

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**September 21, 2017**

MR. STRODTMAN: Now, on our -- to our first subdivision item, Case 17-101. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to Case 17-101, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

**Case No. 17-101**

**A request by Crockett Engineering Consultants (agent) on behalf of Gates Real Estate, LLC (owner) for approval of a 193-lot preliminary plat revision on R-1 (One-Family Dwelling District) zoned property, to be known as The Gates Preliminary Plat No. 3. The 120-acre subject site is generally located south of Old Plank Road, and south of Wentworth Drive.**

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the revised preliminary plat of The Gates Preliminary Plat No. 3.

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, is there any questions of staff? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Planner Smith, did we, in this process, end up eliminating all the storm water basins or reduce them in size or what was the process there?

MR. SMITH: The common lots as reduced did not have storm water in them at that time. Designs haven't been submitted for the storm-water facilities for that portion of the preliminary plat. However, once they submit the construction plans, usually the time they're ready to final plat them --

MR. MACMANN: So on --

MR. SMITH: -- then they locate them.

MR. MACMANN: -- on upon final plat, then we'll readdress, revisit this?

MR. SMITH: Possibly, if need be, yes.

MR. MACMANN: If need be. I just wanted to know. Thank you.

MR. STRODTMAN: Any additional questions, Commissioners? I see none. As is in our standard practice, this is not a public hearing, but it is a subdivision. We will open it up to anyone that's in the audience that has relevant information to this case. You're welcome to come forward and give it to us at this time. Just please give us your name and address.

MR. CROCKETT: Mr. Chairman, members of the Commission, Tim Crockett, 1000 West Nifong. I believe Mr. Smith did a very thorough job on describing this situation. If the Commission will recall, this is two previously approved preliminary plats, portions of them. And when the second preliminary plat was being completed, there was discussions with the Parks and Recreation Department about park acquisition to the east. There were some further discussions about maybe some additional land on this side, which didn't come to take -- I don't think -- believe the Parks wanted additional property that backed up to this -- or, excuse me -- within this development. So what we're doing is we're asking to reallocate some of those common lots back into sellable lots. To answer your question, Mr. MacMann, the storm-water obligations that my client has will -- can and will be met at -- within the current common lots. If they cannot, it's certainly been made very aware that we have then grant what we need to in order to accommodate those accommodations. So -- and we have looked at it. We believe we can, however, if we can't, we will allocate other common lots. One of the big issues that -- that we're encountering in a lot of these common-lot area scenarios is that nobody wants a dead or dying tree in their backyard. And what's happening many times is HOAs are getting phone calls from homeowners saying, Hey, I have a dead tree in my backyard. It's becoming dangerous to my kids. I don't want that around them. Once that phone call is made and the complaint is on file, the HOAs, on a legal standpoint, their insurance companies are basically saying you need to go out there and cut that tree down because now it's -- now it's a liability that you've been made aware of and you need to take care of that. Cutting down trees costs anywhere from \$500, \$600, \$800 to cut that tree down. So HOA dues in many places are being spent on tree removal as opposed to mowing, irrigation, landscaping, and the needs that they're supposed to be spent on. So that's becoming a hardship to a lot of the HOAs. The lots that have been sold, the ones that have houses on them, the lots that have been platted do have common lots in the backyards, and some of them have common lots that have not been platted yet. None of those areas have been eliminated. If you purchased a lot out there that backed up to a common lot, you're certainly going to remain common area, so we're not taking away any of those areas. So if you look at the marketing material that my client had provided early on to the perspective buyers, it showed a lot of those lot extensions and the elimination already, so we don't feel that it's been anything that we're trying to switch on the residents out there. And so with that, I'm happy to answer any questions that the Commission may have.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, any questions for this speaker? I see none. Thank you.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Thank you. Any additional speakers? I see none. Commissioners, additional discussion, questions, motion? Ms. Russell?

MS. RUSSELL: I'm going to make a motion in the Case of 17-101, that -- to approve the revised preliminary plat for The Gates Preliminary Plat No. 3.

MR. STANTON: Second.

MS. LOE: Second.

MR. STRODTMAN: Mr. Stanton. We have a motion to approve Case 17-101 by Ms. Russell and seconded Mr. Stanton. Is there any additional discussion needed on this motion, Commissioners? I see none. Ms. Burns, when you're ready for a roll call.

MS. BURNS: Yes. Thank you.

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

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Planning and Zoning's recommendation for approval will be forwarded to City Council for their consideration.