

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
OCTOBER 18, 2018

Case No. 18-166

A request by A Civil Group (agent), on behalf of Gary Ridenhour (owner), to have 64.32 acres permanently zoned R-1 (One-family Dwelling), 2.29 acres permanently zoned M-N (Mixed Use-Neighborhood), and 2.38 acres permanently zoned M-C (Mixed Use-Corridor) subject to annexation into the City of Columbia. The subject site contains a total of 68.98 acres and is presently zoned County A-2 (Agriculture). The site is generally located east of Masonic Drive, west of Alfalfa Drive & Oakland Gravel Road, and north of Prathersville Road. (This item was tabled at the September 20 and October 4 Planning and Zoning Commission meetings).

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

MR. ZENNER: Yes, you may, Ms. Chairman. But before we have the staff report, I would like to make a couple of opening remarks as it relates to the surrounding zoning -- zoned property to the north and to the east of the subject site, which is shown here on the map in the bold red labeled "subject site". The subdivisions to the north and the west, with the exception of the Gregory Heights Subdivision, which is here in the very southeast corner of the subject property are both subject to an annexation agreement that was approved many, many years ago. The annexation agreement's terms stipulate that when the property become contiguous with the City of Columbia, they would be required to annex into the City at a point. This evening's meeting is not to discuss the annexation agreements that these properties to the north and to the east had entered into. The prior developers had entered into those agreements with the City of Columbia in order to obtain City sewer services. This evening's discussion is solely focused upon a request for permanent zoning of this 68.98 acres and a subsequent preliminary plat. There will be an opportunity at a point in the future for the affected property owners that have purchased lots within the developments to the north and to the east to voice their concerns before this body as well as before the City Council as it relates to a potential annexation into the City's corporate limits. Again, this evening's meeting is to not discuss their concerns associated with a future annexation of their lands. They will be notified of an application process that they would need to complete subject to the terms of the original annexation agreement as well as informed of when a public hearing would be being scheduled to annex those properties and should the City staff be directed to pursue that annexation. At this point we have not been asked to pursue the annexation. We are looking only at the subject parcel. It is a question this evening for this permanent zoning request as well as the subdivision plat. With that, I'm going to turn the meeting over to Mr. Smith, who is the project manager. He also does have business cards that he can

provide to any individual that is here that would like to contact him in regards to the potential future annexation of this property, and any questions can be directed to him after the meeting tonight as it relates to that. I don't mean to try to stifle conversation or discussion this evening, I just want to make sure that we focus our attention on the primary topic, and that is to discuss the permanent zoning, as well as this potential subdivision plat. With that, Mr. Smith can give you your report.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the requested R-1, M-N, and M-C permanent zoning upon annexation.

MS. LOE: Before we go to Commissioner questions, I would like to ask any Commissioner who has had any ex parte prior to this meeting related to Case 18-166 to please disclose that now so all Commissioners have the same information to consider on behalf of this case. Seeing none. Are there any questions for staff? I don't see any. Then we can move on to the public comment portion. I would just like to remind everyone that what we are discussing here is the permanent rezoning. So we're not discussing annexation. That is what the City Council is going to determine. We are simply discussing whether or not the requested zoning is appropriate as requested. If you do come forward, can you please give your name and address for the record. With that, we'll open up public comment.

PUBLIC HEARING OPENED

MR. MURPHY: Good evening, Chairperson and Commissioners. My name is Kevin Murphy. I'm with A Civil Group with offices at 3401 Broadway Business Park Court. I would like to thank staff for the thorough and fact-based report. I hope it explains a lot, but I would like to go into some of the zoning portion of this myself. As noted, we've got -- we're requesting 100-- roughly 165 single-family lots on this undeveloped island of -- of roughly 69 acres here. As noted, there is commercial development to the west and south and residential to the east and north. With that, we are providing nine common area lots totaling over 16 acres of green space that we're providing. And with the neighborhood, you know, 2.29 of the neighborhood commercial and 2.38 of the collector commercial. The commercial, as staff has pointed out, is placed on Prathersville and Oakland Gravel Road. To the east of this, Waco Road has slated another ten-year-plus plan to be extended from Brown Station -- or from Brown Station Road to Oakland Gravel Road. That will be -- that's an arterial road, and Oakland Gravel Road going north and south is a neighborhood collector road. So you have two main roads that will eventually meet there. This M-C request is good planning for the future. Our clients don't plan on developing this at this time. They are homebuilders; they are not commercial developers. And it just makes sense -- it's a placeholder for the future. The two single-family homes across the street and to the east, we recognize that they are there and that these folks don't necessarily want to look at the commercial, so we have opted to do the neighborhood protection standards, even though -- against the road, even though that wouldn't typically be required. If it was directly abutting neighborhood properties, it would be. So we did have a couple of exceptions to that just for safety reasons more than anything. That would be the removal of the screening fence -- an eight-foot-tall screening fence all along the property, and -- and a 50 percent opacity versus an 80 percent opacity of the screening -- landscape screening. We feel if there is commercial business

there at some point in the future, if it operates in the evening or something of that nature, having it all screened all the way around it would be a safety issue. With that, we are creating a 30-foot-wide landscaping buffer, as noted, and that will extend actually the full length of Oakland Gravel and Alfalfa to the north. We've provided for that, which would have a small berm and trees and landscaping on that to screen the residents from the east -- from the residents on the west side -- the future residents on the west side. Again, as that corner develops and roads are put in, in all likelihood, the highest use for the properties -- the two residential properties directly to the east from our property, that would be commercial as well as the single-family zoned property at the southeast corner of that intersection. And there is already industrial zoned land on the southwest corner that the County owns. With that -- as far as density, what we are providing here again with the 16 acres of green space, we have roughly 2.54 homes per acre versus Willowbrook to the east having 3 -- over 3.18 units per acre; Gregory Heights 3.03 and 4.20 in Morris Subdivision, which is along Oakbrook Drive at the southeast. Haystack Acres is zoned A-R, and they have a minimum lot size of a half-acre in that in the County, and they have 1.6 acres directly to the north. And overall in the subdivision, they have a 1.52 units per acre. With that, I would turn it over to Cody if you didn't have any questions -- further questions.

MS. LOE: Are there any questions for this speaker?

MR. MURPHY: Thank you.

MS. LOE: Seeing none. Thank you, Mr. Murphy.

MR. DARR: I'm Cody Darr, an engineer at A Civil Group, offices at 3401 Broadway Business Park Court. And I wanted to talk a little bit about the traffic impacts that this development would have. From the beginning, we have been in discussions with the developer, staff and neighbors to try to figure out what, if any, impacts this would have specifically on traffic and make sure we were not causing any problems with our development. So before submission of the application for this annexation zoning and preliminary plat, we met with MoDOT, the City and County officials to discuss the scope of what would need to be required in a traffic study and what would need to be analyzed to make sure we were covering the stuff we needed to cover. All those different jurisdictions were included because the roads adjacent to our development have various different ownership and maintenance responsibility. So there is MoDOT roads with 63 and a portion of Prathersville; and then there's the County with Oakland Gravel and Alfalfa and Masonic; and then the City for interior roads and future potential ownership of those roads. School was not in session when we did these, but we did talk about that with the different jurisdictions, and it was determined that the impacts from that would be minimal and that not including that would be okay. So we reached out to Julie Nolfo at Lochmueller Group, who is a traffic engineer and has been a traffic engineer for over 20 years with significant work in Columbia and worked for the City and for other people in the city --and Lochmueller Group was an approved engineer by the City staff. So we reached out with them -- and they had a lot of experience with this. And we discussed the scope of work with them, and they agreed with what we came up with. So I don't know if you had a chance to read it, but I will just briefly go through what the conclusions of the traffic study were, which the -- this residential portion of the

development would generate 222 AM peak hour trips and 164 PM residential trips in the peak hour, so over 60 minutes. And then if you include the commercial, it would be 143 AM trips and 192 PM trips in the peak hour, again those 100-plus trips being distributed over 60 minutes. No intersection fell below level of service of B for the 22 -- 2022 build-out condition, which includes all the trips generated from our development or the 2032 horizon condition, which included 1.5 percent overall growth for the whole area, as well as the commercial uses. So C is normal use for highway design and represents 70 to 80 percent capacity of an intersection or roadway. So none of ours fell below B, even with all of our trips generated and future base-line growth factor for the surrounding area. So in the past, I believe they said, that there was no need for mitigation measures to offset this development's impacts at any of the intersections. One thing I just wanted to touch on, the commercial uses are pretty far off, so it was not known exactly what would be there, so we had to make assumptions for what traffic would be generated for the commercial. If different commercial uses are proposed than the ones assumed in the traffic study, the City may require an updated traffic study to verify that the conclusions are still appropriate. Oakland Gravel, Alfalfa, Prathersville have two-lane asphalt roads with this type of traffic is common in the City. Lake of the Woods, St. Charles Road, Mexico Gravel -- there is a ton that have more -- actual more trips than what are generated today on Oakland Gravel or will be there when our development is done. I know that neighbors are concerned with this and this is something they perhaps will be speaking about, the conditions of the road. However, based on the traffic study that was approved by MoDOT and the City and County, there was really no justification for any improvements at this time or in the foreseeable future. That's not to say that the developer doesn't intend to make contributions -- and Jay is going to talk about that some more, but we are going to build sidewalks, we are going to grade the road for future widening, move and relocate utilities. We will be installing landscape buffer, so the unmaintained brush that is along the road now will have a landscape buffer and a berm and mature -- and trees that will eventually be mature. And there's plenty of studies out there that indicate the benefit of roadside vegetation. So with that, I will hand it over, unless there's any questions.

MS. LOE: Are there any questions for this speaker? Mr. MacMann?

MR. MACMANN: Madam chairperson, thank you. Mr. Darr, two quick questions. When you modeled this, you had to make assumptions about what would go on Lot 301, the M-C. Could you tell us what you -- what you plugged into your model? Was it a gas station? Was it -- I mean, you used some sort of model to get output. What did you plug into?

MR. DARR: Mini-storage, a lumberyard.

MR. MACMANN: Okay. Which -- that's interesting. That is interesting. Second question, you say you've made allowances in development for the future expansion of Oakland Gravel/Alfalfa, and you currently have in that this 30-foot berm; is that correct?

MR. DARR: Thirty-foot width berm.

MR. MACMANN: Thirty-foot width berm. That berm would go away if the road was widened, would it not?

MR. DARR: No. It would be behind the dedicated right-of-way.

MR. MACMANN: So you would start at the future line?

MR. DARR: So right now -- Oakland Gravel, for example, is actually not exactly centered on where the right-of-way width that we would be dedicating, so it is -- actually the edge of the road is seven feet from the center line, so -- and we are dedicating 33 feet. So there would be 26 feet of additional feet from the edge of Oakland Gravel to the new right-of-way. And then from there, from that 27 feet, there will be an additional 33 feet of landscape buffer. So that's over 50 feet of, you know, width of green space from the road to actually where the back of those people's yards or the future homes would be.

MR. MACMANN: All right. Let me -- thank you for expanding on that. One more follow-up question. When you do this development, do you plan to put in screening from something with 50 percent opacity, I believe, is what you were mentioning. Those are going to go in right away?

MR. DARR: No. Those will be in the landscape buffer.

MR. MACMANN: Okay. So --

MR. DARR: I believe -- yeah.

MR. MACMANN: -- when it's time. All right. Those are the questions I had for this moment.

Thank you very much.

MS. LOE: Any additional questions for this speaker? Thank you.

MR. DARR: Thanks.

MS. LOE: I failed to explain that speakers get three minutes each. If there is an organized speaker for a group, they will get six minutes. But we encourage people to consolidate comments and try not to repeat comments because we will watch time. When it is -- your time is up, you will see a little red light on the podium, and that means you should wrap up. Thank you.

MR. GEBHARDT: Good evening. My name is Jay Gebhardt. I'm a civil engineer with A Civil Group at 3401 Broadway Business Park Court. And a little bit more about this 30-foot landscape easement that Kevin and Cody have mentioned. It will be planted with trees, and the goal here, not just for the commercial area, but for the entire length of Alfalfa and Oakland is to have -- to get away from that unintentional board fence that you see along collector streets when the homes back up to them. We wanted to set a berm and put landscaping in to provide that privacy for the homeowners without the need for a fence. And if there is a fence, it would be on the west side of that 30-foot easement, further away from the road. So we get away from that alley-like look that we have through town. The work that we are proposing to do in kind for Oakland Gravel and Alfalfa is -- involves grading the entire west side to a level that is consistent with where the future sidewalk would be and wouldn't have to be relocated if the road is widened. So to do that, there is a bunch of utilities that are in the way, power poles, water lines, gas lines. We are going to take care of all of that. We're going to grade it, and we're going to build the five-foot sidewalk the entire length of Alfalfa for our -- our property from Prathersville up to Haystack Acres, and we have entered into a development agreement with the City that will bind us to do that work. So that's a pretty significant amount of money that we're doing to try to make it simple so if the road needs to

be widened, they don't have to rebuild the sidewalk. They don't have to do too much other than just widen the road. The road is 24-foot wide now. The City standards for a neighborhood collector street would be 30 feet. So we're really talking about widening three feet on each side. It's not a huge widening project. The layout that I gave you -- the color is basically to try to help you see this, but there is a couple of common areas on the north side that we set aside to provide a buffer to the Haystack Acres Subdivision. We do have two lots on Buffalo where the buffer is not, but it -- the rest of that we're going to maintain that existing tree line and try to get -- leave that buffer. Then the lake is about a five-and-a-half-acre lake, and the green space below that is about nine, nine-and-a half acres of green space that we're going to set aside and not disturb in order to just enhance the subdivision, but also to protect -- that's the headwaters of the Cow Branch, so we're trying to provide some protection for that. You know, on that layout, you will notice a whole bunch of little green dots along the roads. That is part of the UDC's street trees. We will be planting a tree every 40 feet on both sides of the street as part of that. Right now, the property is served by a 16-inch water main owned by the City of Columbia. It was built a few years ago. We have City sewer on the property, and basically all of the utilities are here. And we are within the urban service area boundary, so that -- I'll wrap it up. We've met with the neighbors. We've tried to help them as much as we can, but when it came down to it, this subdivision meets all the UDC requirements. And we're not asking for any waivers or variances to the Code. And some of the things that were asked of us, we would have had to ask for variances or design adjustments to accommodate. So we felt it was better with this being a new kind Code -- this is one of the first subdivisions to come through to comply with the new Code, that it was best to come forward without any variances. So if you have any questions for me, I'd be glad to answer them.

MS. LOE: Are there any questions for this speaker? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chairperson. Mr. Gebhardt, good evening. What are the -- would you let me know what -- the proposed long-term maintenance responsible entity for that green space?

MR. GEBHARDT: Well, this is going to be a starter-home type neighborhood.

MR. MACMANN: Uh-huh.

MR. GEBHARDT: And we thought about making it a common area where it was maintained by the homeowner association, but that puts a pretty heavy burden on the homeowner association dues to pay to mow that and take care of it, so we have included it as an easement instead of a common area lot, and that easement will allow each homeowner to take care of that. The -- so it's an easement on their property. They'd be mowing the berm and they'd be taking care of the trees and that. And that was done to try to keep the fee structure down.

MR. MACMANN: Just so I can revisit this a little bit, you're talking about the berm along the road. I'm talking about the green space to the southwest of the lake.

MR. GEBHARDT: Oh, I'm sorry.

MR. MACMANN: No, that's all right. I may not have been clear about it.

MR. GEBHARDT: There's not going to be a whole lot of maintenance. We would like to leave that as a native area. There is -- as you see in the color thing, there is a sidewalk that connects the cul-de-sac to the street. There's a green space along the lake there that will be a common element to the neighborhood, and that would be mowed and maintained. We envisioned a beach area, and perhaps, you know, picnic area and things like that for the neighbors to use. That would be mowed and maintained. But the boundary of the trees and that, we would leave alone and let it be native, if we can - unless we get a violation for mowing.

MR. MACMANN: I don't have any follow-up questions at this time. Thank you.

MS. LOE: Thank you. Any additional questions? I have a couple questions.

MR. GEBHARDT: Yeah.

MS. LOE: Was there any consideration of making the M-C lot R-1?

MR. GEBHARDT: No. From the very beginning from the concept review, it -- we felt like, and I think staff agreed with us on this, that future planning of this for some type of commercial because this is going to be a hub of Waco Road and Oakland Gravel Road in the future. It's going to be a pretty big connection point to U.S. 63, so we didn't feel like anyone would want to live there -- apartments or that. And those have their own issues also, so we felt like the best placeholder was -- well, if I could do the planned district, I would be asking for a planned district. But that was -- that's discouraged in the new Code, so I'm asking for what --

MS. LOE: And access to that lot is off Prathersville?

MR. GEBHARDT: That is to be determined. When something comes in on that lot, the traffic study would have to be updated to reflect that proposed place, and that traffic study would look at the driveway locations at that time based on that use. And perhaps there would be a driveway on Prathersville near the north end and then one on the west side on Prathersville, but that's -- we don't know. And it will be use dependent, and -- and the traffic at the time that this happens, so if somebody were to come along in ten years and want to do something on this, then we are going to update the traffic study based on the traffic that exists at that time, not -- not today. And so it would be more realistic.

MS. LOE: Thank you.

MR. GEBHARDT: Thank you.

MS. LOE: Any additional speakers?

MR. SUMMERS: So my name is Bruce Summers. I here -- I'm here to represent the Willowbrook Homeowners Association. I'm on the board. I live at 6231 North Gregory Drive. And one thing, Jay, I just wanted to compliment you. When he came by to a neighborhood meeting that had been gathered, I really appreciated your presentation. And you had a very calm demeanor. And even though there were some people -- I wouldn't exactly call them hostile, but there was some angst in the meeting. Correct? But I really want to compliment you for doing a fantastic job of accepting their feedback and not making it a showdown type of confrontation. So thank you. So we have four concerns. I'm here to represent the homeowners association in the neighborhood -- the Willowbrook neighborhood. We have

four concerns. The top concern we've already been warned that we can't discuss tonight, but it is -- what this leads to is the annexation of our neighborhood in the future, which is our primary concern not to -- not to happen. So because of that, I rise in opposition of approval of the zoning of R-1. And the second concern is traffic -- the traffic increase without a road expansion. The third concern is the M-C lot at the southeast corner. I do not want to have that in my neighborhood. And then the fourth is the risk of erosion from the development into our neighborhood. We are in the middle of a lake project on our neighborhood where we are dredging it out because of previous erosion, and I would hate to see more erosion come into it. It's been a costly expense. Those are -- any questions?

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you very much. I don't mean to supersede staff, but there is -- there are -- there is a requirement in the new Code that the water that is coming off there now should not be increased with a new development. And I know Mr. Gebhardt and A Civil Group are aware of that. Do you have reason to think that that won't be the case?

MR. SUMMERS: Not necessarily water. It's the dirt -- dirt erosion that comes down.

MR. MACMANN: So your concern is during construction?

MR. SUMMERS: Correct.

MR. MACMANN: That's a site management -- isn't it, Mr. Simon's [sic] issue? Just -- I'm sure you've been through all of this, but neighborhood attention to those type of things as it is happening would maybe be the best -- we're -- this development or anything else, this is the best way to address that. Are you following me there at all?

MR. SUMMERS: No. What I hear you saying is, if it does get developed, it's up to us to cry foul if we see dirt coming --

MR. MACMANN: Yes. In essence, and to be completely honest, because Columbia is complaint driven because we don't have enough inspectors to just drive around. And if that -- if it is an issue, it shouldn't be an issue. And if people do complain, it will be addressed because I would have that concern also. The lake -- the zoning we're not talking about. Those are my questions for the moment. Thank you very much.

MS. LOE: Thank you. Mr. Smith?

MR. SMITH: Yes, Ms. Chairman, if I may real quick. We -- before any type of large-scale permit would be issued on that property, it would be required to have a storm water protection plan, which is going to lay out how they are going to protect the site from runoff on adjacent sites. So that's something that once that is in place, if there is an issue or a -- there is a breakdown in that -- that infrastructure they have put in to capture that, that's something we can work with you to get in touch with the correct people to make sure it's corrected.

MR. SUMMERS: I do have a question for you. Say the systems fail all the way along the way, and there actually is damage into our homes because of erosion. At that point is it a litigation matter to go back after the developer to say we can show that we had a substantial amount of erosion?

MR. SMITH: I don't know if I can answer that question at this time, but maybe later we could discuss that. It sounds like a more in-depth question than maybe we can answer at this meeting.

MR. SUMMERS: Okay.

MR. MACMANN: If I may, Madam Chairperson?

MS. LOE: Mr. MacMann?

MR. MACMANN: Could our counsel perhaps provide guidance on how to pursue that?

MR. CALDERA: No, we may not. You will need to consult an attorney to seek options.

MR. MACMANN: Thank you, Mr. Caldera.

MR. SUMMERS: Any other questions?

MS. LOE: I had a question, Mr. Summers.

MR. SUMMERS: Okay.

MS. LOE: If -- you said you are concerned about the M-C lot. Is there a different type of use you would like to see at that corner?

MR. SUMMERS: I would feel more comfortable if it wasn't -- the fear is a gas station is going in there. And if a gas station goes in there, I do not want to have the effects of a gas station on the neighborhood. The lights, the traffic -- because really a gas station is code for a liquor store that sells gas. And I don't want to have those detrimental effects on the neighborhood where I live. If it was a StorageMart that the guy had talked about in the model, I don't live across the street from there, but I think a StorageMart would have less impact on the Willowbrook homeowner -- you know, on the Willowbrook Subdivision than a gas station. That's really what my contention is with it.

MS. LOE: Or a lumberyard?

MR. SUMMERS: I think a lumberyard would be a step up from a gas station, because, again, in my -- in the world that I live in, gas stations are really liquor stores that sell gas.

MS. LOE: Thank you. Thank you.

MR. SUMMER: Any other questions? Okay. Thank you.

MS. BOOKER: Come down a little lower. My name is Margaret Booker, and I live on the farm property to the east of Willowbrook Subdivision. So you can see the driveway that leads up to the arena -- the old farmhouse and the pastures there mid -- Clint's got it. Yeah. Thank you. So 6395 North Oakland Gravel, I live on the east side of the farm outside of the picture. I'm speaking on behalf of the neighbors in all four subdivision areas -- Oakbrook, Gregory Heights, Willowbrook and Haystack Acres, although I know many of my neighbors are here to speak with you as well. Following the postcard distribution that the City did and publication and the small group that met here in the lobby to discuss this proposal initially, the neighbors in attendance, along with myself, decided we needed to let everybody know in the -- all these subdivisions what had been proposed. So we went door-to-door, and we then conducted a meeting which both, I think, Jay and Bruce Summers mentioned at the farm with 83, I believe, neighbors coming out of all the subdivisions. So I wanted to make sure that that was in the record. The interest is high in this area. The vast majority of the people who you will hear from and you

won't hear from unfortunately are concerned with their -- the effects of this change and the changes that will follow on our lifestyles. To focus specifically on zoning, one of the things that I have been watching over time is what is going to happen with the County property to the south, colloquially referred to as the fairgrounds, but also identified as the Central Missouri Event Center. And I have been following that over many years, many proposals. And almost all of those proposals include commercial development on the south side of Prathersville Road on that sliver that's kind of knife shaped that runs along the highway, so that hotels could go in there, restaurants could go in there, gas stations could go in there, bars, anything that would serve a recreational entertainment travel venue where people would come and then want services. Nobody has really raised any red flags over the years about that kind of development. It's catty-corner to the neighborhoods that are there. We're all thinking about the existing housing that will run along the Prathersville to Waco road connection and how that will increase the traffic flow, and we are confident that will happen. We don't have -- nobody has any idea when that is going to happen. We have been listening to talk of this for the last 15 years. Are you going to give me six minutes?

MS. LOE: Are you speaking on behalf of a group?

MS. BOOKER: For the groups.

MS. LOE: Yes.

MS. BOOKER: Thank you. So I'm opposing the changeover for the commercial pieces, the two, and then the M-C as inconsistent with the neighborhoods across the street. As Jay mentioned, nobody wants to live along a big corridor. But we have a lot of people on Oakbrook and close by in Gregory Heights that will live on a big corridor when Waco and Prathersville Road comes through. Adding or extending the residential development is a reasonable possibility and compatible with the mirrored residential property on the other side. So I oppose the zoning and I think that we have other good options for consistency as we go forward and see the development that will happen, see the traffic flow. We're also -- and before I finish and take your questions, I -- we know that Justin and his partner are interested in the residential development and that it's a wait and see what happens on the commercial. I see no point in changing that now. That can be changed if and when the neighborhood develops in a way that would make that make sense and doesn't go in a different direction to the south or west. That's what my opposition is, and that's what I would like to see happen.

MS. LOE: Thank you. Are there any questions for this speaker? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chairperson. Ms. Booker, I'll ask the same question that our Chairwoman asked of the previous speaker. The M-C seems -- is the M-C more of an issue than the M-N?

MS. BOOKER: It is. In the boot -- what I would refer to as the bootheel, absolutely. But --

MR. MACMANN: All right. Just --

MS. BOOKER: -- the vagary of both of those for me makes sense to leave it all one -- one zoning, if it's going to happen. And then if, with time, development changes, shifts, fleshes out, and we know where things are going --

MR. MACMANN: Yes. Just --

MS. BOOKER: -- then it could be --

MR. MACMANN: Just so I understand you clearly.

MS. BOOKER: Yes.

MR. MACMANN: I'm just repeating back to you what I think you said. You would prefer, at a minimum, those lots to stay as R-1, if it's regarding the City as --

MS. BOOKER: I think that would make --

MR. MACMANN: That's --

MS. BOOKER: -- sense with that. Yeah.

MR. MACMANN: All right. I'm --

MS. BOOKER: To keep it together.

MR. MACMANN: I'm trying to understand that. And something else about Waco, that was on the ten-plus CIP, is that where that was? Something like that? Oh, on the CATSO ten-plus. I think that was in your -- that was in your --

MR. SMITH: If it's on there. I'll doublecheck to see if it's even on the template.

MR. MACMANN: What I was just asking Planner Smith is when things are that far out, it's conceptual. And when you're that far out, there's no money assigned to that.

MS. BOOKER: Right. Well, it's my understanding -- I would jump in here, talking to County Commissioners, that the County had been banking money for that expansion for quite a while. Now, I assume that they have also been waiting for development of the fairgrounds property to see what builders and developers could bring to that. And as the City wanted to complete Scott Boulevard to the far south, they asked the County for funds out of this pot -- this reserved fund. And that money was given to the City. So the County Commissioners are working now to reacquire that money so that they can continue to build and/or begin planning for that cut-through.

MR. MACMANN: I can't speak to what the County may or may not do. And that's --

MS. BOOKER: Well, certainly a third party reporting that to you --

MR. MACMANN: Okay. That --

MS. BOOKER: -- but that's --

MR. MACMANN: -- that -- that -- that may --

MS. BOOKER: That's what I'm hearing.

MR. MACMANN: That generally fits my recollection also. My point being is I believe it will be a while before Waco develops --

MS. BOOKER: It will.

MR. MACMANN: -- but any development would bring that forward because there is no money. The City doesn't have any money for it right now.

MS. BOOKER: Right.

MR. MACMANN: And we haven't asked for any money for it.

MS. BOOKER: We didn't hear the developer say today, but we certainly have heard these things, the neighbors, with -- in discussions with the developers that right now, a convenience store could not be maintained. Nobody would put one in. And that's based on MFA and others who do that in our community who have specifics that they require. So nobody knows what the use might be eventually -- what the density that they'll require that -- you know, there are projections of that, there are models for that, but none of that exists in this area now. How long that will be before that happens, I don't know. So having it be homogenous is something that we can all count on. That also triggers us with the ability to come back and say, hey, we want to hear these details and we want to have comments. That gives us an investment. So keeping that zoning --

MR. MACMANN: You're speaking of in the future --

MS. BOOKER: I am.

MR. MACMANN: -- if it were an R-1 and someone in the future asked to upgrade it?

MS. BOOKER: Right. If someone came along, yeah.

MR. MACMANN: I was just clarifying what you said.

MS. BOOKER: Yeah. Thank you.

MR. MACMANN: All right. Thank you. I just wanted to get where you all were there. Thank you, Madam Chairperson.

MS. LOE: Any additional questions for this speaker? Seeing none. Thank you.

MS. BOOKER: Thank you.

MR. SMITH: Ms. Chairman? Just -- the speaker can go ahead and come up. I just wanted to clarify so everyone is kind of speaking the -- from the same position here. A lot of conversation on the Waco Road extension. That is on the CATSO Major Roadway Plan. Basically, it would extend, and it is just off the screen here. But basically where Waco terminates coming west of Route B at Arbor Pointe, it's going to extend west. And the long-range plan has it coming and connecting close to this intersection of Prathersville and Oakland Gravel. Just so everyone understands. And then Waco right now is not on or not within the CIP Plan for the City currently.

MR. MACMANN: Just to be clear, not on the CIP Map Plan means outside of the one or two, outside the three to five, outside the five to ten. Right?

MR. SMITH: It's not mentioned in the plan. Correct.

MR. MACMANN: The reason I went through that exercise, that's four levels of there's no money for it. One to two, there's money for it. But when we get beyond that -- thank you, Planner Smith. Thank you very much. Sorry for the interruption.

MS. LOE: Go ahead.

MR. TRUEBLOOD: Thank you. My name is Joseph Edward Trueblood. I live at 2385 East Alfalfa Drive, which is directly adjacent to the property in question, the first house on the left. My family and I are opposed to this rezoning, in particular, for several reasons, but primarily is the urbanization of a semi-rural community and all the issues that brings. Right now that meadow is home to several deer

animal that we love to watch and I'm afraid with this development, there will be several -- they will have to move elsewhere. We will lose a significant source of entertainment. But primarily, there is a high potential for light pollution from the neighborhood in question, noise pollution, and along with the development, there has always been increased population, a significant increase or potential increase of crime. And other nuisances, primarily, neighbors blaring music, children walking around, running, looking in windows. That has happened before in denser areas where I have lived. However, the most important thing I have to bring up is the increase in traffic. Already, we have more traffic than what would seem for a neighborhood of our size. Dump trucks speed through, oftentimes faster than the legal speed limit, cars and trucks headed out towards Highway 63, even Pepsi semi-trucks go through the area. Now with 165 - let's round that up to 170 families, if you multiply that by two, the average number of cars, you will have 330 additional cars using that road. That would be an increase of traffic, increase of noise, increase of potential of accidents. Moreover, the plan to widen the road of Alfalfa, if continued, will directly affect my property. And even if the lumberyard, as the models project, is there, or the worst-case scenario, if a gas station, it will still be a significant amount of traffic and congestions in the Prathersville and Oakland Gravel Road intersection, not to mention, the commercial areas. In the worst-case scenario, it would involve -- in the worst-case scenario of a gas station, it would involve a high amount of crime. According to the FBI, there are over 32,000 robberies a year in convenience stores and nearly 11,000 are robbed multiple times. Just this week, there were three armed robberies of convenience stores in the Columbia area alone. A lot of us do not want that potential for danger and crime in our neighborhoods. Thank you.

MS. LOE: Thank you. Are there any questions for this speaker? Mr. Stanton?

MR. STANTON: You own -- if you own this 63 acres, something like that -- if you own this 63 acres yourself and were paying the taxes on it and paying for it, what would you do with it?

MR. TRUEBLOOD: I would keep it the way it is.

MR. STANTON: But you understand that you have the right to do that. Right? So I guess where I'm getting at is what -- if you were going to do this, how could you do this to make you happy, I guess is what I'm saying. I mean, you know, this is a lot of money on the table that --

MR. TRUEBLOOD: I would weigh the pros and cons of the development. And right now, I'm seeing far more cons than I am pros.

MR. STANTON: Okay. Okay. Thank you.

MR. TRUEBLOOD: Thank you.

MS. LOE: Any additional questions? Seeing none. Thank you.

MR. TRUEBLOOD: Thank you.

MR. DICKS: Chairman Loe and Planning Commission Members, thank you for this opportunity for other comments. I'm Don Dicks; I live at 6190 North Oakland Gravel Road, about a quarter mile -- well, you can see my place on that picture up there. It's down by Bear Creek. The main thing I would like to address is we attended the meeting August 30th at the farm with the Bookers, and there is a lot of angst with the uncertainty that comes about with a commercial zoning. I heard Mr. Smith mention earlier

tonight that its unrestricted. And I happen to work with a development in Kansas City -- I work for the State representing the Department of Natural Resources. I'll try to keep this to three minutes. We have a -- you say what's the relevance between Kansas City, Missouri and Columbia, I think this may be the point here. We have a 225-acre of federal property transferred to a private redeveloper at the tune of -- spent over \$220 million, and they are going to change it from a contaminated federal property to a productive intermodal warehousing with other development around the fringes. Now, the commercial zoning, this M-35 for Kansas City -- and I have here -- and by the way, this process involving a team I was on also received a national notable achievement award for 2018 from the EAP for reusing property in a beneficial manner. I have here a couple of copies of what I'll leave with you all. One is a planning document that was approved in April of '17. And as part of a stakeholders, the meetings were held by the redeveloper and the federal and state agencies involved. They took input from the stakeholders, and they developed a plan proposed use to -- property use on your Appendix D. And under M--35, the commercial uses, they take out the things like -- let's see -- adult media store, adult motion picture center, sex shop, artists workspace, junkyards -- they're in red. Now this a planning document only, and subject to the approval of City of Kansas City's planning department. What I have here also for you is a copy of the draft restrictive covenants that's about to be recorded when all the lawyers get this together. But what I'm saying here at the meeting up at the Booker farm, there was a lot of angst over the uncertainty involved in, you know, are we going to have a sex shop? Are we going to have a liquor store? Are we going to have robberies? And, you know, we were told by the people at the meeting that the City of Columbia has no flexibility. Well, I think the Planning Commission and the City Council can have a lot of flexibility because they even passed a City ordinance to get an easement to put a two-foot sewer through my property. I think they have some flexibility. Anyway, I'd like to -- if you can consider, you know, some restrictions or some definition to give the stakeholders, the public, the citizens, some kind of certainty in what kind of uses this commercial will be, or lack of, because I think there is a lot of concern over that. And I've got these two copies to leave with you. If you want to see the full document of this one, there is a website www.btd-llc.com you may go to and download if you want to see the total document. But I've just got the appendix that's got the commercial uses and what they're going to restrict and what will be eventually recorded in the restrictive covenants. So I think that, you know, there's a lot of angst over what this unpredicted -- you know, the commercial track may have. Who may I give these to?

MR. MACMANN: I'll pass them down for you, sir.

MS. LOE: Thank you, Mr. Dicks. Are there any questions for this speaker? I see none. Thank you.

MR. DICKS: Thank you.

MS. LOE: Oh --

MR. STANTON: That's okay.

MR. DICKS: Okay. Thank you very much.

MS. LOE: Thank you.

MR. SEKOL: My name is David Sekol; I live at 2554 East Buffalo. I've been living there since March of '99. And what I'm concerned about is all the other stuff that they're concerned about, but what I'm seeing is a whole mess of homes. What kind of -- my thought is what kind of housing is going to be put in here? Otherwise, is there going to be restrictions on square footage that can go in? I know that Gordon Barnum was my developer, and he got shot down for having a thing that looked like this that was almost becoming a motor home court or something. But he had to adhere to the County in having half-acre lots as a minimum, and I find that you're not crammed together. People don't get readily irritated with noise from a neighbor because you have a good distance between you. And that's a whole lot of traffic and cars into a crammed-in area. And this just sort of brings back remembrance of Gordon Barnum and what he would do. And I know that this gets annexed in, they're going to have curbs and sewer and everything. Well, that wasn't done in our area, mainly because Gordon Barnum talked the City into putting sewer in there for him, so he wouldn't have that expense. But there were no curbs, sidewalks or anything else put in. So is -- you know, what is going -- I'm wondering what is going to become of this place after it starts filling up with whatever housing they're allowing because Gordon allowed manufactured homes -- Fuqua, and all those other ones that they could just buy the house, go in, set it in there, and they got a house. On my side from when -- where -- I think it's -- I'm not sure of that first street that comes into to Haystack Acres -- Woodhaven or something like that.

UNIDENTIFIED SPEAKER: Northwood.

MR. SEKOL: Northwood. It goes back to Buffalo, and then Buffalo comes around. Now I see this thing connecting to Buffalo, and as it is now, a lot of people use Buffalo as high-speed driving in a 20-mile-an-hour zone. No one -- you know, they don't pay attention to that. There's Watch Kids signs. They don't pay attention to that. And the thing is is if this is going to be annexed into the City, are the City Police going to come all the way out there to take care of these people, seeing that, okay, we have the County Sheriff. I find them to be very efficient. But I've had more problems with going into the -- I don't even go into Columbia anymore. I'm here today because of this. And it scares me because when I first moved into the Columbia area, yeah, I lived in Columbia, but that was in '89. And murders and shootings and everything just has increased year after year after year. And I see that, okay, if they can't handle what they are already handling, if this is going to be part of the City, are they going to be running out here to police this? You know, is the City ready to put the money out for the police, the fire, all that stuff? Because I don't -- I don't see that happening anyway efficiently. So those are -- those are mainly concerns that are running through my mind, and -- plus all the other stuff. And I just wanted to bring that up because that is far out there for City to be policing an area like that, and say, okay, that little splat of City and the rest is the County. So when 911 calls, will -- who will be responding? Who will be coming out? And --

MS. LOE: I -- I -- sir, I think we are beginning to get into issues that may be addressed more with the annexation issue, and we're really talking about the zoning at this --

MR. SEKOL: Okay. Well, my -- the zoning thing is the size of the lots for me.

MS. LOE: Okay.

MR. SEKOL: I think --

MS. LOE: All right.

MR. SEKOL: They are postage stamps. And what are they going to build on them, you know?

MS. LOE: Uh-huh.

MR. SEKOL: It's -- I would say to take every other one out and make two of these a lot would be more susceptible to what kind of -- how many families and people should move into an area like that. And, of course, you know, the gas station or whatever thing they put in there for the commercial, that doesn't sound too appealing to myself. So, any questions?

MS. LOE: Are there any questions for this speaker? I see none.

MR. SEKOL: No? Okay.

MS. LOE: Thank you.

MR. REED: Good evening. My name is Rodney Reed; I live at 2250 East Buffalo Drive in Haystack Acres Subdivision. Related to the annexation, a couple of points. First one is all of the previous speakers that have voiced stuff I totally concur with that, but the biggest thing that drew my wife and I to live out there and move out there was we're not in the city, we're in the county. It's quiet. The neighborhood is quiet.

MS. LOE: Sir, we're not speaking about annexation right now.

MR. REED: No. No.

MS. LOE: So we just --

MR. REED: I was talking about zoning.

MS. LOE: Okay. Thank you.

MR. REED: So as it relates to the zoning, all that is going to change. And a lot of us that lived out there or moved out there, did that for a reason. Now we zone it and put all the houses in there, the proposed commercial annexation and stuff going on, then we have lost that. And I have the real same concern the previous gentleman did with City services. You know, the County supports us for most things, you know, and what kind of service are we going to get, you know, when the City is already overtaxed. And so, all of the sudden living out in a sub-community where it is quiet, you feel like you're out in the country, and now we're going to turn around and we're going to be living in the city. All the extra noise that is going to be created from this annexation, all the additional traffic, it's -- yeah. So thank you.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, sir.

MS. ARNOLD: Good evening. My name is Jennifer Arnold; I live at 6448 North Wagon Trail Road, so I'm west of the proposed site. I rise in opposition to this rezoning -- in opposition to all of the rezoning. If this -- if this proposal is allowed to move forward, if 164 homes are put on this land, it will lead to great -- just enormous diminishment of my quality of life. Not just my quality of life, but that of my grandchildren and my great grandchildren. I live on land that has been in my family for seven

generations. My little great grandchildren who live on my land are the seventh generation in my family. You don't find that very often. And we have a really good quality of life. This -- this proposed area is going to increase the noise pollution, it's going to increase the light pollution. It will lead to destruction. It will directly lead to destruction of wildlife and habitat that several of these folks have already talked about. And -- and that's an important part of our quality of life in this county, not just my life and not just these folks. And by the way, nearly every one of those 83 people at that meeting were in opposition to this. So you should know that this entire community is in opposition to it, not just these few people you see here, but this entire community is in opposition to this. Mr. Stanton, as to your question about if you own that 63 acres -- it's actually 68.98 acres, what would you do with that? Well, what I would do with it is if you're not going to leave it the way it is, if you're not going to preserve and protect the habitat and the wildlife in this -- in this county, let's leave a little bit of green space, folks. Come on here. But if you're not going to do that, then require these developers to do the same thing that I had to do when I -- when we deeded land to my grandson and his wife, we had to give them four-and-a-half acres in order to put one house. Divide that into 4-and-a-half acre lots, not one-third acres lot. Just as I said, it is destroying our quality of life. You're taking away from us what -- so I've lived there nearly all of my 70 years, and my little great grandchildren are living there. And now you're going to take this away from us. You're going to take it away from all of us here in this -- everybody over here, you're planning to take that away from us. We've -- you know, we planned to live in a rural area, so please do not approve this. Thanks.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, Ms. Arnold.

MS. MOORE: Hi, my name is Becky Moore, and I live at 6003 North Vickie Drive. Also, one thing I wanted to point out, that first street is not in Gregory Heights. I think that was included in Gregory Heights earlier. That's -- Oakbrook is not part of Gregory Heights. Also, okay, we rented the duplex in the Gregory Heights area in May of 1977, and then four years later, we purchased our current home, and we have lived there ever since. Over the years, we often walked the two-mile loop around Oakland Gravel and Alfalfa Drive. It was actually gravel, and you can hear cars coming, plus see the dust from the cars. But as more homes were built, the road was paved, and now it's not really safe to walk because you now not have only cars, but large trucks that use this road. It makes you wonder how feasible it is for additional traffic, especially with a road with virtually no shoulder. There is a shoulder on Prathersville, but on Oakland Gravel there is no shoulder. When we first moved into our home, we liked seeing the rotating beacon from nearby at Cottonwoods Airport. I don't know if any of you even know that that actually used to be an airport. That is long gone and now we have a ballpark there with lights so bright and tall, that I would doubt that they would never be allowed in the city. Plus, it is amazing how much noise you can hear from the games. It might be because we have the tallest -- our house is the highest house in the subdivision, but we can even hear the bat hit the ball or maybe it is from all the years that our daughter played softball, but I can hear the bat hit the ball a lot of times. You can hear the crowd roar. When the fair was out there, it always kept us up for a week of -- it kept me up, my husband is deaf,

but anyway. But the noise from the ballpark and even the fairgrounds is nothing compared to the constant whine you hear from the semi-trucks and the traffic on Highway 63. This proposed development is going to be even closer to the highway than we are, and I wonder who is going to be willing to buy a home that close to the highway. I would not want to get any closer than I am. You go out on your deck and it is constant -- the traffic is constant. The noise -- the highway was not there when we bought our house in 1981. Another concern that I have, maybe it is from being -- from us being in the medical field for years is the pond that is proposed for this development -- or maybe I should call it the Zika breeding ground. Do we need to have a pond? I know it is for drainage, but there -- isn't there some better way to do drainage than a pond where we can have insects breeding? Lastly, I don't understand the requirement that this development include a commercial site. It had always been conveyed to me that it was being set up as a gas station. There is no way that that corner can handle -- it's a three-way stop, which just tonight, we had somebody not stop, they just drove right through. It's -- and when the traffic study was done, it was done in July, and yet school was not in session. And I believe it was done during the week of 4th of July. So a lot of people were out of town -- a lot of people were -- so we pointed out that we didn't think it was valid at our meeting, but we were told that we could pay for another study if we wanted to. Sorry, I'm almost done. Our daughter -- our adult daughter just bought a home -- she and her husband just bought a home south of Columbia because they need to move off the north side of town to get in the better part of town, and we've been going over there and helping them do some stuff, and I've driven around several neighborhoods, and I don't see any of them that have a commercial property right in the middle. So why do we have to have that because we live on the north side of town. I -- I just don't understand why we have to have that. And as for the farm, as for that property that -- the other uses for that property, it used to be farmed. It used to be hay. We could do that. We have a farm. It's in -- that's -- you can put crops on it. People still do that.

MS. LOE: Thank you. If we can keep things quiet just so we can keep things moving along, it would be appreciated. Are there any questions for this speaker? I see none. Thank you.

MR. PLUMMER: Good evening, my name is Al Plummer. We reside at 1901 East Northwood Drive. I would like to in a way echo most of what has been said here tonight. We moved when we first - - we purchased our first house in Columbia in a little subdivision south of town, and one of the attractions there was that it was pretty much excluded at the time, and as time went on and as so-called progress occurred, we found ourselves developed in. And by that, I mean at one time we could get out of our subdivision relatively easy, but as development occurred with I would say very poor planning, it became more and more difficult to exit the subdivision. We were attracted to Northwood Drive some ten years ago simply because of the peace and solitude that it presents. Anyone who has visited us in the last ten or so years since we have resided on Northwood Drive has said it is peaceful. The problem that we have with the development is not the development. It is the plan. Rarely do I see across this country when development is allowed that we look at what kind of imbalance does the development bring. This plan as it has been presented to us creates a serious imbalance. I would say in some respects while not

intended I don't believe, it's offensive because essentially putting this much population on an area of this size would suggest, well, we really don't care that much about what this neighborhood looks like in maybe another ten years. And what I see is that it will serve to depreciate the value of all of our property. So why are we looking at putting a single-family housing development on third-acre lots? To me, that rings of some serious issues and problems down the road. I would hope as you consider not only this plan, but the plans to come, that you would consider it in terms of what kind of balance does a given development bring in terms of whatever the plan is. Thank you.

MS. LOE: Thank you. Are there any questions for this speaker? Mr. Stanton?

MR. STANTON: Mr. Plummer, in conversation with the engineers and developers, was this expressed? Was the suggestion of less density? Was the suggestion of current neighborhood look and feel discussed in any length?

MR. PLUMMER: Yes, it was.

MR. STANTON: And what was the response?

MR. PLUMMER: It was discussed at the meeting. The points were raised and in terms of the density that it would bring in terms of the roads cutting through from the development through Haystack Acres, at least on Pitchfork and Buffalo, I believe, and then the question becomes how much traffic does that create in the existing neighborhood. But, yes, we talked about it.

MR. STANTON: Thank you, sir.

MR. PLUMMER: You're welcome.

MS. LOE: Any additional speakers that would like to come forward?

MR. RIDENHOUR: Good evening. Ms. Chairman, ladies and gentlemen, my name is Gary Ridenhour, and I'm the owner of the property in question. I live at 16034 Ternglade Drive in Lithia, Florida. So at the risk of hisses and boos here, I'm going to give you all a little perspective on why we are here and why now. So this -- this property has been in my family for almost 50 years. You know, my father, who is the late Dr. Gene Ridenhour, purchased this in the early 70s with the intent for it to be a family farm. You know, so while he pursued his medical practice, he did lease the farm to various farmers to harvest hay, but there are a few things that kind of altered the path of what the farm or the property is headed towards now. So really the first thing, of course, was the rerouting of Highway 63, which occurred in the 80s. So eminent domain was exercised, and about 20 acres was taken from the property and completely altered the -- you know, the dynamics of not just, you know, my property, but also the neighborhoods around there. So with that in mind, what my father elected to do since there is kind of the odd shape in there was donate a portion of that property to the Masonic Lodge, which he did in the late 80s, and those were built in the early 90s. So I made a decision in '92 to enter the Active Duty Army, which I have been in for the last 26 years, and so, of course, what we are going to do with the property has been on my mind and really based on what my father was doing and what I was doing is the reason it has just laid dormant as long as it has, which has been, you know, over 20 years. And that, unfortunately, has been a case of occasional vandalism. There used to be a barn on the property, you

know. The electrical wiring was stripped out, someone lit a fire inside. I was forced to tear the barn down for liability purposes. And so I retire from the Army here in about a month and a half, you know, so when you drag your wife and family around for, you know, every two years or so and make them move, your wife gets the final vote in where you stay. And for us, that's Florida. And so that kind of brought this to the point to where -- and thank you for the question on, you know, what to do with the property. You know, if I had the means to leave the property vacant, I would, but the truth of the matter is, I don't. So I have to do something with the property, and for a timeline from our perspective, it is time to do that now, coupled with retirement and the fact that I just will not come back here to use that property. You know, unfortunately, it is overgrown so much where agriculture is will take as much clearing as anything else at this point. So again, just hope to give you all a little perspective on the property itself, and a little bit of history. So thank you for listening to me. Thank you for what you do for the City of Columbia. And I'll take any questions that you have. Sir?

MS. LOE: Mr. Stanton?

MR. STANTON: We've heard the public and your neighbors. Do you feel their sentiment or is this basically a business retirement move? I mean, just keep it real. I mean, is this really what this is or is it, you know, would less density work or have you or do you know your neighbors at all or have you just been gone for so long?

MR. RIDENHOUR: I do not. And again, the reason I don't know my neighbors is I've been gone for 26 years.

MR. STANTON: Right.

MR. RIDENHOUR: Yeah. And that's -- it is what it is. You know, so my options now here are pretty limited because of course it is zoned agricultural and so it is in the county, and there are several options you can use that property for agriculturally, but either way it is going to take development and the land will have to be cleared again. And what I do know is entering under contract for sale is that the developer is a reputable developer, in addition to who I pursued to market this property for. So I was sensitive to that. I went through about two or three different folks that were going to market the property, and I did not think that they would have the best interest, you know, for anybody outside of making the -- making the most money as possible. And I think there is a little bit of balance here. And I think the question is, is if not this, then what? I can't let the property sit, and that's just a fact, you know, so there's going to have to be some sort of development one way or the other, and it is to take a look at options.

MR. STANTON: Okay. Thank you for your service and thank you for your time.

MR. RIDENHOUR: Appreciate that.

MS. LOE: Any additional questions for this speaker? Mr. Strodtman?

MR. STRODTMAN: Yes, sir. Have you had a lot of inquiries to buy this property over the 50 years? Have any of the residents, the neighbors inquired to purchase this land to maintain it as is?

MR. RIDENHOUR: I am not aware of any --

MR. STRODTMAN: Okay.

MR. RIDENHOUR: -- efforts to purchase this property. No, sir.

MR. STRODTMAN: Thank you.

MS. LOE: Any additional questions? Thank you, Mr. Ridenhour.

MR. RIDENHOUR: Thank you.

MS. LOE: Any additional public comment?

MR. SHAW: My name is Jim Shaw, and my mailing address is 6303 North Highway VV. My farm -- oh, yeah, I know about that. Thank you. My farm is just over the hill the other side of Prathersville on Rocky Fork Creek, but I don't know when my first acquaintance with this property began. I've lived there since '52. I picked up hay on that place -- on a ten-acre parcel of it that was dedicated to high quality hay production and that has probably been the highest producing piece of land for hay that I've ever been on, and I spent three years paying my way through college picking up square bales of hay, so if there has been somebody that has seen more tracts of hay production around here, I don't know who they are. I put up hay on the place later on. Actually, my father and I pastured cattle on that for one of the tenants when Mr. Atkins owned it, had a crop that didn't turn out and we purchased the grazing rights one winter and grazed a substantial number of cattle on that property. My basic point is that you all are in the position of changing the face of this piece of the earth forever because once you turn the excavators and the pavers loose, it will never go back to nature or any significant agricultural production. And I guess that's basically what I want to say. I hate -- I hate to see any more parcels taken out of production, and there are a great many. I'm sorry Mr. Ridenhour didn't -- didn't make contact with many, many people who would have liked to kept that in production because I could give you a list of people in Boone County that are scrambling to find property to rent, and I wouldn't -- well, I'm a little old for it now, but I used to turn cattle into -- fix up fences and turn cattle into rougher properties than that and open it up, just by the use of grazing. So there are opportunities there, and you can pay your taxes in agricultural still on the edges of Columbia.

MS. LOE: Thank you, sir. Are there any questions for this speaker? Ms. Russell?

MS. RUSSELL: Mr. Shaw, at any time did you consider purchasing part of that property to be able to continue grazing or doing your hay?

MR. SHAW: I've -- I -- I owned the -- well, I'm down to 142 acres. The County took part of our farm for a sewer plant, and so I'm down to 142 acres that my parents bought in '49 for \$75 an acre, and we've been trying to -- we've been trying to hold onto that even with my father working for MFA, all of his -- until he was 67. And then --

MS. RUSSELL: So you didn't --

MR. SHAW: -- my wife and I --

MS. RUSSELL: -- make an offer on that property yourself?

MR. SHAW: No, I never --

MS. RUSSELL: Okay. Thank you.

MR. SHAW: I was never in contact with anybody.

MS. RUSSELL: Thank you.

MR. SHAW: I assumed it would never be priced at a point that I could touch.

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

MR. SHAW: Thank you.

MS. LOE: If we can keep comments to anything new at this time.

MS. BOOKER: Perhaps.

MS. LOE: Perhaps. Thank you.

MS. BOOKER: My name is Deborah Booker, and I live at 6385 North Oakland Gravel Road. I own the Horse Fair. And on the map, if you are interested, if you understand where Gregory Heights is, go across the road. I own that all the way to Oakland where it goes north-south. I'm an active farmer at this point, and that is agricultural land. I understand that there is nothing static in this life except change, and that it is going to happen. I'm not here to fight about it. I would like to keep my land in agricultural until I'm dead, and I'm 81, so I'm working on it. My -- the only thing I really, really want to say to you in terms of zoning is get rid of the commercial business. It really doesn't make any sense at this point. Twenty years from now, it may make great sense. Add it in, but not now. I'll -- the traffic business is a real issue, and we moved in '66 into our place. It was all gravel at that point. There wasn't such a thing as Alfalfa Drive. That was what was grown there. So I'm going to let it go at that, but that's really what I think is just the density I think is too much, but that's not my problem to say it. I did know Dr. Ridenhour. He was a great guy, and he did great things with it. I understood why he didn't go on with it. I'm sorry it wasn't there, but think about reducing the density, but get rid of the commercial. Thank you.

MS. LOE: Thank you, Ms. Booker. Any questions for this speaker? I see none. Thank you, Ms. Booker.

MS. BOOKER: And thank this man because he's been really helpful -- Mr. Gebhardt.

MS. LOE: Thank you, Mr. Gebhardt. Okay. Any final public comments? Seeing none, I'm going to close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission, discussion? Ms. Russell?

MS. RUSSELL: Well, I've said it in different cases. I too lived out where there was property around me, and I thought it would always stay trees where the deer and antelope could play. And I knew that I should buy it because I knew someday it was going to be developed. And I waited and I waited, and I waited too long. So I'm a firm believer in if you want some property that's near you to stay completely natural and vacant, where the wildlife lives, then you probably need to buy it because progress is going to take over. I am in favor of this. I do have some questions about whether or not leaving those commercial sections, so -- but I'm in favor of the project as a whole. Thank you.

MS. LOE: Thank you. Any additional comments? Mr. Stanton?

MR. STANTON: I wish that both parties could come up with a better solution. I hate the density. Now, listening to the neighbors, and, you know, yeah, I wish it was probably less dense. But we have to

look at both sides of this issue, and the owner of this property has a right to do with his property as the people that are sitting in this audience have a right to do with theirs. I wish they worked together because I definitely see that once -- once the road graders and all that start, we may be losing some really prime land that, you know, we probably need to keep. But there is money on the table, taxes need to be paid. If I'm sitting on something that's going to help my family prosper and build my family wealth, you can't blame the guy. My colleagues said it best, you probably should have made a coalition and maybe tried to buy some of this land. We are in a tough situation now. I hate it. I hate it. I hate it. And I hate to see all of this density in this area, but he has a right and if we are too late to discuss changing this floorplan, technically he has a right to do it. I hate it. I hate it. I hate it. But I wish we could have bought this and did something different then by the time we got to this point.

MS. LOE: Ms. Burns?

MS. BURNS: Yes. I hear the neighbors. I have been in the same situation as Ms. Russell where I waited and waited, and the property behind me was developed much -- to a much higher density that I ever thought would happen. And it was a sick feeling then. And so I sympathize with you. What I hear are the two lots with the commercial development, I would like to think that since there isn't any imminent plans for that, I heard from many of you that that is the most pressing issue for you. I know not for all of you, but I would like to see some possible discussion on that from the developer, and then also possibly in the form of a motion from this Commission as we move forward with this about how those lots are addressed, and if that -- the proposed zoning is changed.

MR. TOOHEY: I'll say, so --

MS. LOE: Mr. Toohey?

MR. TOOHEY: -- the City has a huge affordability problem when it come to housing. The only way to have affordable housing is to have more density in those areas. So I understand the neighbors' complaints, but at the same time, there is a need for more -- for more dense subdivisions. The way that this was drawn out, this is what the new Code was intended for. This is showing the new Code as working. They didn't bring it in as a planned development, and so I don't see why it wouldn't be supported based upon what the UDO's intent was.

MS. LOE: Mr. Stanton?

MR. STANTON: I agree with my colleague, but I do not want you to use affordability as a crutch to this kind of density here. I mean, if you -- I don't know, I didn't hear a number. I've heard starter homes, so what's that? So, you know, don't -- don't go dense in this area. This, you know, in the backs of affordability and then, you know, play that card if that's not what you really intend to do. And I just had to say that.

MS. LOE: Well, I would agree with Mr. Toohey that lot size does impact house cost, so there is an equation there. I also agree with Ms. Burns that we've discussed speculative zoning before as this Commission, and that does appear to be an issue in this case. I wouldn't mind hearing some more comments on that. Mr. MacMann?

MR. MACMANN: I would like to hear more from Ms. Burns. You walked up to a motion, Ms. Burns, there, I was wondering where you were going with that.

MS. BURNS: You know, I don't know if there is any more discussion. I can form a motion, and then we --

MR. MACMANN: Well, what was -- I guess the question would be is --

MS. BURNS: The M-C lot is a big concern for people.

MR. MACMANN: And which direction would you go with that?

MS. BURNS: If -- my understanding is, there is nothing planned for it right now, so it's not imminent. So I would say why couldn't we do it as R-1, and then revisit the situation when that's merited?

MR. MACMANN: This would still allow -- let me ask -- may I ask a question of counsel -- our counsel and staff?

MS. LOE: I -- sure.

MR. MACMANN: Mr. Caldera -- Mr. Caldera and Mr. Zenner, if such a motion was put forward -- two things, just hypothetically. This lot number 301, which is the M-C lot, which is the most egregious to the neighbors were to be changed to R-1 -- two things. Number one, Council could change it back when it comes to them; is that correct?

MR. ZENNER: That is correct.

MR. MACMANN: Okay. Number two, can you be somewhat, Mr. Zenner, descriptive of the hurdles the developer and/or the owner would face in the future converting that lot from R-1 -- what hurdles or process back to, say, M-C or M-N?

MR. ZENNER: I think as has been discussed this evening, there is -- there is -- the precedent associated with the actual land use usage within this particular area that could potentially justify either direction of taking it and recommending that it be R-1 or leaving it as M-C, the M-C designation, as Mr. Smith pointed out is consistent generally with our normal concept that is within the Comprehensive Plan preparing property at nodal locations of major transportation arteries --

MR. MACMANN: That's where I was going.

MR. ZENNER: -- that would identify appropriate land use to accommodate without future action the ability to improve that site when the time was correct. Now, that could be utilized I think as Ms. Loe pointed out as potentially at this juncture due to the relatively undeveloped nature of the area as being speculative. However, I think as we have spoken as a staff to the Commission in work session, if we had the opportunity to pre-zone future major intersections, often discussions of land use of this nature would not be occurring. People would buy property and neighborhoods understanding that this particular intersection was commercial, and it was planned for commercial into the future; and therefore, appropriately make their decision. To change it to a commercial classification, should the Commission recommend that it be R-1, and should Council should decide that that is appropriate given the current land use context --

MR. MACMANN: And hypothetically putting us into the future.

MR. ZENNER: -- into the future, this area were to develop. At that point, the intensity of the development around it would better justify potentially a future rezoning request to support the demands of the uses that have grown up around it over time. That does not necessarily however mean that you will not experience the exact same amount of opposition from the neighboring properties at a later date, though those properties, as I think was pointed out by the applicant to the east of this particular intersection may very well see the benefit at their point -- at that point in time as well that maybe we need to jump on the bandwagon because we are at a major intersection.

MR. MACMANN: I -- thank you for that input. I'm going to say one thing, and then we'll give it back to Ms. Burns. Just so you all know, we are pondering right now going back in the neighborhoods that are 40, 50, 60, 70 years old that don't have something at a node, at an intersection, and how are we going to do that because they don't have anything? That's what Mr. Zenner was talking about in case the nodal concept didn't kick anyone -- or didn't mean anything to anyone. Ms. Burns, I think I could second a motion that you're about to make.

MR. TOOHEY: So hold -- wait, I have a comment.

MR. MACMANN: Sure.

MR. TOOHEY: If you were to go ahead and make that R-1 and make the entire thing R-1, it's not fair to the future property owners that would be buying lots in that subdivision not to know what the zoning is of those lots because at some point if you come back and you decide we are going to change it, those property owners are going to get upset because they want to know what that property is. And if they see it being R-1, they are going to think it's going to stay R-1 when the developer has no intention of keeping it R-1. And so I think you are better off having it on the table and letting those future property owners know exactly what the zoning is. That is why we have zoning.

MS. LOE: I think that was Mr. Zenner's point. I mean, that is sort of the quandary we are in, except that we're going in across from some existing R-1 at this point, and that is what we are responding to. I would advocate keeping the M-N -- M-N. I think we are just talking about the M-C at this point. Ms. Burns?

MS. BURNS: Could the M-C stay agricultural, so that way you weren't tricking anyone with the R-1 zoning thinking that's what it was going to be, and the understanding that perhaps it could be rezoned in the future as a lot of agricultural in this area will be?

MR. ZENNER: The parcel, if I'm not incorrect, is over two-and-a-half acres. And, yes, that would be consistent with the agricultural zoning designation currently of the UDC. It is currently County-A. It would then be recommended that it be brought in as City-A, which would be consistent. That does have a set of uses associated with it that potentially could be objectionable to adjacent property owners, such as the raising and care of livestock. However, it does allow for the parcel to be divided in half or into lots that are no less than -- oh, no, it would not allow the property to be divided in half, but it would allow it to have two homes on it unsubdivided and be used productively possibly residentially. That is something that could end up happening -- I apologize, Mr. Smith is handing me a piece of paper. I've got the two

parcels inverted. It's only 2.3 acres, which, no, it is not consistent. So we would not allow it to be rezoned agricultural. I apologize for that error. So, no, because it is less than the two-and-a-half, it is not capable. It would be -- R-1 would be consistent, of course, with the rest of the development, but as Mr. Toohey's point has been made, then you have adjacent property owners buying into the development that would be feted possibly if it were to be proposed for M-C in the future. You have other options. I mean, there are --

MR. MACMANN: M-N.

MR. ZENNER: There is M-N, there is M-OF, and then you have your R-2, which would be the multi -- the two-family dwelling district, and at least I should even offer the suggestion, you have R-MF, which is the multi-family zoning district, which would be -- it would be considered transitional at that point, as well as M-OF would be -- our office zoning district. I will point out as we anticipated potentially this conversation arising, the M-N zoning district does not prohibit a potential gas station/convenience store to be located. It is a conditional use, which would mean it does need to get additional approval prior to being able to be constructed. However, under the UDC, a retail establishment is a principle permitted use in the M-N zoning district, a retail establishment that sells goods at retail to the public would include a liquor store, a smoke shop, or anything else, which I believe would be consistent with the objectionable land uses that the neighbors have spoken of this evening. So the only way you eliminate potentially retail out of the spectrum on that corner is an office zoning district or residential at either the medium density or the high-density zoning classification.

MS. LOE: Ms. Russell?

MS. RUSSELL: So if we had those two lots as M-N, in order to put in a convenience store, that would be a conditional use, and that would have to come before us again?

MR. ZENNER: It would be -- a convenience store with gas would be conventional. It is what is referred to as vehicle service and repair. A retail establishment, if you just wanted to put in a Casey's General Store on that parcel, no gas, that sold alcohol, sold pizza --

MS. RUSSELL: Then that doesn't cover it?

MR. ZENNER: That does not require any type of conditional use. That is a principle permitted use because it's considered retail.

MS. LOE: Mr. Stanton?

MR. STANTON: Do we have room to work with the Letter of Intent to address some of the issues with the development or are we beyond that?

MR. ZENNER: The information that was presented here this evening that was referencing Kansas City's work, that is what our planned zoning district would allow the City and this Planning and Zoning Commission to do a conditional approval of particular uses. We are not recommending, nor do we believe it appropriate in this particular location for a planned zone. Our Code functions through its protective standards and through the additional restrictions that the applicant is proposing on the subdivision plat to mitigate what we believe to be the generally offensive conditions of having more

possible intense development adjacent to less intense development through buffering. That does not necessarily take care of the land use inconsistency, which is really ultimately the decision I think that you all are wrestling with here this evening. It is how intense would you like to see this corner and for what spectrum of land uses? I think from a professional planner's perspective, the location of residential dwellings that would access these two major roadways as they improve over time is inappropriate. We have to deal with driveway spacing, we have to deal with the hazards that they may create. Not unlike living next to an interchange of an interstate, you're going to deal with excessive noise, traffic, lights and significant inconveniences. This is not the corner, as is identified in our plan, that was ever envisioned to be considered long-term residential. So to zone it to that at this point, even if it is a holding classification, I don't believe that it will develop long term that way. I think you would see somebody coming back and requesting it to be rezoned, and that may again weigh into your decision making here that it is a likely candidate that it will come back and then you would have to deal with that -- a future Commission and a future Council would have to deal with that accordingly.

MS. LOE: Thank you, Mr. Zenner. Mr. Smith?

MR. SMITH: If it would be helpful, I can kind of highlight, I think, the handful of uses that would be the differences between M-C and M-N. And it may kind of answer some of the questions I think that the audience had. So if the differences between permitted uses in an M-C versus what would not then be permitted if it was an M-N district would be hotels, travel trailer parks, self-service storage facilities, tree and landscaping services, your adult-oriented uses -- entertainment and retail, outdoor recreation, light vehicle sales and major vehicle repair. So those are the kind of more intense-scale uses that you would see that permitted M-C in some fashion and not in M-N.

MR. MACMANN: So those would not be permissible in M-N?

MR. SMITH: Correct.

MR. MACMANN: All right.

MS. RUSSELL: And what about M-OF?

MR. SMITH: That is a whole other use that I didn't highlight. So I can do that if you give me a minute and maybe we can revisit.

MS. LOE: While Mr. Smith is looking that up, Mr. MacMann?

MR. MACMANN: To be sensitive to Mr. Toohey's concern and to Mr. Ridenhour's concern and the homeowners here, and to go down the road of Mr. Stanton, we need to retain some value for Mr. Ridenhour. The A-1 was interesting, but we've got -- we can't go there. I'm not sure that M-OF allows them as much flexibility, but it takes M-C off the table if we go down that. I'm sort of putting things out. My original thought when I looked at this is M-N would be more appropriate -- a thought, and anyone could take up any of these -- the ideas they want to. If we pass this now, it goes to Council in two weeks? Four weeks? Four weeks. We pass it as M-N, and that would allow any parties involved or engaged in this to continue to discuss things before it went to Council. Mr. Strodtman is shaking his head no.

MR. STRODTMAN: I would assume the time is passed. I mean, you know, I don't know what

four more weeks would get them. I have a question for staff. Where is the Waco Road supposed to tie in? Do we know that?

MR. ZENNER: It ties in at this general location. It will come in at roughly the intersection of Oakland Gravel, which goes north, and connects in with Prathersville, and comes back down this way and ties back into Waco at Arbor Pointe.

MR. STRODTMAN: So, to me, that's the game changer. You know, I look at this development as appropriate, you know. I think the density across the street on the east side is just as dense. You know, I was trying to do -- trying to count on Google Map, and, you know, there's over -- there's hundreds of homes over there. And it's not the exact same size of land, but it is very close, and I think Mr. Gebhardt gave us some quantities earlier that -- the density is actually there. I mean, you know, it may not look like it in some ways, but there is a lot of density already on the east side. So I think it is very appropriate, and I'm personally -- I think the commercial is appropriate because when Waco Road ties into that, that is -- that's a game changer. I mean, that is a huge traffic amount. And so I think that is the future plan -- the City is planning -- we are trying to get ahead of these discussions so that those homeowners on that intersection -- on that intersection aren't there. That's what we're trying to accomplish so that we don't have this same discussion in 20 years when that corner should be something commercial. I'm not saying it should be a convenience store or whatever, it should be commercial because when that Waco Road connects, if it does connect, and that is the future plan of the City, then those corners should all be commercial. And I think we are doing disjustice [sic] now by not trying to address the commercial application on a very soon future busy corridor. And I know the residents don't like that and change is hard, but I guarantee you when these subdivisions on the east side were coming into the -- to be developed for the County, the same exact discussions were happening then -- way too much density, noise. And these homes were built, and these residents love their homes now. But I guarantee you when those were being proposed, we -- they had the same -- the same hurdles, the same -- the same agricultural discussion happened then, the same we don't want to live in the city. And I know there is some annexation things that are tied up with old development agreements that have nothing to do with us today that unfortunately these residents have to deal with, but, to me, that Waco Road extension, if that Waco Road was not going to be coming in there at all, I would maybe think a little bit different about that commercial corner, but, to me, it is appropriate. And I think we are trying to look in the future, and that's what that corner is for.

UNIDENTIFIED SPEAKER: Do you want it in your backyard?

MR. STRODTMAN: I actually do. Yes. I live in that neighbor -- I live really close to that area. So I'm not -- you know, I'm not afraid of that. No.

MS. LOE: Mr. Stanton?

MR. STANTON: I guess what I'm looking for is a conditional use trigger. That's what I want. What -- which one of these zonings will allow the community to come back and say yay or nay. Are we there? Is it M-C it or is it something that we can both benefit the developer as well as have a voice for the

community. Is that the zoning that does that? Is conditional -- I mean, I'm kind of with Rusty. This is -- if we are looking and we're trying to look 50 years down the road, we're trying to fix things before we have to retrofit them later. Waco Road is coming, and that was a good point. It is coming. We don't want houses right along that because that is going to be an artery. So we want the commercial to be along the transportation route and back the residential up off of that. And that's where the new zoning comes in where we have buffers and we have all that kind of stuff that protects the residential from the corridor -- the business corridor with Waco will be. It is coming. Like I said before, I hate this. I hate the density right now, but, man, we should have bought some of that by now. We should have bought it.

UNIDENTIFIED SPEAKER: I didn't see a for sale sign on it.

MS. LOE: Ms. Russell?

UNIDENTIFIED SPEAKER: (Inaudible).

MS. LOE: I'm sorry. We can't take comments from the floor because all the discussion needs to be recorded. So we would have to open up the public comments again. Ms. Russell?

MS. RUSSELL: I would like to make a motion.

MS. LOE: Please.

MS. RUSSELL: In the -- what is this case? Case 18-166, I move to approve the requested R-1 and M-N permanent zoning, changing Lot 301 and 302 to an M-N zoning.

MR. MACMANN: I'll second that.

MS. LOE: Second by Mr. MacMann. Ms. Burns, may we have a roll call, please?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes:

Mr. MacMann, Mr. Stanton, Ms. Russell, Ms. Burns, Ms. Loe. Voting No: Mr. Strodman,

Mr. Toohey, Mr. Harder. Motion carries 5-3.

MS. BURNS: Five to three, motion carries.

MS. LOE: So recommendation for permanent zoning of R-1 and M-N will be forwarded to City Council.

MR. ZENNER: If I may, Ms. Chairman?

MS. LOE: Yes?

MR. ZENNER: That recommendation was less than a 75 percent affirmative vote.

MS. LOE: Okay.

MR. ZENNER: The requested zoning change therefore will be presented on City Council's old business agenda at second reading, which is where public comment will be able to be made. Given that this is actually tied to the following case, 167, it is likely that both items will be brought forward under old business for their approval. So with that, we are able to move forward to Case No. 18-167, if you would like to do so. We're ready to move forward.

MS. LOE: Mr. Smith?

MR. SMITH: Yeah. Just for the benefit of the audience, this will go to City Council, and then it

will kind of become part of the annexation memo as well. It will be on three separate agendas, just so everyone kind of understands. The agenda would be the -- November 5 would be the first agenda it would be on, and that is to set a public hearing for the annexation, which would then occur most likely on November 19. It would also be the introduction of the annexation and the preliminary plat, assuming -- excuse me, not the preliminary plat, but the annexation and zoning. And then at the December 3 City Council Meeting would be the final decision generally on all of these items. And that is subject to change depending upon any type of delays, but that would be the common course that this would take.