that building is the -- you know, the sited building that's behind it now, you know. So it does cover that building, and it kind of does stick out a little bit from the Cherry Hill standpoint. With that, I would be happy to answer any questions you all might have.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker?



Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. First off, A bit of a kudos there, Matt. I thank you for the four-sided architecture. I participated in building the downtown area many years ago, and not all of them have four-sided architecture. My question is as follows. And again, there was a lot of misinformation previously, and I'm glad we've had a chance, as painful as this may be and as expensive to this client this has been, to review this. You've obviously talked to the residential HOA and the more commercial oriented thing in the City. My -- my question is kind of a Commissioner Stanton question. Is -- what do you think are the strong points and weak points of this? Have you addressed the issues that you feel the people have had problems with this before?

MR. KRIETE: Oh, absolutely. I think we did. Architecture is obviously one of the big ones.

MR. MACMANN: Uh-huh.

MR. KRIETE: You know, I think we -- you have a building now that has been well vetted, you know. The association has an architect that reviews it, so that's where a lot of these comments came from. So it's -- I think there was a lot of back and forth from what I saw getting to this conclusion. But yes, I think that was a big part of it. Really looking at the parking is -- is there a concern to really get out there and study the number of the stalls and they look at Cherry Hill as a whole, not look at this so much in a vacuum itself, I think is also very important. And then working with the association of where is their concern, you know, that it all -- concern that residents are -- what are they going to do. Will they -- well, they want to be a little closer, so I'm going to park out in front of the house down the street a little bit. Well, no. You're not going to do that. No. You're going to -- you're leasing here, you're going to be parked over here, or you can park out in this area, but that's off limits over there, which is, you know, again, one of the big concerns. And I think resolving those issues with the HOA, I think was a -- was a big part.

MR. MACMANN: All right. I just wanted to check because that was an issue. We were here a long-time last time.

MR. KRIETE: Yes.

MR. MACMANN: I have no more questions, Madam Chair.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Thank you, Mr. Kriete, for the context in the elevations. It definitely helps to see how the building would be sited in the surroundings. I had a question just about the shared parking. Am I incorrect that last time we looked at this, for some reason, I thought we were looking at parking perhaps more remote to the north of the site? Where

were -- was it contemplated that other parking lots might be used?

MR. KRIETE: I think we're -- we're looking more at the Cherry Hill as a whole, because it was always a shared parking.

MS. LOE: Okay.

MR. KRIETE: We've honed in tighter into an area. And it really, again, in response to the comments we had last time and association, and really, really, where are people going to park? We're going to park as close as we can. That's what we do. It's what -- why we complained that we had to walk in Cherry Hill and know we're in a walkable development or coming downhill. It was great. I get to park back here today. I didn't want to park in the garage and walk down the stairs.

MS. LOE: If it is shared parking, and I understand some of the parking will be shared, is that dedicated parking, or if there's future development that also wants to use that parking, I mean, how do we know that parking --

MR. KRIETE: Consequently, one nice thing, a concern is we had some vacant retail space the last time we met. When we went out to do our study, it was full. So in fact, we had new businesses that just opened, you know. We got a little way from the New Year's and Christmas, let people get back in the scheme of things, had some pretty nice weather, and got out there and did some parking counts. So I think you got to see realistic of what was there. In fact, I think with new businesses, you probably had a little higher demand because those businesses were right in that area than what will probably persist as we go on. And you can see a little -- a little spiking in there, but, again, it's afternoon. This will be offset from when the residents need it.

MS. LOE: Thank you.

MS. GEUEA JONES: Sorry. Before we got to Commissioner Carroll's question, so was that a no, it's not designated? It's just shared?

MR. KRIETE: It's just shared. I think all -- everything in Cherry Hill is shared. That's the -- that's the intent of Cherry Hill.

MS. GEUEA JONES: So, it's no, it's not designated?

MR. KRIETE: Correct.

MS. GEUEA JONES: Thank you. Just wanted to make sure we answered the Commissioner's question.

MR. KRIETE: Yeah. Uh-huh.

MS. GEUEA JONES: Thank you. Commissioner Carroll?

MS. CARROLL: You said that you had -- that the association had an architect to look over the plans.

MR. KRIETE: Yes.

MS. CARROLL: Is that the Commercial District Association?

MR. KRIETE: Yes. Yes.

MS. CARROLL: Okay.

MR. KRIETE: Yeah. It's part of the requirements in the association that it would be approved by their architect.

MS. CARROLL: And the approval that we have, the letter of support that we have comes from the commercial district?

MR. KRIETE: Yes. Yes.

MS. CARROLL: Thanks.

MS. GEUEA JONES: Any other questions for this speaker? Seeing none. Thank you very much.

MR. KRIETE: Thank you.

MS. GEUEA JONES: Oh, wait. I'm sorry. I did have one more. I didn't look down at my own notes. Which association will you be joining then, or with the -- no you, but the owners be joining then or will the -- not you, but the owners be joining?

MR. KRIETE: I think I'll leave that question to another presenter here.

MS. GEUEA JONES: Okay.

MR. KRIETE: He can explain that better than I can.

MS. GEUEA JONES: Fair enough. Thank you very much.

MR. KRIETE: Thank you.

MS. GEUEA JONES: The next person who would like to speak on this case, please come forward. Don't be shy. Okay. There we go. Name and address for the record, and six minutes for a group, three minutes for an individual.

MS. O'KEEFE: Individual. Beth O'Keefe, address 2203 Cherry Hill Drive. My lot backs up and overlooks directly the empty lot that will be developed, as well as the lot where the parking would be supposedly taking place. I say supposedly because I think that's a little ridiculous to assume that will take place there. Our big concern as residents is that I have a private driveway or an alleyway in the back that is right next to the sidewalk that will be encroached upon with this building. If you go back to the pictures there that the -- excuse me. I am suffering from a cold. The -- so some of that shared space is also going to encroach on our end of our alleyway, end of our common shared space that we have to maintain, as well. So we're worried as residents about, first of all, the value of our home being impacted by this ginormous building being put on that very small lot without any sufficient parking for it. The parking across the street is shared parking. I can look out my back deck and see there are cars constantly in that lot all day. That means you can't say that there's enough lots or enough parking spaces there

24/7 for 20-odd units here. They -- people aren't just going to park there at nighttime, they're going to park there all day long for residents. They're going to park and encroach upon our residential area, which is going to encroach upon our HOA covenants and provinces. So we're worried about that, as well. It's a further concern, it's always been a concern. We have kids who play there, and we've seen an increase in residential thefts, we've seen an increase in attractive nuisances with cars being unattended. This is going to increase that. So, in short, I mean, this is just going to increase the problems we're seeing in our neighborhood by increasing these attractive nuisances in our neighborhood with these multitude of cars just sitting out there. We have a lot of concerns in the homeowners' association and in the residence -- residential area part of Cherry Hill. So thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Stanton?

MR. STANTON: Well, have you -- has the, I guess, the residential HOA has expressed their concerns to the owner of this property and the other commercial HOA, I'm assuming?

MS. O'KEEFE: The residential HOA, I've expressed my concerns to them because my husband is the new president, but there was a change in the HOA Board on January 1st of this year. Some of the prior HOA Board members had heard those concerns, but I believe there were some other deals made by the prior HOA Board that -- I don't know -- I wasn't privy to.

MR. STANTON: Okay.

MS. O'KEEFE: So I'll let them speak for themselves.

MR. STANTON: Do you have a solution? If the -- put yourself in the owner's footsteps.

MS. O'KEEFE: Right.

MR. STANTON: How would you fix it if you were hearing yourself?

MS. O'KEEFE: In the original 2014 plans were sufficient with the spaces that they had allotted that were next to the building. There doesn't need to be an expansion upon that. That would be solution is to leave it as it was when it was previously approved.

MS. GEUEA JONES: I'm sorry, ma'am. Could you talk directly into the microphone.

MS. O'KEEFE: Oh, I'm sorry.

MS. GEUEA JONES: Thank you. It's for the transcript.

MS. O'KEEFE: Here's -- yeah. That's fine. I'm saying the original -- the plans that were approved back in 2014 were sufficient with parking spaces next to the building themselves. They allowed for correct parking and not trying to push parking across the

street or onto the street and into residential areas.

MR. STANTON: Thank you, ma'am.

MS. O'KEEFE: Yes.

MS. GEUEA JONES: Thank you very much. Anyone else to speak on this from the public? Oh, I'm sorry. Ma'am, would you mind coming back for Commissioner Wilson? I'm sorry, Commissioner Wilson. Thank you very much. Go ahead.

MS. WILSON: I apologize. I was looking at the 2014 plan trying to remember if that still had retail space in it.

MS. O'KEEFE: It did not.

MS. WILSON: Okay. So is your concern the number of units and that's because we have more units, therefore, we have more requirement for parking? I guess I'm trying to --

MS. O'KEEFE: That's also a concern because that also impacts our shared commodities, which is our shared pool that we have for our subdivision, but I only had three minutes, so I was trying to stay brief, but yes.

MS. GEUEA JONES: Commissioner Wilson, you can continue your question?

MS. WILSON: That's -- she answered my question. Thank you.

MS. GEUEA JONES: Okay. Anyone else? Commissioner Stanton?

MR. STANTON: So the shared pool issue has not been addressed? Are they part of your HMO [sic] or are they part of the commercial? That needs to be addressed. Correct?

MS. O'KEEFE: The homeowner -- residential HOA is responsible for the pool. So yeah, in my opinion, it hasn't been resolved. That's my opinion.

MR. STANTON: You don't know if these people will be part of that or part of the commercial side?

MS. O'KEEFE: And I am not on the board, so I can't answer fully. All I can say is from what I understand. It's not been resolved since we will have people with access, and we don't have the space. And this would be doubling that, which was already approved.

MR. STANTON: Thank you.

MS. GEUEA JONES: Last call for Commissioner questions. Thank you very much.

MS. O'KEEFE: Thank you.

MS. GEUEA JONES: All right. Next member of the public? You may need to pull the microphone down a bit. There we go. Thank you.

MS. JOHNSON: I'm used to that, being things shorter for me. My name is Roberta Darlene Johnson. I've owned residential property in the Village of Cherry Hill since April of 2003. My husband and I moved from The Hamlet, which is about a mile north on Scott Boulevard into our dream home in October of 2003. Since we moved into the Village of

Cherry Hill, we've -- we've kind of noticed that there seems to be a tendency for the land use on some of the original lots changing. And one of the reasons that we moved to Village of Cherry Hill is we like the idea of mixed use. We like having retail, having apartments, and/or, I guess, larger apartments in our neighborhood. Along with single-family homes, we have town homes, we have condos. There seems to be -- originally, there was actually -- we currently have three buildings in the Village of Cherry Hill that are exclusively all apartments. Only one of those was originally platted as being all apartments. One of the buildings that's currently two floors of two-bedroom, two-bath, that was the original -- that was The Verandas. That was originally that way. The Gables was originally supposed to be a basement that had parking in it and two floors of apartments. It is now three floors of all apartments. The Woodstock building, which is currently two floors, they're all two-bedroom, two-bath apartments, originally was supposed to have a basement for parking and storage, and two floors of child care. So it looks like there has been a precedence set of changing land use from retail with apartments and some of those larger apartments to now pretty much exclusively apartments. One of the issues that comes to me, especially from the presentation from the gentleman earlier that it looks like a lot of changes have been made where we've been -- one of the things about Cherry Hill is trying to not have so many impervious surfaces. Parking lots is why they have all this retail parking, but now it seems that the apartment complex now that's being proposed wants to yet again decrease parking size and replace that impervious area with a building. I don't see how that can really work with the need to have an impervious surface. The second thing is -- and I'm glad that a couple of the Commissioners have brought this up -- is about the 26 parking spots in the lot that's to the west of this. From the Town Center declarations, it clearly states that owners are not assured an individual assigned parking space, or that there will be sufficient spaces to guarantee parking at all times. One of the issues I had with reducing the number of required parking spaces with this lot is that it's my understanding that currently there's a same owner of Lot 3B that owns the commercial lot across the street. And that's fine, but it looks to me like if what they're saying is -- okay, if you approve this as it is, we want -- we'll have 26 dedicated parking spots. Well, first of all, it looks to me, from what the Town Center Declarations are, the only way that can be done is to have a permanent easement attached to that commercial lot that says we will have six -- 26 dedicated spaces. It would be nice that if the same person owns both of those, but all it would take is the sale of one and things could go downhill pretty quickly from that.

MS. GEUEA JONES: Thank you very much, ma'am. That's your time. Any questions for this speaker?

MS. JOHNSON: Thank you. Appreciate it.

MS. GEUEA JONES: Seeing none. Thank you very much.

MS. JOHNSON: Thank you, again.

MS. GEUEA JONES: Next speaker on this case?

MR. HANCOCK: John Hancock, 2101 Corona. I don't have a problem with this apartment building on this property. It seems to be in keeping with multi-family and commercial on three sides of it. I've witnessed the parking on the south end of a lot across the street for a number of years. After 5:00, there's easily 26 spaces that are empty there, if not more. That should more than handle the spillover. This is a good use of what I consider an infill lot now, now that we have subdivisions out by the river in Columbia. So it's in keeping with -- with the original plans for Cherry Hill, I believe, and it would be a good use of the property. And parking -- parking should be adequately handled with -- with what's available. I don't see the owner doing something to damage his existing property across the street in a commercial building, so that's all I have.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you very much.

MR. HANCOCK: Thank you.

MS. GEUEA JONES: Next speaker on this case?

MR. BARNETT: My name is Kevin Barnett; I live at 1908 Potomac. I spoke in December, represented -- I was one of the Board members for Cherry Hill -- the Village of Cherry Hill. So a little clarification to answer Commissioner Stanton. Residences of apartments do have access to the pool. They do pay certain amounts of fees to use that as part of an ownership of those apartments, so that our dues go to the HOA to pay for those pool things. This increases the amount of people who are going to use the pool. Additionally, it does change some things that we didn't talk about last time. It does change the voting rights within the HOA for the residents because each apartment owner gets a vote for every two bedrooms and a half a vote for every one bedroom. It's getting to the point where there's almost more voting majority of apartment owners than there is for residences. However, we did meet with the owner as a board in December, I think it was, and he's made some changes. We have an exterior change, which is probably \$100,000 worth of change. He's made an allowance for parking on some other areas of the area he's got. He's already made an allowance for his residents to not impact the homeowner to the south, and additionally, he's also changed the landscaping quite a bit from the previous drawing, and he's also volunteered to contribute about \$6,000 to the HOA for a Wi-Fi card reader so that we can limit access to the pool to tenants that don't pay or homeowners that don't pay. The HOA Board has to approve that, and I think that was

about most of the issues. But I -- I think from the presentation last time to this time, it's not desirable in that it's not the original from 2013, but there are a lot of good things about this. It looks very nice. It's twice as big as what people thought it was going to be, but there are some accommodations and that being the first thing you see when you pull off of Scott Boulevard, in my opinion, looks pretty nice.

MS. GEUEA JONES: Thank you. Any questions? Commissioner Stanton?

MR. STANTON: Why didn't you consider not allowing the people in this apartment to have access to your residential pool?

MR. BARNETT: It's in the bylaws that they have access, so apartment owners have access. They pay a fee for that, as well.

MR. STANTON: So do you have enough --

MR. BARNETT: Do you have enough space in the pool?

MR. STANTON: -- I'm just having -- I'm thinking of a kiddie pool, and then you have a whole -- whole bunch of people there. I mean, can you even accommodate it. Is that something you need to address that?

MR. BARNETT: I'm not -- (inaudible) -- about the pool, because I don't go to the pool myself. But --

MR. STANTON: Yeah. I'm just thinking of a strain on the infrastructure, which has been an issue before, and you're --

MR. BARNETT: My opinion is apartments tend to have people in their 20s and 30s, and those people tend to go out to the pool and hang out and have a beer. And usually those are the ones that are breaking the rules with the smoking and the bottles in the pool area, so to a certain level, it causes more problems, but that's my opinion.

MS. GEUEA JONES: Any other questions? Commissioner Ford?

MR. FORD: Are you supporting this design?

MR. BARTLETT: As a residence, I am -- a resident. The HOA Board decided that their position would not be to endorse or speak negatively about it because they didn't feel like they had the power to. It's a different board than was in December, so we changed over two board members.

MR. FORD: But you personally are supporting this?

MR. BARNETT: Yeah. Yes.

MR. FORD: Okay. Thank you.

MS. GEUEA JONES: Any other questions? So I have a question. Does that mean that the Board that was in existence in December is the one that made the agreements that are shown on the PD Plan.

MR. BARNETT: A little clarification. It was presented, and we were going to get



back to him, and we never got back to him.

MS. GEUEA JONES: So an official vote has not been taken.

MR. BARNETT: We had a discussion, and we never actually formally agreed that this is everything that we always wanted.

MS. GEUEA JONES: Got it. And do you know whether -- it sounds like what you are saying is they will be quasi-members, associate members, something like that, or will they be full members of the HOA?

MR. BARNETT: The owners of the apartment buildings will have voting rights. I think it's one voting right for every two-bedroom and a half a voting right for every one-bedroom, and so it changes it from, I think it was ten voting rights to now it's whatever that number is. I'd have to do the math, but I think it's 18.

MS. GEUEA JONES: And that's despite the fact that I think that lot was originally going to be a commercial lot in the Town Center Association, not the residents association?

MR. BARNETT: I don't understand your question.

MS. GEUEA JONES: So I guess my question is, my understanding, and I haven't read both associations' full bylaws. My understanding is originally and maybe even in the 2014 amendments, that lot would have been part of the Town Center Association.

MR. BARNETT: Right. But the apartments of that would have been --

MS. GEUEA JONES: Okay.

MR. BARNETT: -- getting voting rights to be, because they're residents, they're just apartment owners.

MS. GEUEA JONES: Got it. So it doesn't matter -- so there is a scenario in which there are some rights of the owner of that lot in both associations?

MR. BARNETT: Correct.

MS. GEUEA JONES: Got it.

MR. BARNETT: And he's here, so he may be able to speak to that.

MS. GEUEA JONES: I may have to ask him that. Thank you very much for your help. Any other questions for this speaker? Thank you very much, sir. Next speaker on this case?

MR. MCGUIRE: I'm Jim McGuire; I live at 304 Russell Boulevard. I was one of the original building condo owners at 2011 Condo -- or 2011 Corona Road. I currently am representing them. We fully support this plan, and I've been on the Board of the Town Center Association for a number of years, probably 15 years. We have very vigorously debated this project for probably three years. And in answer to Commissioner Loe's question about parking, we're very concerned about parking because all of the Town

Center Association shares all those lots. And as we mix the use, the dynamics of when people park change quite a bit. The southwestern corner of the Town Center Association that is basically across to the west gets very little use. And there's been an ATM that was actually removed probably a decade ago, and that's going to be reconfigured so it'll free up parking. That was our primary concern, and we think there's adequate parking as an association. The board finally issued its full support for this project because that was our concern. We represent a lot of important businesses in the community, and that was -- that was our big concern. And by the way, we spend tens of thousands of dollars a year in concrete work maintaining those parking lots, and that comes out of the Town Center Association, and it's never ending. Until we find a solution for better concrete surfaces, that -- and we continue to do that. That's just -- that's part of the deal. So anybody have any questions for me?

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much.

MR. MCGUIRE: Thank you.

MS. GEUEA JONES: Next speaker on this case?

MS. RUBINSTEIN: I'm Paula Rubinstein, resident at 2208 Potomac Drive. And a couple of things that I've heard -- our association, as you are understanding are -- there's two different ones. They don't always talk very fluently back and forth, and so there's a lag time between getting information. So I know that sometimes some -- one doesn't know what the other one is always doing. But I can say, having been on the Board before, we have been concerned about the pool issues. I used to help be in charge of keeping the pool maintained in the summers, and I asked the same question that -- that Commissioner Stanton asked about can we just not let the residents of the apartments be at the pool, because it usually causes a lot more trouble with maintaining and lots of repairs, and all the things. But I was told and it's in a bunch of the bylaws that when all this community was initially established, that's not how it goes. It was established so that any new apartments and owners or rent tenants would be allowed to come and, yes, they have some fee that they pay. But there's concern of parking. So we're assuming that the tenants of the apartments are not going to be there during the day a lot of the time so that when anyone at Town Center and as it's becoming more populated, there's Therapy Unlimited, Focus on Health, several -- there's eye doctors, there's salons, there's people coming and going. So I know that some of those are still adding, they're growing. Therapy Unlimited is growing. So there's got to be parking for their employees, all the different therapists, and the clients that are coming. And so right now I know the square gets really busy during the day when all that's happening. So I'm imagining if the tenants

of the apartments happen to park on the square because they can, it's shared use, and then we're going to have patients and employees and clients coming that use the square, and I can anticipate difficulties with parking spaces. So it would be -- my solution would be it would be better if there were more designated parking spaces. And I don't see how it's going to be monitored if they do go ahead and branch out into the neighborhood. It's going to be very crowded. Right now we have trouble with our buses getting through in our neighborhood because we have a couple of roundabouts that they kind of have to drive around or over. And then when people are parked on both sides of the road, it's not very easily a two-way pass, and that would also be a concern. So parking, in my opinion, is of concern. It just needs to be a little more designated parking. So I can't imagine that big of a building allowing enough. That's all.

MS. GEUEA JONES: Thank you. I'm sorry, ma'am. Just one moment. Are there any questions? Seeing none. Thank you very much for your time. Next member of the public?

MR. SMITH: My name is Kirby Smith.

MS. GEUEA JONES: Could you pull the microphone up? I'm sorry. Thank you.

MR. SMITH: My name is Kirby Smith, and I live at 403 Stallworth Court. It's about mile from Cherry Hill. I manage the Town Center Association, the commercial part, as you described it, sir. So there's a neighborhood association and there's a commercial part. I've been managing that property for 17 years, and we've been fortunate to have one of the founders, which there were three when this was originally built in, oh, around 2000, I believe. We've always had a founder on the Board, and so there's maintained consistency for the vision that those people have had. One of the founders, I met with him and Travis McGee, who submitted this application, and we found Travis to be very congenial, very easy to work with. He went through quite a process with our design review board, our town architect, in order to get all the revisions that were required from our design review board approved. And once those were approved, they went through the full board, and the full board passed it and approved it, and we're very delighted with what the finished product was. I, myself, as manager do not have the opportunity to vote, so I'm here to say that I strongly support this project. And as far as the pool issue goes, I can see what they're saying as far as the pool, and I don't have anything to do with that, but they are getting a substantial amount of money coming from these apartments to be able to support the pool, maybe expand it, maybe build another one, I don't know. As far as parking goes, again, there's plenty of parking on this development. This will get developed someday. There's going to be parking in it whether it's retail, office, or apartments. The southwest corner, I've been involved with this for 17 years. That

southwest corner, which is directly across the street to the west, is probably the least dense, least used space in the entire development. So I do believe that a point of additional parking there to take care of this. If anybody has any questions, I'll answer them.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much for your time. Next speaker?

MR. O'KEEFE: Madam Chair, good evening. My name is Chris O'Keefe; I'm a member of the Cherry Hill Neighborhood Board, the homeowners side of things, not the commercial. I just wanted to come up and express my opinion. I didn't expect to speak tonight. The most vocal member of our Board wasn't actually here. What I'm hearing from people I speak to from other homeowners, from everybody I interact with, my neighbors and people on the other streets, is that they are largely concerned about the fact that in our neighborhood we have a very significant pride of ownership, and we're -- and the concern largely boils down to with more -- with more tenants as opposed to homeowners in the neighborhood, will that pride of ownership continue? Is it going to affect the neighborhood, the walkability, the common areas? Is it going to affect our property values? Those are the things largely that I think that are concerning our homeowners. And, yes, it does have to do with parking, which I don't really want to get into. I haven't counted the spaces myself. And it does have to do with the behavior at the pool, it has to do with the common areas, it has to do with the magic tree, and whether or not you can get through the neighborhood on your drive home from work, and whether or not the school bus can get through in the morning, it all plays together about is this the neighborhood we moved into. Thank you.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much.

MR. O'KEEFE: Thank you very much.

MS. GEUEA JONES: Next speaker on this case.

MS. PETRIE: Hi. I'm Deana Petrie; I live at 2206 Potomac Drive, and I actually was the board president when we met with the owner of this property, and we did discuss a lot of compromises. But we didn't feel like that would be fair for just five of us to represent our entire neighborhood, so we went back for discussion. In the meantime, we went through a board election. We had a turnover which started in January. And we just did -- well, the prior board did not feel it was fair to represent our entire neighborhood, so we did not have a neighborhood-wide association meeting to discuss this. So we really didn't come to an agreement with the owner, even though we did talk about the ways that this project could improve from the prior plan. And another thing we're worried about is there

is another plat that will be developed on -- probably in the future. I don't know the exact details of that, but what I do know is parking was removed from that one, as well. So that's just going to impact parking more in the future, this one and the next one.

MS. GEUEA JONES: Thank you. Commissioner Loe, go ahead.

MS. LOE: Ms. Petrie, you mentioned that you discussed some opportunities for improvement. Have any of those been incorporated into what we're seeing today?

MS. PETRIE: Yes. Yes. The visual look of the building, yes. There was -- we just talked about, like, improving, you know, the security of our pool through a key-card system, improving some landscaping. But the improvement with the -- the gate at the pool, that's a capital improvement which the whole entire neighborhood will have to vote on anyway, even if we do get the funding from the owner. So, yeah.

MS. LOE: Thank you.

MS. PETRIE: You're welcome.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Carroll, go ahead.

MS. CARROLL: As an individual, do you support or oppose this?

MS. PETRIE: Well, the only reason -- I mean, the parking, I understand, but the only reason I would oppose it right now is, well, two reasons. Our pool -- our pool is tiny, and it's old. It needs a lot of work and it's busy, it's so busy now. And with this and the new possible apartment, I am -- and the lot that's not even being developed yet, that's just -- it's just going to make it that much busier. And as Kevin said, the kids in these apartments, you know, they're younger, and they don't follow the rules. And we actually have an interest in this pool because we are homeowners, so -- and also the voting rights. I mean, it's almost going to come, like, half apartments, half residential, and that's just not what we envisioned when we moved in the neighborhood.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: Yeah. Just let me get it straight. The representation and the powers of different groups. You referred to homeowners, the owner of the building, and then the tenants in the building. What are the relative hours of each? That is, does the owner of the building have the power within the HOA?

MS. PETRIE: Yes.

MS. PLACIER: Whereas the tenants --

MS. PETRIE: No.

MS. PLACIER: Their only deal is they have to pay a fee and that's --

MS. PETRIE: Yes. That's -- yes.

MS. PLACIER: That's their only -- they aren't even organized or represented in any

way?

MS. PETRIE: No.

MS. PLACIER: Okay. I just wanted to be clear.

MS. GEUEA JONES: Any further questions? Thank you very much. Next speaker?

MS. O'KEEFE: Hello. My name is Eleanor O'Keefe. I live on 2203 Cherry Hill Drive. And I would just like to point out the fact that as one of the kids here, I've noticed that a lot of the time, especially with the elementary school buses, they go around the magic tree area, and especially whenever they do go through, it is -- I have noticed that the buses have difficulty getting around the cars. And I would like to address the parking because there is a lot of kids in this area, and this area is, like, I've noticed that it's very difficult for large families to move in or families with a lot of kids. And a lot of these kids don't know any better to look whenever they cross the road, and a lot of these backyards and front yards border the areas that if the parking does overflow, it would overflow into those areas. And my concern is that maybe some people might not notice the cars coming and there might be accidents happening. And also with the pool thing, I have noticed that especially whenever I'm there with, like, my friends, or I'm just there with, like, my family, there is some people there that I don't feel safe around, especially because of the way they're acting. And it is like other people have mentioned, a very small pool, so everyone is kind of close to each other whenever there's a lot of people there. And it just doesn't feel very safe whenever there's people there that aren't maybe following all the rules or anything like that. And I have seen people also break into the pool.

MS. GEUEA JONES: Thank you very much. Are there any questions?  
Commissioner Placier?

MS. PLACIER: Yeah. In terms of the rules, is there anybody there at the pool when it's open to say, hey, these are rules?

MS. O'KEEFE: Honestly, whenever there's kids there and even when there isn't, there is no one there. There is a sign on the gate of the pool that says there is no life guards here, swim at your own risk. And the only people that ever address that is the parents of these children or just, like, adults.

MS. PLACIER: So if the parents are around, they might say something, but if they aren't --

MS. O'KEEFE: Yes. But otherwise -- other than that, there is no person in charge of the pool that's there, like, hey, you can't be doing this.

MS. GEUEA JONES: Commissioner Loe, did you have anything else? Okay.

MR. ZENNER: Commissioner Wilson.

MS. GEUEA JONES: Oh, Commissioner Wilson, go ahead.

MS. WILSON: Thank you for coming up. When you're observing the parked cars and the school bus having difficulty, is it just in the circle, in the roundabout?

MS. O'KEEFE: It's not just in the circle. I'm in sixth grade right now, but whenever I was in elementary school, that's when a lot of the people would be coming back from their jobs and parking at their apartments. And I have noticed that not just with that, but our bus also passes by the neighborhood adjacent to Cherry Hill, and there is also parking there that I've noticed. And I don't know if that has anything to do with the apartments, but I have noticed that it does overflow quite a bit already.

MS. WILSON: And would that be in the morning and in the afternoon?

MS. O'KEEFE: Mostly in the afternoon, but it is slightly a problem in the morning, yes.

MS. WILSON: Awesome. Thank you so much.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for coming forward and giving your perspective.

MS. O'KEEFE: You're welcome.

MS. GEUEA JONES: Everyone else here is a full-grown adult who does this all the time, and we appreciate you.

MS. O'KEEFE: Thank you.

MS. GEUEA JONES: Thank you.

MR. FORD: Good job.

MS. GEUEA JONES: Next speaker on this case?

MR. MCGEE: Good evening. I'm Travis McGee, 308 Ninth Street. First off, I appreciate you hearing this case again, and giving -- affording us this opportunity tonight. Since our last meeting in October, you know, we've been through quite the process with both associations, mainly with the Town Center because, formerly, that's where the approval needed to come from in order to build the structure through that association, so we did that. We've been through multiple drafts with our town architect, and a lot of that is what you see on the screen here. So the new building that we've -- that we've designed, you know, it incorporates the aspects of Cherry Hill. I know we talked last time, you know, the other rendering that I had come up with before, after our meeting, we went back and looked at it, and, you know, I started looking at it myself and started thinking we can do better. And I feel like we -- we presented that tonight. I was able to hire an artistic rendering gentleman out of St. Louis to show the other buildings behind it. I know there was a comment from the Commission last time, so I wanted to -- to do that. But the brick and stone is consistent with the colors of Cherry Hill, and we went through

that process. I think there was four or maybe five revisions with the Town architect in order to get ultimate approval, and so we did that. And then, of course, you know, you've heard tonight, I met on December the 2nd with the neighborhood association, and a lot of those -- all of those comments from that meeting, we sat a round table at one of my other projects, and I wrote down a list of every concern that they had, and every single one of those concerns is incorporated into the plan. I did reach out multiple times to -- to reach out to meet with the new board. I wanted to ultimately get their, you know, formal support, even though I didn't need it to actually build the building, but I wanted to have that, and I didn't obtain that, but I feel like I did everything I could to try to do that with the previous board. It just happened that there was an election between, you know, when I met with them the first time and tonight. So that's where we're at tonight, and I'm happy to answer any questions.

MS. GEUEA JONES: Thank you. Questions for this speaker? Sorry. You probably said it, and I was -- just missed it. Are you in both associations? Are you a formal member of Town Center, and voting rights member of the residents? How does that work?

MR. MCGEE: Well, again, Mr. MacMann knows a lot about this, but, you know, so, yes. I mean, the Village of Cherry Hill is one big association. The Town Center is the commercial portion with the mixed use. In commercial -- you know everyone said, you know, commercial, but it's really commercial and mixed use, you know. So that is one portion, and then there are voting rights in the neighborhood association for the apartments. And then the apartments in the Town Center do have access -- you heard tonight about the pool that's been, you know -- you know, something that, you know, I've had some questions about. But, you know, formally, I'm in the -- you know, we're in the Village of Cherry Hill, all of us, but, formally, I'm in the Town Center Association and then that's where I needed to get my formal approvals to build this structure. However, I do pay dues as a residential owner to the neighborhood association for the pool every year, and I think it's \$150 per unit per year for not -- not just this building, but, you know, the other apartments that I have next door. So we're going to be contributing \$5,400 a year forever to the pool. We offered to do some things to help improve the pool, too, with the previous Board, but I didn't get this -- you know, solidify those agreements with the new board.

MS. GEUEA JONES: But to answer the questions of when it comes to the shared parking that is a privilege of being part of the Town Center Association, you are formally a member of Town Center Association?

MR. MCGEE: Yes, that's correct. That's correct.



MS. GEUEA JONES: That's what I needed to know. Thank you. Any other -- Commissioner Ford, go ahead.

MR. FORD: Your other apartments, are they two-bedroom, one-bedroom?

MR. MCGEE: They're all one-bedroom apartments.

MR. FORD: Can you, if possible, describe average tenant over the last five years?

MR. MCGEE: You know, Mr. Ford, it's a mixed bag, you know. We have -- mainly, I would say young professional would be -- would be most of our tenant base, but, you know, we have individuals that are in there, you know, 50s and 60s, you know, and we have, you know, single mothers and fathers that units. And so the market rate apartments, you know, we -- we lease apartments to everyone, but, you know, mainly 25-plus. But, you know, I heard some, you know, comments tonight about younger people. We don't lease many to any college students at all, specifically undergrad. I mean, we do have some college students that are in -- maybe in grad school or nursing school, or maybe in their -- you know, their senior year or something like that, but very rarely do we -- you know, even out this side of town do we have, you know, undergrad students as tenants.

MR. FORD: Could you, if possible, describe the number of cars per bedroom average over the last five years, just a guess?

MR. MCGEE: Well, for the 12 units I have? I mean, they're single, they're one-bedroom apartments, so, you know, we do have some people that it would just -- most of the tenants are one car, but there are some that have two. So I would say your average is always going to be -- 12 is going to be your minimum, and then I would -- I'm going to say it's going to be, you know, 15 to 18, Mr. Ford. I don't have the data on that. I don't get them. My office staff probably does. Actually, I know they do, but -- you know.

MR. FORD: Okay.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much.

MR. MCGEE: Appreciate it.

MS. GEUEA JONES: Any other members of the public to speak on this case? Going once, going twice. I'm not seeing any movement. Okay. We will close public hearing.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Commissioner comments? Are there any Commissioner comments on the case? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I want to give a little perspective. We've gone down a rabbit hole of owners and business associations. As the gentleman

said before, I knew the founders, I know the founders. And part of the issue that we're dealing with here is a PD. They made it a PD to make it what it is. And part of the problem that we have right now is it's a PD and they can do, well, I don't like the parking. It's communal parking. You kind of know that going in. The best I could say with some of you folks to have the new apartment coming in, Mr. Petty -- Petty, was it -- whatever the name. I'm sorry; I've forgotten your name. You guys have to look at that hard and see what you want to do, and the same thing with your pool. I know that -- I'm addressing all of you all, too -- that HOA regulations are very difficult to change. I appreciate that. But there's not a whole lot of playing Solomon that we could do up here. I mean, there certainly are some things that we can address, but many of the issues that you presented or perhaps the intensity of issues they presented are related to internal issues that are kind of beyond our scope. That said, I do appreciate that Mr. McGee and his fellows did address the look of the building, which was my terrible problem. I remain skeptical about the parking, but I -- we're kind -- our hands are tied there pretty much. As long as they meet a minimum, they're okay. And that would be for you all folks out there -- that would be the lever that we would have, but we don't have a lever here because it's communal parking. That said, I think I'm planning on -- I'm going to support this unless you all can convince me otherwise.

MS. GEUEA JONES: Any other comments? Commissioner Ford?

MR. FORD: I really like the look of the building now. That was my biggest concern before. I've -- I drive all the time in Columbia, and every time that I've been going by Cherry Hill since the last meeting, I've just scanned over and looked at the parking. There seems to be adequate parking, especially on the Scott Boulevard corridor, so I'm planning to support this.

MS. GEUEA JONES: Commissioner Stanton, did I see your hand?

MR. STANTON: You did. Yeah. I think the -- the applicant jumped all the hoops he could and that we demanded of, and took into the account the feedback from the previous visit to us. I don't know what's more he can do. I think Commissioner MacMann is right. I think some of these things, I really would have liked to see the HMO's address, especially with the pool. Me, I wouldn't allow them to be in -- have access, but it's in your bylaws that any resident does. We can't do anything about the intensity use of the pool. Parking is addressed. All the -- all the boxes are checked as far as our side of the coin. And my big thing with this anyway is I've watched Cherry Hill, like this inspired me to get into urban planning and all this anyway. I watched them when the first building went up out here, and watched it grow. This is the -- this is how they used to build cities, like, original cities. This is new urbanism, basically, is what this is called. And so you have

the commercial and then you have more dense right on the outside, and then you get less dense the further away you get from the town center. So, you know, some of this -- some of this stuff is just how towns and cities are naturally designed to grow, and those that are on the periphery, you know, they kind of catch both worlds. But the change of use in this building, I think, is beneficial for Cherry Hill. I kind of seen it kind of the shops kind of dying out, and then they'd pop back up, but it never had the vibrancy that I thought it would. I think that more people means more customers, especially for the shops that exist now. So I think it's a good -- a good use of the land, a good adaptation because we don't want Cherry Hill to die. We don't want it to just stay stagnant, you have empty residential or empty commercial space because you're trying to hold onto a dream. I think you'd rather have it be a functioning community, and function means adapting to the market and what people need and don't need. And I think this will help Cherry Hill in the long run.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I also agree that the applicant has made changes that have addressed some of the concerns that were brought up previously, including the appearance and materials that we discussed. The crosswalk with the bump-out should help some of the safety -- or those bump-outs work. I've got them in my neighborhood. I'm actually thinking this building might attract older residents in that, if I'm not mistaken, some of the apartments that Mr. McGee has were more adaptive reuse of retail space, whereas this has a more -- has a more residential appearance. And just as Ms. Johnson attracted to Cherry Hill because of the walkability and closeness, I mean, a lot of my friends who are getting to a point where they don't want to take care of houses, are looking for this type of community to move into. So I agree Cherry Hill is a true urban planning project. I don't think it's reached its full potential yet. I do think there are some growing pains that are going to happen. I really wish it were on a bus route. I don't think we're going to get it on a bus route till we get a bit more density, and I think this is a step in that direction, so I do plan on supporting it.

MS. GEUEA JONES: Any other? Commissioner Placier?

MS. PLACIER: Yeah. I'm agreeing. I don't think at the rate that these are going for, they're going to attract a lot of, if any, undergraduate students. I have a former colleague who lived there, and she wouldn't put up with it. So the -- but the issues that we were getting into that are none of our business, like the pool, can be dealt with through wise apartment management and contracts and that kind of thing. So make some agreements with the tenants, and I think you'll enjoy living here.

MS. GEUEA JONES: Any other comments? Okay. Commissioner MacMann?

MR. MACMANN; If there are no other comments or concerns, I have a motion.

Seeing none. In the matter of Case 260-2023, Village of Cherry Hill PD Plan major revision, no technical corrections? No technical corrections, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval has been moved by Commissioner MacMann and seconded by Commissioner Stanton. Is there any further discussion on the motion? Seeing none. Commissioner Carroll, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

MS. CARROLL: We have eight votes to approve; the motion carries.

MS. GEUEA JONES: Thank you. Are there any other motions to be made on this case? Just double-checking; seeing none. That recommendation will be forwarded to City Council. Thank you.

**In the matter of Case 260-2023, Village of Cherry Hill PD Plan major revision, no technical corrections? No technical corrections, move to approve.**

**Yes:** 8 - Loe, Stanton, MacMann, Carroll, Geuea Jones, Placier, Wilson and Ford

**Excused:** 1 - Dunn

### **Case # 78-2024**

A request by hdesigngroup (agent), on behalf of Grindstone Acres, LLC, etal (owners) and Capital Land Investments and Diventures of Columbia (contract purchasers), for approval of a PD Plan and design exceptions for Lot 101 of the "*Copperstone Corner Plat 1*", to be known as "*PD Plan - Diventures of Columbia*". The 1.57-acre site is located approximately 530-feet southeast of the Scott Boulevard and W. Vawter School Road intersection. A concurrent final plat will confer "legal lot" status to the 1.57-acre site.

MS. GEUEA JONES: May we please have a staff report.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed PD Plan for Diventures of Columbia, inclusive of the design exceptions, subject to minor technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Commissioner Carroll, and then Commissioner MacMann?

MS. CARROLL: Is there an existing sidewalk along Vawter School Road on the site

of this development?

MR. ZENNER: It ends -- and I apologize. That sidewalk presently ends -- if I can get to a good aerial. That sidewalk presently ends at the end of Addison's. And then there would have been some sidewalk that was built, if I am not incorrect, along the throat, the westbound end of West Vawter School Road as a part of the capital project when we did the roundabout, but it is missing in between. There is a small retaining wall section that has been shown on the construction plans for the subdivision that will be built to retain the approximate middle section of what is shown from the corner from the roundabout to where the sidewalk is, but there is a fully compliant five- or six-foot wide sidewalk. There is also within the improvements for West Vawter School Road, which were a requirement of the development agreement, there is also a dedicated bike lane. So that's the -- with the plat, we'll have some other road-widenings and some realignments on the West Vawter School frontage in order to accommodate the anticipated trips that will come with this particular project.

MS. CARROLL: So the applicant is building a sidewalk?

MR. ZENNER: The developer --

MS. CARROLL: It's hard to tell on the plat.

MR. ZENNER: The developer -- so the applicant will build a -- will improve their frontage. The owner of the property, which is the Capital Investments, Capital Land Investments, the contract purchaser from Green Acres, they will be responsible as a part of the road improvements on Vawter, as well as the construction of Capital Drive, to also make improvements.]

MS. CARROLL: Okay. Thanks.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Zenner, I am fine with all these exceptions, except the last one. If I recall during the UDC, we even bumped up the parking maximum at the very end at the request of one of our large parking lot users. This is a lot of stormwater -- a lot, a lot, a lot. Excuse me. I appreciate the extra green space -- fantastic. So it gives me great pause, because every time we have a lot and stuff, we get a critical mass. And I'm concerned is there anything that's going to assuage my concerns?

MR. ZENNER: Well, what you don't see is -- is what may assuage your concerns, Mr. MacMann. So let me go back to this. This is maybe a good example. You will notice --

MR. MACMANN: I see that. I see it in the ground.

MR. ZENNER: So --

MR. MACMANN: So I go look -- this is how nerdy I am. I go look when these things are dug.

MR. ZENNER: I completely understand and I appreciate that. So this particular site, and I will let the project engineer with Olsson answer this question for you. But as I understand this, the site does drain from the north to the southwest, so the catch basins that are in the lower right-hand -- lower left-hand corner of this diagram, the site has been designed in order to accommodate that there is also -- and it comes back around the site, if I am not incorrect, to some additional underground storage that is up here that is discharging to the existing channel. So the design of the project for the infrastructure side of this, which is being designed by A Civil Group on behalf of Capital Land Investments, it has gone through our view process at this point. Our review staff is -- is comfortable with what is being proposed here. Notwithstanding, I think the point that you're making, but, yes, we are increasing impervious surfaces.

MR. MACMANN: It's just so large in and of itself. That's my concern.

MR. ZENNER: And what I am hopeful for, and I think we can look at this as projects come online further to the west, is that there is some opportunity to not continue to increase parking, but we allow some flexibility for shared arrangements. You will notice in the very lower left-hand corner, again, this stub that is leading to the adjoining parcel that is currently not being platted, but this is going to allow for cross-access. And so as we continue to build out projects, we will continue to monitor the excessive nature of parking that's being installed and continue to work to utilize the UDC's shared parking arrangements to the maximum. This particular area, of course, is just to the south of Mill Creek, and our playing field is the MKT access at Dix Park -- Dix Recreation. All of that, when we do get substantial spring time rains or summer rains even, is prone for flooding. And so those issues are not something that we are not aware of.

MR. MACMANN: This entire area. This is --

MR. ZENNER: But those are -- those are considerations notwithstanding your -- your observed concern here. Those are things that we are looking at, as well. And I -- I am assured at this point, from what our staff has reviewed, nobody has said that what is being proposed here overwhelms -- overwhelms the situation.

MR. MACMANN: All right. I just -- I needed to bring this up. I was displeased with the expansion in 2017, because that kind of fit the needs of one property owner. And my concern here is not just this unit, but as we start going along and building out this corner, it looks like --

MR. ZENNER: The mall?

MR. MACMANN: A mall. It can look like a mall if you bring it to the road and make

small parking lots, and we have public transit. Unfortunately, we don't have all those things in place. Thank you for your forbearance, Madam Chair. I am done.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Mr. Zenner, when the report included the design exception for the front entry, I fully expected it to be -- the proposal to be along Capital Drive, that you would be moving it from the public street to the private drive with the explanation that it's being constructed to the standards of when -- of that to a public street and UDC hadn't taken into account that developed commercial developments may have internal streets that meet that same. But it appears that they're asking for the entrance to be moved to the parking lot, and we have turned down projects prior to this with that being one of the reasons. So I'm having a little bit of difficulty with that one. I'm also having -- the explanation that the Vawter School Road exit, it that's an emergency exit, it will require an exit discharge, which is a paved route to a public way open space drive, and I'm not seeing that in the site plan. So I feel like we don't have a fully developed proposal for what the access might be and I'm not fully comfortable with the explanation for why the entrance can't be on Capital Drive.

MR. ZENNER: Well, it is on -- the -- the entry faces and is visible from Capital Drive on the very east of the building. So let's -- it's before you get to the bottom of the parking lot, the bottom corner of the site, it faces Capital Drive, and it is visible from that right-of-way.

MS. LOE: Okay.

MR. ZENNER: To address your other concern, so this is one access point that is on the back of the building for emergency ingress and egress.

MS. LOE: Yes.

MR. ZENNER: You also have emergency access that leads out to the sidewalk segment that comes back to the parking lot, as well as -- I would imagine this will be a controlled access point, but that would also lead out to the paved access to the side of the building. This site plan has not been fully approved --

MS. LOE: Uh-huh.

MR. ZENNER: -- from a construction perspective at this point. That would likely be part of the analysis -- the Code analysis based on the space, based on the necessity for ingress and egress that our site development department would be reviewing and requiring them that if this is to be an emergency access/egress door, it needs to be tied back to the pavement that is on this side of the building. And that would be consistent with, I think, with the concern that you're having, because all of this is paved all along this side of the building. So if we're adding a door --

MS. LOE: Right. If they're capping it as an egress, it has to have the --

MR. ZENNER: Yeah. But that, I think, is -- that yet is not to be -- that hasn't been fully finalized at this point. And if that is a concern, that you would like to have that shown on this plan, I'm sure we can have that as a minor amendment, if you, as a Commission, would like to have that added, if you believe that's necessary.

MS. LOE: My -- my observation is more in keeping with how we're looking at entrances. Thank you for the clarification on the entrance facing Capital Drive. I'm going to mull that over now.

MS. GEUEA JONES: Other questions for staff? I do have a question. I understand that Diventures is -- I don't want to use the word chain, because that sounds dismissive, but this business with this building design exists in other municipalities. But my question is, is there anything in the PD Plan, Statement of Intent, anything that requires the fenestration along Vawter School Road? I love that word.

MR. ZENNER: You love that word?

MS. GEUEA JONES: I do love that word.

MR. ZENNER: So let me answer the first question.

MS. GEUEA JONES: Yes.

MR. ZENNER: Yes. They have multiple locations in various cities in various states. The architectural renderings package that we received by staff, you did not receive the entire, it was a marketing package. I extracted out the applicable elevations for you for this evening. The marketing package that was provided to us shows buildings in each of those jurisdictions that are significantly different. So this is not a prototype. This is a building that's been proposed in this location suited to this site. So to the second point, the building does not actually trigger, because it is -- the scale of the building does not trigger the architectural design requirements that we have within the Code in 29-4.6. Trust me, that was a question and an identification that I made early on when I got the plans.

MS. GEUEA JONES: My question is in exchange for not having to put their entrance there.

MR. ZENNER: I believe you will -- you can ask that question of the design team, and I think they have an answer prepared for that this evening, because that was what I told them to expect.

MS. GEUEA JONES: Thank you. Any other questions for staff? Seeing -- oh, sorry. Go ahead, Commissioner Ford.

MR. FORD: Mr. Zenner, you mentioned some road improvements.

MR. ZENNER: Yes.



MR. FORD: Can we talk about those?

MR. ZENNER: So let me go back to our overview. Yeah. I'm going to go back to this one. Hold on. I went too far. So -- and this ties into some comments that we received late this evening, as well -- after 5:00 tonight. So there was a traffic study that was performed for the original Copperstone Corner development, the 14 and a half or so acres. Associated with that, there was a development agreement that was generated. That development agreement had some very specific triggers that would be tripped based upon particular development activities, and those triggers covered roadway improvements not only in regards to road dedication. There's a tremendous amount of the Scott Boulevard dedication was acquired through a street easement, so when the property is platted along the particular roadway frontages, we're actually converting street easements to platted right-of-way. And then, based upon the total number of lots that were being platted, there were particular triggers that would then require certain site improvements, off site transportation improvements. The first was triggered if you platted anything beyond the subject lot, and the common lot that was needed to accommodate Capital Drive. Now when this project came in, one of the first things I identified was the fact that it included not only the subject lot, it included two additional lots and it included the common lot. First conversation to the applicant was you do realize the first phase of all of the transportation improvements has now been triggered. Shortly thereafter, we received the final plat for the platting in this lot in the three, plus the common lot, and on that plat does show the actual dedication of the road right-of-way along Scott -- or along Vawter from, basically, where the Addison's property is back to just before we get into the right-of-way for the roundabout. That includes the relocation and installation of the retaining wall for the sidewalk to be accommodated, expansion of the road right-of-way to accommodate a turn lane and a shift in traffic, and it goes all the way through the main entry at Front Gate Drive to provide additional improvements of Front Gate over to Creekwood, which is across the street to serve this portion of the developments with a crossing, a HAWK's -- a HAWK's activated crossing flashing beacon, and some other improvements. All of that, pursuant to the way that the development agreement is written, all of those improvements must be installed, or we will have to have a security assurity by which to have them installed before this development plan can ever be presented to Council for approval. The platting action right now is in final plan review for construction plan approval. Once that is prepared, we will be able to take the final plat forward. But the other really interesting caveat to this is this property still is not transferred from Green Acres, LLC, and its collection of four owners to Capital Land Investments. And before we can process the plat, the transition of that land sale has to

occur, and the recording of the development agreement is a requirement. So we're not seeing any of what's being proposed or discussed here this evening being brought online probably or being brought to reality, through the Council process for, I would say, at least another month to two months, as we go through that plan review process and the closing of the land. That's phase one's improvements. When we plat the additional development, which will include the remaining seven lots, that will trigger some more significant improvement along Scott Boulevard. The dedication of additional road right-of-way will be part of that, but the bigger improvements there will result in the installation of a slip lane right bypass on the -- on the corner here that will allow individuals that want to head north through the roundabout on Scott Boulevard to do so without having to be impacted by turning movements onto Vawter School. And so that was the other major component associated with the development agreement, which again, is tied in to a phase one and a phase two. We've looked extensively at this before we did the zoning on it understanding how the PD was being set up, and wanted to be assured that those initial and critical transportation infrastructure improvements were nailed down. The development was proposed at a full build-out with intensities on it, so that traffic study incorporated the most intense use that would be, and that is how it was designed. What may end up coming here may have far less trips, but the improvements that we've agreed to through the agreement are based on an intensity that is possible, but may not be at the reality. We're comfortable with what the design of this project is, the improvements that are corresponding to the platting action for this improvement. And as new development comes in, requisite improvements will be brought along accordingly.

MS. GEUEA JONES: Any other questions? And quickly, I was trying to look it up and I'm not fast enough. What would the maximum occupancy of this building be?

MR. ZENNER: That, I do not know off the top of my head, ma'am.

MS. GEUEA JONES: Okay. Thank you.

MR. ZENNER: They -- they have a capacity limitation based on the number of teaching stations that they have.

MS. GEUEA JONES: Yeah.

MR. ZENNER: And the applicant can probably address what their anticipated occupancy load would be based on their operations.

MS. GEUEA JONES: Their maximum.

MR. ZENNER: Yeah. Their maximum. I don't know what our official fire code maximum would be, but they know what their maximum would be based on how they do their business.

MS. GEUEA JONES: Does your gut tell you whether their maximum would be more

or less than our fire code maximum?

MR. ZENNER: I -- it can't be more -- I don't believe it will be more than ours --

MS. GEUEA JONES: Okay.

MR. ZENNER: -- but my gut doesn't -- since I don't look at the fire code and I don't know what occupancy is, this is low.

MS. GEUEA JONES: That's okay. All right. We'll do some research.

MR. ZENNER: Okay.

MS. GEUEA JONES: Thank you very much. Sorry. Commissioner MacMann, go ahead.

MR. MACMANN: Before we go any further, I have a little forbearance. I'm always asking for forbearance. It'll just take a second. Do we have law students with us this afternoon or this evening? Thank you very much. Thanks for being here. I'll address that later.

MS. GEUEA JONES: Thank you. Any further questions for staff? Seeing none. We will open the floor to public comment.

**PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward.

MR. GARDNER: My name is Dwain Gardner, and my address is 1414 Rangeline, which is also Captain Nemo's Dive Shop. I might be the reason that we're all here tonight, so I guess I'll take the blame for it. My wife and I owned Captain Nemo's for 37 years here in Columbia. And for those of you that said I had no idea there was a dive shop in Columbia, please don't say that. So when it came time for retirement, we had some choices. We could just close the doors, or we could find somebody to take our customers. And we know a lot of people in the diving industry, and Diventures was it. We've known them -- sorry. We have known them for a long time. So we contacted them, and they agreed to come to Columbia. And one thing that is pretty interesting, I think, about the whole thing is they have stores in Omaha, they have stores in Springfield, they have stores in Atlanta. Columbia just barely made the cut. We didn't beg, but we knew the owner of the enterprise, he knew us. He was familiar with our business. And so the point I'm trying to make is it's been mentioned a couple of times that this is an out-of-town organization. The -- the way that Diventures grows is they're invited into communities, and we invited them. They -- they could have just come in and absolutely stomped us -- you know, building a pool, building the facility, and we -- we would -- I mean, there would have been no defense. But they only come with permission. We were store number six. They now have 18. And so another thing is you feel like it's a new business, and it's not. I mean, my wife and I are still actively involved, and at this

point, I mean, we've got 40 years here in Columbia. So it's -- it's not a new thing. I mean, it's -- it's -- they know that it's a well-worn path and going to the number of spots that you need to park in, they know what they're talking about because the primary driving force of this business is the swimming classes for kids. And so that's -- it may seem like they need a few more parking spaces than what you would normally see, but that's why. They have a lot of traffic in and out of that building. But I just wanted to take my few minutes to -- to stick up for them and kind of explain who they are and why they're here, and their manager is here, Connor. I don't know if he'll have anything to say other than that. You can ask the engineers the questions.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner MacMann?

MR. MACMANN: Just FYI, sir. I am aware of your business, because several of my friends have taken lessons from you.

MR. GARDNER: Hallelujah.

MR. MACMANN: Business models. You heard my entire diatribe with Planner Zenner about parking?

MR. GARDNER: Yes.

MR. MACMANN: The 200 percent cap is already high. Sixty-seven, that's a lot of parking. Is that a deal breaker?

MR. GARDNER: I'm not one that can answer that, and I'm not putting you off because I'm not the one that makes those decisions anymore.

MR. MACMANN: And I appreciate that some businesses are very automobile driven -- kids' lessons. I appreciate that. I've had children. I'm sure many of us here have had children. It's -- and I'm fine with everything else. I'm fine. You have a surety bond to put up and all that stuff. That's fantastic. I'm sure it will be fine. We know the builders and developers. That's all great. I'm -- I love -- we've had significant -- you've been here for 40 years. We have stormwater problems. I'm very hesitant to move forward with this much asphalt, so I'll ask the engineer or whomever is here --

MR. GARDNER: You'll have to.

MR. MACMANN: -- but I just wanted to get something from you. Thank you very much, sir. Thank you, Madam Chair.

MR. GARDNER: There is one thing about the parking that I do know is from the scuba point of view, absolutely the parking is important. I mean, all these years, I always kind of wanted to have a business downtown. Well, that just wasn't possible, so we've always been up on the north side of town. You can't carry scuba tanks two blocks to get air put in them, so that's -- that's all I know about the parking as far as being close to the

building.

MS. GEUEA JONES: Any other questions? Commissioner Carroll?

MR. GARNER: Yes?

MS. CARROLL: When I came through scuba training with MU actually --

MR. GARDNER: What year was it?

MS. CARROLL: 2004.

MR. GARDNER: Oh, that's recent. I took that class in '79, so I'm familiar with it.

MS. CARROLL: Yeah. There was a lack of locations that could -- of indoor pools that could support scuba instruction.

MR. GARDNER: Correct.

MS. CARROLL: Does that still exist?

MR. GARDNER: It's worse than ever.

MS. CARROLL: Yeah.

MS. GARDNER: In the time that we've been here, we've never had our own pool. So at this point, we use Hickman High School pool, we used the pool at the University, and Conner just recently got the University scuba program, so that's exciting. So we have access to that pool, but we'll have, you know, during those classes, that would just be for them. Columbia, Missouri is a swimming pool desert. The Stephens College dozed theirs, Columbia College dozed theirs, and so this is something that we've been fighting our entire career because you can't train people, you can't teach them to snorkel, you can't teach them to dive, you can't teach them to swim without water. So that is Diventures' plan when you go into a town. Now the stores that they're buying pretty much already have pools on site. But when they bought us, we were still kind of early in their acquisition process, and they bought us with -- with no water, and here we are with three and a half years later. Land is -- buying land in Columbia is like pulling teeth. I mean, they were ready on day one to sign a contract. And it's -- it's going to be almost five years before we get into a building.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for being here tonight.

MR. GARDNER: Okay. Thanks.

MS. GEUEA JONES: Thank you. Next speaker? Yeah.

MR. HENDRICKS: I'm looking for the presentation.

MS. GEUEA JONES: Yeah. Where it says Brandon Smith.

MR. HENDRICKS: While he's getting that set up, I'm Connor Hendricks; I live at 1815 Lovejoy, here in Columbia, and I am the store director for this store. So I would love

to educate every single one of you on the ins and outs of every part of our business as I would love to welcome you and we would have a great time. But I guess I want to speak to kind of the function of the building, so keeping out a lot of the fluff. But, of course, our main business, as you've already heard, is going to be swim. So in terms of I know parking is going to be the hot topic, and it's completely understandable. And our number one priority is safety. Our number one goal is fun. With safety being our priority, we all have kids, we want them to be safe. We want -- we don't want them traversing roads, sidewalks, anything. If we can house them, the better we can do that. The reason why we need to have so many isn't necessarily because we're going to have 500 kids in the pool at one time. That's not what's going to happen, but the big concern is going to be between lessons. So you have your course from 4:00 to 5:00, and then you have your kids from 5:00 to 6:00, 6:00 to 7:00, and then you've got that transition of parents coming in with their kids and doing this back and forth in between. So priority being safety, my two cents of this, Will Monroe, who is our general manager of all Diventures, can speak a little bit more clarity on it for you, but that's going to be a main concern for the parking. Of course, as you can see there, we will have swim stations, so based on safety, we only have so many students per swim instructor, and we're not going to be filling the pool to the absolute max because there's going to be a deep end so that we can do some diving. So, again, we're not going to be just seeing water flying all the way up to the ends of the ceilings on these in terms of capacity. We will be training everything and everyone -- excuse me, everything is the wrong term -- from months old to full adults. Any level of training, any level of swimming. Scuba, what Dwain and Mary have done for 40 years, this is what they've been doing is teaching scuba, so that's going to be the other part of our major business, bringing in students, trying out scuba for the first time, doing actual lessons, doing specialties, and then traveling with us internationally, doing several trips every year like Dwain had mentioned just a minute ago. We will have retail as we do sell gear, as we do scuba training and swim training, so there will be a full retail space. Travel, I had just mentioned. I'll let the designers talk about the building layout as it's been molded over time. But that's why I wanted to mainly speak to is kind of the function of the building, primarily in the swim.

MS. GEUEA JONES: Thank you. Are there any questions? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair, and thank you for patience. Hi. I think the model is quite lovely. I really think it's amazing. Some quick questions, if you can. About how many employees will you have on site at any time; do you know?

MR. HENDRICKS: We will have three managers, we will have maybe one retail

associate, and then it will be the lifeguards and swim teachers that will probably make up an additional four or five. I would -- and then we do have some dive instructions, so we would probably have concurrent classes going on, so --

MR. MACMANN: Eight, ten, somewhere-ish?

MR. HENDRICKS: Yes. Yes.

MR. MACMANN: All right. Next question, how many folks are you going to have in the pool at once?

MR. HENDRICKS: I would need to get -- I can get that answer to you in 24 hours.

MR. MACMANN: I would love to have that answer, because you know -- you know where I'm going with this. Right?

MR. HENDRICKS: Absolutely.

MR. MACMANN: And I -- I'm, like, okay. Let's give them two, let's give them one out and one in. But you don't have the rest of the answers to my questions right now, so I'm going to stop asking them. Thank you, Madam Chair.

MS. GEUEA JONES: Thank you, Commissioner. Any other questions for this speaker?

MR. HENDRICKS: If you do have those more specific questions, please -- and that way I can forward them on.

MR. MACMANN: How many people would be there, and if you gave every one of them car, even the four-year-olds, how much parking would we need? That's where I'm going with all that.

MR. HENDRICKS: Yes, sir.

MS. GEUEA JONES: So my questions along the same lines, but perhaps less specific. So your classes, you don't have down time, cushion time between?

MR. HENDRICKS: Between, like, swim lessons?

MS. GEUEA JONES: Because you're saying, like, if -- if there's a class at 4:00, does the next hour-long class start at 5:00, or is there, like, 15, 20, 30 minutes between the end of one and the beginning of the next?

MR. HENDRICKS: There's not -- no. they start right in, so we'll have students come in, and then they'll be with their parents getting changed and getting prepped and everything ready before. There will be a bell that goes off, and that's the five minutes that we spend with our kids, saying, hey, great job. Let's talk about what we need to improve on, and then there will be a second bell that goes off. It's, like, all right, Now, you're out, you go change, and the kids that were already on deck ready to go are now getting into the water.

MS. GEUEA JONES: I guess my concern is this is not a minor increase over the

maximum that, as Commissioner MacMann mentioned, we've already increased. This is a massive increase. This is more than 300 percent of the minimum parking. So what I'm trying to figure out is, is that actually needed, or is it a convenience because that way you don't have down time in between where people could shuffle in and out of the parking lot. And -- and those two very different things, because if you come in and said, okay, the maximum is 42, we actually need 50, that's a very different question than we need 67; you see what I'm saying?

MR. HENDRICKS: Certainly. So some -- I haven't ran a swim school, so just kind of take that as you will.

MS. GEUEA JONES: Okay.

MR. HENDRICKS: From the numbers I've seen from other locations, Springfield being a bigger -- so take to understand, they've had 1,000 students a month, so you can divide that by 30 days, and that's going to give you a number. North Liberty, which is more around or similar to the Columbia population has been anywhere from 400 to 800, depending on the season that they're having. So I didn't mean to answer kind of indirectly, but I would rather give you someone who has seen the actual business to give you a real straight answer.

MS. GEUEA JONES: So you're just managing the dive shop part? You haven't actually managed the swim school's part?

MR. HENDRICKS: Right. So when --

MS. GEUEA JONES: Okay. Then we will hold our questions for someone who can. Sorry to grill you when you're not the person.

MR. HENDRICKS: That's okay. Absolutely. That's just my two cents, but if you had those questions, I can certainly forward those to Will, and that way I can get those back to you in under 24 hours.

MS. GEUEA JONES: Thank you very much. Next? Oh, sorry. Anybody else? Seeing none. Thank you very much.

MR. HENDRICKS: Thank you.

MS. GEUEA JONES: Next person, come on up.

MR. SMITH: Hello. My name is Brandon Smith; I'm a designer at H Design Group. We're at 5039 South National Avenue in Springfield, Missouri. We are the architectural firm working on this office. I think, thank you, Pat, first of all, for doing such a good job.

MS. GEUEA JONES: Sorry. Can you stay close to the microphone. Sorry. Thank you.

MR. SMITH: Oh, sorry. Thank you for putting such a good presentation together. I feel like I don't have a whole lot to add at this point, but I do want to provide a few



clarifications. So I can answer, just from my conversations that General Manager, Mr. Will Monroe, he's not here today, but I can answer some of those questions about the students in the classes. So my understanding is that the classes will run with 12 teachers, and we'll have four students in each -- with each teacher, so we're looking at roughly 48 students in each class or each session, and that's 96 coming and going every -- every swap. So -- and I do want to just kind of add, you know, on the parking, it's not entirely about, you know, having an efficient business or, you know, eliminating down time. It's also about, you know, having adequate space for -- for, you know, people to park and access the building in a calm manner. It's -- it really is also about safety for the kids walking across the parking lot. So they want to make sure that they have adequate parking. The number that we were given to design towards is actually 75, so we are down from that number. I realize that's a lot of parking, but that's the way that the business works. I'll let Mr. Hoey, who will come up after me, talk about the stormwater issues. Other than that, I do have one clarification. Technically, it is a prototype, however, their prototypes evolve very fast. The last location was in North Liberty, and if you look at that building, it looks quite a bit different. So we have designed this prototype although, admittedly, we are early in the design process around this location. However, you know, there's still a good ways to go in the design. We're not quite at that stage where we're looking at construction documentation just yet. So with that, when we're talking about, like, egress, and things like that, you know, we have egress planned into the building, but some of those doors that are shown are not necessary shown because it's the final plan, but because we wanted to have them in there for discussion regarding this front entry piece. And then I think that's all I have.

MS. GEUEA JONES: Thank you. Commissioner Loe, go ahead.

MS. LOE: Mr. Smith?

MR. SMITH: Yes.

MS. LOE: Hi. Question for you. What occupancy or use is the parking based on. I see that it's based on one space per 400 square foot gross floor area. That seems -- I'm just -- what was --

MR. SMITH: So we had calculated a little bit differently, I think. I think you were showing 42. Correct?

UNKNOWN: Yes.

MR. SMITH: I can't remember. So we were looking at simply dividing the building. I don't know if you have that mark-up in the -- any of the documentation available today. But if you -- if you split the building up between recreation and retail, respectively, where recreation is pool and changing rooms and things like that, and retail is obviously the rest

of the building, you're looking at around about 50 spaces with that.

MS. LOE: So -- and that's sort of where I'm going with this, because I would think that the -- do you know off the top of your head -- I don't have my Code pulled out. The parking requirement for retail space?

MR. ZENNER: The parking requirement for retail space is one to -- one to three hundred, and then the pool, which is the calculated space, at one to four is what is typical in the Code. So this was a hybrid, as Mr. Smith has pointed out, and this was a question that Mr. Hoey had also asked from the engineering side. Early on in the concept review process here, how would we address the parking requirement by taking -- would we require the whole building to be parked as retail or as instructional space/office, or would we break it down into its components, it's part components. The conclusion was that we would break it down into a part components, and that is how I think we arrived at the 42. And the 42 spaces is actually the 200 percent, so let's make sure that we establish the parking requirement. Twenty-two is all that this building, based on its UDC code requirement would require as a minimum, and that's based on how the building was calculated in its parts. Forty-two -- or, I'm sorry -- 21 -- no. Yeah. Twenty-one is the minimum and 42 would be 200 percent. So we are parking, when you look at the minimum, we're parking 300 percent over what the required minimum is. Be that as it may be, but this is being taken based on the parts of the building. That's how we arrived at the parking standard. Because otherwise, you would have only required -- I mean, if we parked the entire 8,000 square feet at one per 400, we would have parked this building with, like, 25 parking spaces, or 12. So, I mean, that was not reasonable, given what was going to be happening here. So we had to look at a hybrid model, and that's something that we occasionally do. We don't do it very frequently, but in this particular instance, it seemed to be the most appropriate way to handle the parking that would be generated out of the -- out of the structure.

MS. LOE: Great. So we're seeing that general retail is also 400 square feet, but, I mean, it seems to me that this is -- this is classroom to some extent.

MR. ZENNER: So you have to take school. If we took classroom space out of school, that's based on a different calculation of seats. A pool is different. Retail floor space would be different. And if I'm not incorrect, the 400, the one to 400 is based on a -- on a retail business that is larger than general retail which is one to 300.

MS. LOE: Got it.

MR. ZENNER: A medical office is one to two. So -- and this is indoor recreation, actually that's the technical definition of it is indoor recreation. I believe we also have pool is called out, and I cannot recall right off the top of my head about the specific with how

we calculated it. But what I -- what I'm saying is, it was calculated based on a -- a broad mix of the uses. We calculated it based on the individual areas to arrive at what the minimum requirements were, and then went 200 percent of that.

MS. LOE: Right. I guess where I'm going is a better understanding of what the base calculation was, and I guess the number -- I mean, as shown on the plans, the required number is 20.

MR. ZENNER: Twenty-one.

MS. LOE: Twenty-one. So doubling that is 42. And 21 seems low. I mean, that's -- that is based on the 400 square foot --

MR. ZENNER: Yeah. And that's part of the problem this has got because of the generation, it becomes low. I -- and, again, this project has evolved probably over the last --

MS. LOE: Right.

MR. ZENNER: The original submission on this project was in the beginning of our fiscal year 2023. And so it has evolved since that point. I just -- I do not have those numbers specifically with me as to how we arrived at that. I do have very specific diagrams, though. And the allocation of space in the building between the original submission and today has not changed substantially.

MS. LOE: I'm -- I just wonder if we're really talking about 300 percent of what the actual use is. I don't either, which is, if you remember -- sorry. We're getting into a little bit of discussion here, but we've gone through some of these exercises before, so -- thank you.

MS. GEUEA JONES: Any other questions? I wanted to talk a little bit about what you were saying about safety in the parking lot. I'm not seeing specific internal sidewalks, crossings. I think I see maybe speed bumps, but how are you imagining, especially given how deep and narrow this parking lot is, how you're imagining the pedestrian.

MR. SMITH: So, generally speaking, Diventures parking lots, they -- they try to design them in a way so that we eliminate cross traffic through the lot, so all of the traffic is internal to Diventures. That said, we do have that cross access up front, but you'll see that we don't have through traffic going through the site. So it is designed in mind that people will be walking across the lot, but -- but part of what we're doing by -- by adding the parking or making that number a little bit higher is -- is trying to make the parking lot a little bit calmer and a little bit less hectic.

MS. GEUEA JONES: Got it. And last question, and then I'll let you go, unless there are others. But I see you've got an internal sidewalk across the green space that goes in

front of your main entrance. Would it be a consideration, given that we've got some heartburn about the front entrance being -- facing the parking lot instead of a main street. I grew up in Springfield. I can just tell you we have a very different idea about car usage and what makes the neighborhood looks good than Springfield does.

MR. SMITH: I think that's fair.

MS. GEUEA JONES: Yeah. If -- I'm wondering about a sidewalk going from your secondary entrance across that green space, or across the front where you would just extend where it's already existing across the green space so that it connects with that side of Capital. Does that make sense?

MR. SMITH: You're saying connect the -- the east side of the sidewalk running across the south facade to the sidewalk --

MS. GEUEA JONES: Yeah. Yeah.

MR. SMITH: -- along Capital Drive?

MS. GEUEA JONES: The Capital Drive.

MR. SMITH: I think that's a good compromise.

MS. GEUEA JONES: Yeah. And we'll --

MR. SMITH: The grading is a challenge.

MS. GEUEA JONES: I see. I see. I'm just trying to think of what would create the sense that if you were walking from one of the residential areas that are there, either across Vawter School or from the neighborhoods behind, where would that pedestrian traffic go, and especially given the lack of good pedestrian access internal to your parking lot. I'm wondering if that would be a compromise so that you've got, yes, a very clear main front entrance, but also a secondary entrance. Just keep that -- that's in the ether. Perhaps other people will have thoughts. Commissioner Loe?

MS. LOE: If I can just piggyback on that. On the Site Plan with grading, this would run parallel to the contour, so it should actually be fairly level to connect directly east from the edge of the parking there to Capital Drive. The other reason that I think I would like to see that connect is we have a bike trail system here in Columbia, and it has a big network that comes just north of here, and you do have those bike stands just east of the entrance. And right now if someone wants to bike, they would be brought all the way along, around the south side, through the parking lot, and I think it would be much safer if they could actually just come up through and connect right there.

MR. SMITH: Okay.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for your patience as we worked it out, but having you here is easier than pulling back up later, so thank you very much.

MR. SMITH: Thank you. ]

MS. GEUEA JONES: Next public speaker on this case?

MR. HOEY: I'm Will Hoey, 550 St. Louis Street, Springfield, Missouri. I'm going to start kind of a little bit higher level to try and address your question directly, and kind of maybe domino into the rest of the traffic parking lot. I don't think you can overlook the added green space. I could go in and meet your parking requirement and make my drive aisles 45 feet wide and give you the same problem you're -- you're discussing. I'm not saying that's something we would ever want to do or do. Right? But essentially, we could look at adding more sidewalks to increase the pedestrian. So as far as defending yourself from the future against other developments, that's your play. As Mr. Zenner mentioned, there's -- they're required to uphold a certain percentage, and the fact that we're exceeding that addresses the stormwater issue beyond the fact that we'll have underground detention, and whatever flow rate is currently running off will be at or under, so I think that's a really valuable piece to even know that the parking and the impervious, the numbers are higher, that green space part plays a huge role in that argument, if you will. And then I also wanted to note kind of more back to the sidewalk question, all accesses connect around the building, and then we have an ADA access that runs all the way down the west side of the parking lot. It might be clear if we added the striping, and it might be safer. It might be a way to delineate that, but that comes down and connects again to another sidewalk that wraps all of Capital Drive, so there is connectivity from a pedestrian standpoint. I don't disagree with you at all that I -- I -- initially our first concept had a sidewalk coming off in that exact same location. The most recent preliminary grading we received, that's eight feet of fall, so if I do put a ramp in there, it's going to switch back, so it may not be so efficient for a biker. If I'm trying to gain that eight feet, I have a feeling to meet ADA, I'm going to end up having to do at least one bend. I could be creative with it and maybe do it more of a V-shape instead of a hard 180 degree turn each time, but if -- if that's a stipulation, there's no issue with us looking at that and trying to come up with a solution to get connectivity to the east. That's not an uncommon ask in general, so I'm -- regardless of it being a stipulation or not, I'll probably go back and look at being able to do that. Again, part of the issue is that normally at this point, I would have liked to have some preliminary grading, but we are waiting on that final grading from the developer. The fact that we're kind of running concurrently, it doesn't help this conversation as much as I would like it to.

MS. GEUEA JONES: Thank you. Any questions? Commissioner MacMann?

MR. MACMANN: Thank you, ma'am. I appreciate everything you said. I also spent five years in federal court suing this city over stormwater. So you appreciate my focus on this particular issue and your desire to be a successful businessperson. So I have to be hyper cautious because we have fecal matter in houses when it rains. We have roads that are destroyed with stormwater. So if I may be seeing overly careful -- and maybe your -- I don't know you. Maybe you're the best engineer and your stuff is rock and roll. You replace that, so you don't like the way it perked when it gets six feet down, so you bring in a quarter million dollars. Maybe you do. That would be awesome. I still need to be quite cautious. Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Placier?

MS. PLACIER: Yeah. Is there anything that can be done about the imperviousness of the parking lot, and could that be a point of negotiation?

MR. HOEY: I don't know what your experiences are here. I -- my understanding is there is a lot of clay up here underground, and that's how we are in Springfield, as well. Those pervious surfaces that, you know, I -- you've probably seen videos of a -- a water truck just dumping water straight through the parking lot. That works for six months, and then it doesn't, and then you have a bigger problem. So trash gets in, it gets infilled. They're really hard to maintain, especially when the soil layer is below or a clay, something that holds water, prevents water from going through fast enough. Outside of

the pervious pavement, the ADA underground retention basin system that we'll put in, it has a lot of filtration. It'll -- it'll do a pretty good job of hiding that water and then again discharging it at a rate that is equal to the current or below. I would be open to hearing anything that you've had success with here that we could run by and evaluate, by all means. But I -- I will say that the ADS system hides it, it's gone, it's out of sight. It requires an annual maintenance to clean it out and make sure it's free of debris. That manual stays in the store. They bring a superintendent on site that the manufacturers themselves inspect it. It's a very good quality system. Again, as far as outside of the pervious pavement, I don't know that we've dealt a lot with any other alternatives to making it feel more pervious, because then you turn into -- you're asking a maintenance -- it turns it into a maintenance. The owner, from my perspective, people stay away from that, lead certification, things of that nature, because it becomes so expensive to maintain and keep up. MS. PLACIER: I know one of our local schools, didn't Jefferson Junior High --

MR. MACMANN: Correct.

MS. PLACIER: -- install a parking lot with pervious surface? I haven't heard anything about what's going on with it, though.

MR. MACMANN: If I may, point of order. They never maintained it, so they spent about \$35,000 putting it down and it doesn't work, and it still floods just as badly. The problem is it's really expensive -- in your defense, sir -- pardon, Madam Chair -- really expensive to put down, and if you don't maintain it, which is very expensive, you're wasting your money, so --

MR. HOEY: Uh-huh.

MS. GEUEA JONES: Any other questions? Thank you very much. Oh, actually, never mind. I was going to make a very unreasonable ask of you, do you know numbers off the top of your head, and I'm not going to do that.

MR. HOEY: What would that be? Give me shot.

MS. GEUEA JONES: Do you know what square footage is the pool area versus the rest of the space?

MR. HOEY: It's a great question that I don't know the answer to.

MS. GEUEA JONES: I realized before I asked it --

MR. HOEY: If you take me outside the building, if you just --

MS. GEUEA JONES: -- it would be unreasonable.

MR. HOEY: -- if you left the building alone, I'm good outside of the building.

MS. GEUEA JONES: It's okay.

MR. HOEY: But you get me in that building, that's out of my realm.

MS. GEUEA JONES: It's okay. We're -- it's okay.

MR. HOEY: I believe -- awesome.

MS. GEUEA JONES: I'm trying to get my brain wrapped around what's actually going to be going on. It is not important enough for you to go back and do it. Do not worry about it. Thank you. Any other questions? Thank you very much. Oh, I'm sorry.

Commissioner Stanton?

MR. STANTON: It looks like the occupancy of this building in relation to parking in relation to parking is probably going to be important. Again, just a hint, as I see people stirring around up here. I mean, if I was, I might be -- there's somebody in the line right now.

MR. HOEY: I was sitting over here trying to do it a little bit myself.

MR. STANTON: Okay. I'm just throwing that out there.

MR. HOEY: Obviously, we won't be able to exceed whatever the fire -- you know, rated fire occupancy of the building is. But again, and maybe the parking count that we've delivered of the 12 teaching stations, four kids a class, 48, 96 total. At a -- the ideal model is a 30-minute class turnaround. My kids attended lessons at Diventures in Springfield in a 30-minute class turnaround. In the ideal model, those are the numbers. I'm not going to say that that is going to be the numbers on day one, but that's where they want the business to be, and they don't want to go tear out all this landscaping five years from now to put in 15 more parking stalls.

MS. GEUEA JONES: Thank you very much.

MR. HOEY: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Okay.

MR. ZENNER: Madam Chairman?

MS. GEUEA HONES: Yes, Mr. Zenner?

MR. ZENNER: The documentation that we were provided by Mr. Monroe as it related to the pool size, it is a -- the pool is 60 feet in length, so when you look at that -- when you look at the floor plan that is here, it was a 60 by 12-foot-deep pool, so that's a 60-foot long pool, apparently. The building itself, if I'm not incorrect, is just under 80 feet in total length, 80, 85 feet. That's why it does not trigger the requirements for architectural treatment. So I would not be -- you know, 60 by probably about 20, maybe 25, is what the area is of the pool. And then to Mr. Stanton's question as to the total number of individuals, and we'll go back to -- we'll go back to give every child a car, as well, because every parent driving a child probably drives or has -- has a vehicle. So if you're looking at 48 -- if you're looking at 48 students, plus 12 instructors, plus staff, you're at about 65 people in the building in one period of time. So that is -- that -- the number that they are asking for when Mr. Hoey indicated they originally wanted 75, the 67 is probably with what they offer in a full training session is probably pretty tight at this point for what they would prefer. So just as a -- as a point of additional information as you deliberate on this. And my utmost apology for not being able to give you a cleaner answer as it relates to how we calculated parking. I'm looking at it now and I'm thinking what we must have

recommended was use the one to 400 because it accommodated what we needed, though that does still again seem low, and I would agree that your observation intuitively is likely correct.

MS. GEUEA JONES: Thank you, Mr. Zenner. I'm sorry. With the indulgence of my fellow Commissioners, could one of you come back up and answer questions about windows real quick? I don't care which. Pick one. I just want to make sure that we're not going to end up with a completely solid side facing Vawter School Road. Is there any assurance you can give us? Like, this isn't a theoretical project. You're going to break ground as soon as you can. Right?

MR. SMITH: Yes. And I can tell you that the owner is very -- what's the way to put this? They want the natatorium to have as much natural light as they can, and what we're showing is probably as much or less than the windows we'll put in the final design. So if that's something that we need to make as stipulation, if we need to provide a square footage on the facades or however we need to do that, but yes, our intent is as shown, that's how we want to design it.

MS. GEUEA JONES: Thank you very much. Appreciate that.

MS. THOMPSON: And for the record, are you Mr. Smith?

MR. SMITH: I am.

MS. GEUEA JONES: Oh, I'm sorry. Thank you, Becky. Thank you very much. Any other questions before I let him go again? Thank you. Okay.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Commissioner comment? Commissioner MacMann?

MR. MACMANN: I have a question.

MS. GEUEA JONES: Microphone.

MR. MACMANN: Sorry? Oh, I'm sorry. I have a question. Adding a fenestration requirement to the Vawter School side; is that what you're thinking?

MS. GEUEA JONES: I'm more thinking saying something along the lines of substantially similar or more windows than shown in the plans we were given.

MR. MACMANN: Which we've done something similar to that before.

MS. GEUEA JONES: Yeah. Yeah.

MR. MACMANN: I am -- I have made these people's lives a little painful. It is me. It's not you, it's me. And I would -- and it would have been my hope that City Council pays attention to this one, and the staff paid attention to this one. I can vote for this if we can show some close supervision going forward. I know you don't control all of the departments. I appreciate that. The rest of the site is going to develop. It's a corner. If I have a drive-centric business model, this is where I want to be where it's fast-growing



down there. I am -- if these guys do what they say they're -- guys and gals do what they say they're going to do, it will be fine, if they do what they say they're going to do and if it stays maintained. There shouldn't be much maintenance requirement. I'm a little upset about the precedence and I'm still upset about the 2017 going to 200 percent. That said, what does everybody else want here? I've consumed this entire case.

MS. GEUEA JONES: Okay. Commissioner Loe, do you --

MS. LOE: Sure. I'll go.

MS. GEUEA JONES: Go ahead, Commissioner Loe.

MS. LOE: So when we looked at parking -- was it repair shops -- yeah. So we've gone through this. We -- we did take a closer look at how the spaces were being used. And I do feel as if we may be applying some uses that may not match the use or -- or not have a use that's appropriate. So in examining our parking table, I do see that for outdoor recreation, swimming pools have one space per 200 square feet of pool surface area. So I started with that. And based on the dimensions of 60 by 25, based on my trained eyeballing of the drawing, we have 1,500 square feet for the pool area, divided by 200 equals eight parking spaces. Taking 1,500 feet off the remaining square footage, or the total square footage results in 6,856 square feet. I'm going with the general retail small of 300 square feet, and I get 23. So that gives me a total parking of 31 as a minimum, or 62 --

MR. FORD: Sixty-two, two hundred.

MS. LOE: -- would be 200. So and this is where I did the math wrong. Sixty-seven divided by twenty-eight is 240 percent of -- no. Sixty-seven by thirty-one. Sorry. That was the previous number I came up with -- 216 percent. So they're basically asking for a 16 percent increase over what I think makes equal sense to what we were originally shown. All right. That was my parking. Sidewalk, understand the grade, understand I'm looking at the natural grade of the site in the plan. If you were going to buy that that's the front entrance of the building, I do think we need a connection to Capital Drive on that east side. So I would ask for that to be there -- included.

MS. GEUEA JONES: Other Commissioner comments? Actually, I usually wait and go last, but I'm going to say one thing and then I'll go to you, Commissioner MacMann. So thank you for your indulgence and -- and please believe that all of our secret whispering is to try to get to a good spot for you. I'm looking at our parking use table, and I can get myself to the idea that this is more of an assembly lodge hall educational space, something like that. All of those are in the 200 or 300. If we were super generous in determining our basis and went 100 to 200, you're -- you wouldn't even need to have the exception. So I personally -- and I hate big parking lots. I hate them, I grew up with

them, I hate them. I can get myself to a place where this is a reasonable number of spaces given your use. So that honestly takes care of my major concern. I do want to put something in that says substantially as much, if not more, fenestration as what was shown in the site plan. I think that's something we do pretty regularly. And with that, I mean, I'm happy for this. I think it's a good way to start developing the site as a whole so -- Commissioner MacMann?

MR. MACMANN: Just real quick, and I want to kick it to Commissioner Stanton. I could follow that on a motion. How would you want your walkway, entryway? Think about that because Commissioner Stanton has something to say.

MR. STANTON: I hate disagreeing with my fellow Commissioner, Ms. Loe, but I disagree about connecting to Capital Drive. This is a school. It's not a place that you're going to be riding your bike and going up there -- this is not a place you're going to ride your bike and go up there and go swimming. This is an instruction. This is a scuba instruction school. It is a swimming -- a swim school. This is not Hickman. This is not Douglass. This is a school. Am I correct?

MR. FORD: Yes.

MR. STANTON: So the first thing I'm thinking about is this gives you access. I could just see little kids running down this sidewalk and right into the road. I think -- I don't want to make a big deal out of it. I disagree with the sidewalk being connected to Capital Drive. I'm cool with it as it is. My two cents.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: I am going to throw in my two cents now. I didn't think I was going to. It's a swim school and a scuba school. It's adjacent to trails and there's a bike lane existing and being added to on Vawter School Road. People ride their bikes to this thing. I ride my bike to swim lessons for my kid, and I ride my bike to swim lessons for myself. That said, I don't think that bikes use the sidewalk from Capital Hill to access the site, especially not given the site, especially not given the site layout that I see here. They're going to turn either into the drive or onto the sidewalk and then access it from the parking lot. I don't think that they're taking a small pathway to a door. It's just not an advantageous turn. That said, I do agree with the need for a sidewalk based on that being your main entrance to your addressed entrance frontage to the road. It just doesn't make sense to not have a sidewalk for the frontage of your main entrance.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: As much as I actually disagree with that, we've been through this front-door thing. The definition is function. Right? The definition is functional. If you can't get to the door, it's not functional. I don't think it has to be a superhighway. I've

walked this site. I don't know if any of the rest of you have. It's got some -- there are some elevation issues here. That's the reason why they're not going to go down. So --

MR. STANTON: That's another issue.

MS. GEUEA JONES: Commissioner Stanton, go ahead.

MR. STANTON: Yeah. That was another issue. I didn't have the numbers in front of me, so I didn't -- I couldn't -- I couldn't argue that point, but that is -- I'm thinking he may even have to have a landing to break that lower, yeah, whimsical sidewalk to get it there and keep it safe, keep it ADA. I don't know. It could be done, but is it cost effective? Is it really necessary? Is it -- that's where I'm at.

MS. GEUEA JONES: Any other comments? Commissioner Placier?

MS. PLACIER: Yeah. My comments basically don't have anything to do with the proposal exactly, because I think you've all have done a good job of discussing various aspects of it. I think we're going to have to decide if we're going to include the sidewalk in the -- as a condition. But this is very autocentric because of the location and because of the business model. And my problems are with having 96 kids doing this. I mean, doing this switcharoo between classes and trying to have enough cars lined up outside to take care of that. It -- it's the business model that is concerning me more than the -- the other technical aspects. And that's not something that we have anything to do with.

MS. GEUEA JONES: Any other comments? I will -- the more I look at it, I would prefer an additional sidewalk. I don't want to make that a make or break on the plan. I want to strongly encourage it. I mean, we could -- Commissioner Loe, what do you want to do?

MS. LOE: Can we vote on that prior to making a motion whether or not to include it in the motion?

MS. GEUEA JONES: I'm looking over at legal.

MS. THOMPSON: You -- I mean, if you want to make a motion as to whether or not you include as a condition to the PD Plan the inclusion of a sidewalk, if, assuming again, I would open it up to the applicant and make sure that they are comfortable moving forward. I think they indicated that they were with that, but you may want to have some discussion to make sure they want to move forward with their PD Plan with that condition.

MS. LOE: All right. They did previously indicate that that was reasonable, but yes --

MS. THOMPSON: I agree.

MS. LOE: -- we can open up the floor again.

MS. GEUEA JONES: Commissioner Stanton, were you asking to open the public hearing?

MR. STANTON: Yeah. I was going to say if we could bring that -- and make a deal. Now, I'm looking at that grade, so -

MS. GEUEA JONES: Yeah. Whoever is responsible, please come forward, and name and address again.

MR. STANTON: Oh, I would -- I would question with this --

**PUBLIC HEARING REOPENED**

MR. HOEY: Will Hoey, 550 St. Louis Street, Springfield, Missouri.

MS. GEUEA JONES: Commissioner Stanton, I think wanted to ask you one thing first.

MR. STANTON: Okay. So I see is that 26 feet, and you have eight feet of rise in that 26? What am I -- what's your -- what's your cross slope?

MR. HOEY: So I'm going to -- I'm going to back up a little bit and try and give -- so off Vawter, it's 18 feet from Vawter to finish floor. They're cutting that road all the way down, and so it's climbing all the way up till it gets to the high point, which is our access, which is why our ADA, our sidewalk connection out to the -- the right-of-way, the private street, is going down to that point. That's going to be our flattest location across the site. And so as you're coming into the property, that 18 feet is slowly being made up per the grade of the street. So it's my assumption -- again, we don't have the final grading. That's why I said I would love to look at it and vet it out. I would hate to add it as a stipulation.

MR. STANTON: Things change from day to day.

MR. HOEY: Because if it's eight to ten feet of fall, I don't even think you're going to be happy with what it looks like. We're going to have a big, massive concrete --

MR. STANTON: Yeah.

MR. HOEY: -- correct facade exact ramp to make it work. But I would love to vet it out once I have that final grading. I hate for it to be a stipulation of the PD Plan, but I would love to work with the Planning Department and then -- and the rest of the staff, as we go through the CD process to get to final plans, and now to be something we evaluate.

MR. STANTON: So we're almost looking at, like, a 30 percent grade?

MR. HOEY: Yeah. Which is three to one --

MR. STANTON: Like that.

MR. HOEY: -- which is the max you'd want in the green space.

MS. LOE: I'm familiar with grades.

MR. STANTON: So I'm just saying. I love concrete. I do concrete. I'll give you all the concrete you want, and we can go all the way up around and all. Is it practical, and

that's -- that's what I was trying to get my colleagues to understand, but thank you.

MR. HOEY: In all likelihood, it's -- it's a switchback ramp with four to five turns, or a set of stairs.

MR. FORD: I'm not taking that on my bike. I'll just go down the road.

MR. STANTON: Yeah. And turn into the driveway. That's where I'm at.

MR. ZENNER: If -- if I may add, as well. Based on the platting action that is before us that we're concurrently reviewing, there is a public utility easement that is running along the western side of Capital Drive. So not unlike the same problems we have along Vawter, with a public utility easement with major infrastructure, the sanitary sewer, as well as storm sewer, that is on this site is in that same location, which again, foundations for any type of stairs, retaining walls, or the like are not permitted in those easements. So the ability to be able to do any type of staircase or anything that would require retaining walls is really out of the question. That -- that's what presents another technical issue here.

MS. GEUEA JONES: Could we include something that says if feasible, or is that too vague?

MS. THOMPSON: I mean, I would encourage against, like, conditional conditions. Right?

MS. GEUEA JONES: Very good.

MS. THOMPSON: I just don't think that it gives us really any ability to enforce those, or any assurances.

MR. FORD: Can we put a bike lane on the road?

MS. CARROLL: There is.

MS. GEUEA JONES: Well, there's -- yeah. There's -- there's going to be quite a bit of improvements on that road. And if I'm reading the plan correctly, there is a connection to -- let's see -- that would be the south bend of -- what are we calling it -- Capital Drive.

MR. ZENNER: Capital Drive. Yeah.

MS. GEUEA JONES: Correct?

MR. ZENNER: Correct.

MS. GEUEA JONES: But down at the bottom of the plan that's on the screen.

MR. HOEY: You can -- you can take a sidewalk path all the way from Vawter to our front door, and it all meets ADA.

MR. MACMANN: I don't think --

MS. LOE: It's -- I mean, it's a part -- the access in part, but it's also about this being the front door. And right -- we, again, we have not approved projects that have their front door off the parking lot. And right now --

MR. HOEY: If I may, I just wanted to note with the front door issue, too. We keep saying that Capital Drive -- I mean, as far as your frontage and your primary frontage, I know a lot of municipalities, we've worked across a few, say that it's the narrowest side if you're on a corner lot. So not the -- so I mean, Capital, I just want to clarify. Capital Drive is east and south, so we -- if we are addressed off Capital Drive, you could argue that that's to the south where our access is, so you could even almost argue that that door flips and faces south to the parking lot. Instead, we're not facing it at the parking lot. Facing it to the east, so it's kind of like a balancing act, if you will.

MS. GEUEA JONES: And there is sidewalk around that southeast corner of the building.

MR. HOEY: Yeah. The door on the east and the door on the northwest all connect to that front door.

MR. FORD: This is a tough lot.

MS. GEUEA JONES: Yeah.

MR. HOEY: There are some challenges to it that still haven't even vetted out yet, so

--

MR. MACMANN: You guys haven't closed on it yet, either, have you?

MR. HOEY: No, but we can't close on it till the developer closes on it. I know there's an agreement in place to complete that, but holding pattern.

MR. MACMANN: I do construction for a living.

MR. HOEY: We know.

MR. MACMANN: I appreciate how that goes. So does Anthony.

MS. GEUEA JONES: Given that statement, question for staff.

MR. ZENNER: Yes, ma'am.

MS. GEUEA JONES: We have a PD Plan in front of us. Is this actually the PD Plan or is this just a potential PD Plan and we're really just doing a statement of intent?

MR. ZENNER: This is the PD Plan that is compliant with the overall statement of intent for Copperstone Corner.

MS. GEUEA JONES: Right.

MR. ZENNER: So this is the site-specific development plan that was identified as being a requirement when the entire acreage was approved. And the reason that this is being brought before you is because we needed to get through this stage and the final plat, which is being reviewed right now, concurrently. They will go together, they will marry up, but our process required the review to be complete. So we will hold this, as I said earlier, this would be held until the final plat and all of the contractual and other aspects of this property have been resolved. And everyone is aware of that, and I have

been informed that the closing of the property was supposed to be occurring before the end of this month, which --

MS. GEUEA JONES: Will we have to vote on changes? If changes are necessitated, how major will they have to be for -- of this PD plan? What I'm trying to get to --

MR. ZENNER: Yeah.

MS. GEUEA JONES: -- is we've already been told, well, the -- the windows and some of the door -- like, there may be some changes to the exterior of the building. We're talking about you don't have total grade yet, so you may find out that it's got to move one way or another. I'm just wondering where in the process are we truly?

MR. ZENNER: So --

MS. GEUEA JONES: It sounds like there are a lot of questions.

MR. ZENNER: So as it relates to probably substantial enough changes that would necessitate coming back to this body, I think what Mr. Hoey and the -- the Olsson and H Design Group have prepared at this point, short of some final modifications to the architectural look, which I think what the proposed recommendation would be to address it the way you have discussed, substantially compliant with the design provided, with fenestration and openings, and if we have to, we can get calculations of what all of that is today so we catalog it, and then when the final plan --

MR. MACMANN: And we've had success with that motion in the past.

MR. ZENNER: We have. And I think there -- again, if you -- if that's what you want, I can take that direction and we can make sure that we have comparables. What would trigger a major amendment on something of this nature is a substantial reorientation of the building on the lot as a result of grading. But to the extent that the grading for the roadway improvements is going to alter what you're seeing on this plan, that is probably highly unlikely.

MS. GEUEA JONES: Okay.

MR. ZENNER: So I don't think you'll get this back if you take the actions that you have discussed up to this point to ensure that the design elements of this building are addressed. As Ms. Thompson has stated, conditionally requesting something upon a condition as an extra site improvement, it would be very difficult for us to track. I'm good, but I would much rather prefer that if get run over by a bus, somebody else isn't going to follow what happened here. And I think really the problem that I see with this, just based on what we've had elsewhere, is all of the conflicts with the easements that are along this right-of-way, that's really going to limit the ability to be able to adjust -- to adjust any future improvement that would require foundation work. And that, I think, is what does

detract from the ability to do the sidewalk connection. So I don't believe you will be seeing this again if you approve this this evening.

MS. GEUEA JONES: Thank you. Do we have any more questions for Mr. Hoey, or can we let him sit back down for the moment? I have one. Do you have any other thoughts that would help us? You've heard all of our various discussions.

MR. HOEY: I don't know the -- no. I think -- I think this has been a really good discussion, especially for a Planning and Zoning meeting. Normally, we don't get so much back and forth. This is great. This is a good thing. I will say that with the mic and the opportunity to say something, I will say excellent job. It's -- working with your staff has been fantastic. It has been a lot of -- there's been a lot of work compared to other jurisdictions, but it has been very efficient. So I -- it's been very appreciated. He prepped us to be in a good spot for this -- this discussion, so --

MS. GEUEA JONES: Tell your friends.

MR. HOEY: Thank you.

MS. GEUEA JONES: Thank you, Mr. Hoey. Okay. Back to Commissioner comment. Oh, I'm sorry. We're going to close public hearing.

#### **PUBLIC HEARING RECLOSED**

MS. GEUEA JONES: Commissioner comment. Commissioner Loe, what are you thinking? I don't think I could support a sidewalk condition, given what we know.

MS. LOE: I think we've documented the difficulties well enough that this precludes a -- making this a precedent, which was part of my concern.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Yeah. So on this subject of the sidewalks, and just given the site and the limitations of the site and the grading and the existing utilities, and even the layout of the site, you know, it's my opinion that the -- most of the pedestrians and cyclists are going to use the sidewalk along Capital Drive and access it from the back of the parking lot. I don't want to make this a stipulation, but what I find would, based on the site plan, be more useful than a sidewalk would be some marked crosswalks in your parking lot, something to direct pedestrians and traffic to reach the building, whether it's the front door or the side door in this case. I do also want to point out as we discuss walkable environments and location of doors, doors facing the front, it's not just about the size -- the side of the street or the access. It's about the walkable environment of the street that's in place. Part of the reason for doors in front is so that we don't move pedestrians along blank buildings where there's no visibility, no exchange with properties, and so, I see this as a sufficient limitation of the site to not have a door facing the front. I would, as the rest of the site is developed and others in the area, I would hate that -- for



that to become the norm because we're still going to have people using that sidewalk, just given that it already exists for the other properties. So we've -- we've got to keep in mind that that actually not only detracts from walkability, but safety.

MS. GEUEA JONES: Given that we have now made a full record of how this is a unique site, would anyone like to maybe make a motion? Commissioner MacMann?

MR. MACMANN: I will try it. Let me make sure I get this. We have the motion that is clean other than what we're about to do; is that right, Mr. Zenner?

MR. ZENNER: That is correct, sir.

MR. MACMANN: Okay. So Commissioner Loe, could you restate your brief version of the fenestration statement?

MS. LOE: Fenestration is all Commissioner Geuea Jones.

MS. GEUEA JONES: I would say substantially the same or greater fenestration as provided -- as in the provided drawings.

MR. MACMANN: Stand by with that verbiage. Commissioner Carroll wanted some lot lines or crosswalks?

MS. CARROLL: I don't want --

MS. GEUEA JONES: I don't think we need that here.

MS. CARROLL: -- to stipulate.

MR. MACMANN: You don't want them --

MS. GEUEA JONES: No.

MS. CARROLL: I specifically don't want to stipulate crosswalks.

MR. MACMANN: Madam Chair --

MS. CARROLL: I think they can --

MR. MACMANN: -- I have a motion.

MS. GEUEA JONES: Commissioner MacMann, please?

MR. MACMANN: In the matter of Case 78-2024, Diventures of Columbia PD Plan, with the following amendment. Would you put your words right here, Madam Chair?

MS. GEUEA JONES: That the amount of fenestration be substantially the same or greater than that which was provided to the Commission in drawings by the applicant.

MR. MACMANN: Thank you, Madam Chair. I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval has been moved by Commissioner MacMann, seconded by Commissioner Stanton. Is there any further discussion? Seeing none. Commissioner Carroll -- oh, I'm sorry, Commissioner Stanton -- or Commissioner Loe?

MS. LOE: Do we need to include the associated design exception for parking?

MR. MACMANN: It's in there. It's already in.

MS. GEUEA JONES: It's already in there.

MS. LOE: All right.

MS. GEUEA JONES: Yeah.

MS. THOMPSON: By approving the PD Plan, you're approving the design exceptions that are stated there.

MS. LOE: Got it. Thank you.

MS. GEUEA JONES: Thank you, Commissioner Loe for keeping us honest. In that case, Commissioner Carroll, whenever you're ready, may we have a roll call?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

MS. CARROLL: Eight to approve; the motion carries.

MS. GEUEA JONES: That recommendation will be forwarded to City Council. Thank you very much for your patience. Sometimes our process can be a bit, but -- I think we're --

MR. MACMANN: Done.

MS. GEUEA JONES: Done, yeah. So I've been scribbling all over my thing.

**In the matter of Case 78-2024, Diventures of Columbia PD Plan, move to approve subject to the amount of fenestration be substantially the same or greater than that which was provided to the Commission in drawings by the applicant.**

**Yes:** 8 - Loe, Stanton, MacMann, Carroll, Geuea Jones, Placier, Wilson and Ford

**Excused:** 1 - Dunn

## VII. PUBLIC COMMENTS

MS. GEUEA JONES: Are there any general public comments? Anyone at all? Seeing none. Excellent.

## VIII. STAFF COMMENTS

MS. GEUEA JONES: Mr. Zenner?

MR. ZENNER: Yes. Thank you very much. Your next meeting will be on March 7th. We will have a work session preceding the 7:00 p.m. regular meeting. During that work session, we will talk about small lot integration and have some visualizations, hopefully, for you at that point. If not, I will break legs to get them, as well as some definitions as discussed in this evening's work session relating to the same topic. And we will be -- hopefully, being able to move on and discussing other matters associated with that text amendment that we're working on right now. We do have several items that are on the agenda for the March 7th public hearing. Those include three public hearings. We have

a returning item that's a CUP. This is the Storage Mart request for approval for a storage building greater than 14 feet in height off of I70 Drive Southeast. We have a revision to the Crosscreek Planned Development Plan for Lot 108A. This is at the southwest corner at the on ramp onto U.S. 63. It is immediately adjacent to the Zaxby's parcel. This was a former hotel site. It is being proposed as a -- to be developed with two retail business buildings. The real retail business building potentially incorporating second floor residential. The SOI revision to this is given that the building that will be closest to Stadium Drive on the east side of U.S. 63 is proposed to accommodate a comprehensive marijuana facility, which is considered a retail use. The current Statement of Intent that governs Crosscreek does not have that use within it. It actually specifically excluded head shops and drug paraphernalia sales locations, so this -- and that was done in 2008. So times have changed, so have State laws, so the applicant is seeking to have the PD Statement of Intent amended for all of Crosscreek. This is very similar to an amendment we took through last year as it related to increasing the maximum development area within the same development, so the PD Plan is required and it is specific to Lot 108A, and it shows the improvements. The Statement of Intent will be discussed as a part of the staff report, however, there is a -- the process that we will follow for the Statement of Intent is a general amendment to the initial enabling ordinance for Crosscreek, so you will not have a separate Statement of Intent that specifically says these uses, plus comprehensive marijuana facility. It's the same process that we did when we did the increase in square footage, but the Planning Commission does need to give consideration to both within their recommendation. And then the final item that is on the public hearing docket is the changes to the accessory dwelling unit standards. These are the three amendments that have been previously discussed, previously directed to advertise for pursuant to Ms. Stolik's request for relief to stimulate hopefully ADU construction within the City's corporate limits. Those are the three items that we have on the agenda, and as I said, we will talk at work session as it relates to our small lot integration project. This evening is an opportunity for us to have celebrated Ms. Thompson's time as our staff liaison with the legal department for the Planning and Zoning Commission. It has been an absolute pleasure spending the last three years, two of which, seemingly more, dealing with a single topic, however, she was a trooper throughout it, an excellent legal mind, and a great colleague to have. She has accepted our inaugural director's position over at Neighborhood Services in our housing department that was created earlier this year. So while she will not be far away from us, and she will probably make guest appearances such as Mr. Cole does from CHA, we will have an opportunity to continue to work with her. We wish you the best.

MS. THOMPSON: Thank you.

MR. ZENNER: -- and we will be welcoming Earl Kraus as our interim staff attorney while the law department seeks to fill Ms. Thompson's position, but it has been a definite pleasure. Our staff has enjoyed working with you.

MS. THOMPSON: The feeling is likewise. Thank you, Pat.

MR. ZENNER: That is all I have. It's a late evening. Thank you very much for your attention and your guidance this evening during our work session. And I would especially like to thank Ms. Loe for the creativity in looking through the Code and the parking standards. Your diligence and understanding what we look for in finding those solutions is greatly appreciated. It also identifies areas where we know we can make improvements. So my pleasure having had the opportunity to have you figure that out for us and the applicant.

## **IX. COMMISSIONER COMMENTS**

MS. GEUEA JONES: Thank you. Given the late hour, thank you, Becky, and ditto to all that. Thanks.

MS. THOMPSON: Thanks.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner MacMann?

MR. MACMANN: Before I make that final motion, we have had and do have, and will have again some law students.

MS. GEUEA JONES: Yes.

MR. MACMANN: They are working to get an edumacation [sic]. Just want to let you know -- all know that they were here and we're going to be here.

## **X. NEXT MEETING DATE - March 7, 2024 @ 7 pm (tentative)**

## **XI. ADJOURNMENT**

MR. MACMANN: I have a motion. I move to adjourn.

MR. STANTON: Second.

MS. GEUEA JONES: Without objection, we are adjourned.

(Off the record.)

(The meeting adjourned at 10:41 p.m.)

**Move to adjourn**