



City of Columbia, Missouri

Meeting Minutes

Planning and Zoning Commission

Thursday, October 19, 2023
7:00 PM

Regular Meeting

Council Chambers
Columbia City Hall
701 E. Broadway

I. CALL TO ORDER

MS. GEUEA JONES: I will now call the October 19th, 2023 meeting of the Planning and Zoning Commission to order.

II. INTRODUCTIONS

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

MS. CARROLL: Commissioner Ford?

MR. FORD: Here.

MS. CARROLL: Commissioner Wilson?

MS. WILSON: Here.

MS. CARROLL: Commissioner Loe?

MS. LOE: Here.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Here.

MS. CARROLL: Commissioner Dunn?

MR. DUNN: Here.

MS. CARROLL: Commissioner MacMann?]

MR. MACMANN: Present.

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

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

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

MS. GEUEA JONES: Thank you.

Present: 9 - Sara Loe, Anthony Stanton, Michael MacMann, Valerie Carroll, Sharon Geuea Jones, Peggy Placier, Shannon Wilson, Zack Dunn and Matt Ford

III. APPROVAL OF AGENDA

MS. GEUEA JONES: Are there any changes or adjustments to the agenda, Mr. Zenner?

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

MS. CARROLL: I would take a motion to --

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Thumbs up approval on the agenda?

(Unanimous vote for approval.)

MS. GEUEA JONES: Thank you very much.

Move to approve

IV. APPROVAL OF MINUTES

October 5, 2023 Regular Meeting

MS. GEUEA JONES: We all received a copy of the October 5th, 2023 regular meeting minutes. Are there any changes or adjustments to the minutes? Seeing none. Is there a motion?

MR. MACMANN: Move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Thumbs up approval on the minutes?

(Seven votes for approval; two abstentions.)

MS. GEUEA JONES: Thank you. We've got two abstentions from Commissioners Dunn and Loe. Thank you all very much.

Move to approve

V. SUBDIVISIONS

Case # 181-2023

A request by Simon & Struempf Engineering (agent), on behalf of Zafar Ahmad (owner), for approval of a 12-lot preliminary plat of R-2 (Two-family Dwelling) zoned property, to be known as Mataora Subdivision Plat 4. The approximately 3.06-acre subject site is located north of Ria Street and east of Nick Court and includes the address 1501 Ballenger Lane.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested preliminary plat to be known as "Mataora Subdivision Plat 4".

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with the parties to this case outside of this

public meeting, please disclose so now. Seeing none. Are there questions for staff?
Commissioner Dunn?

MR. DUNN: One question for you. In this subdivision area, you know, do you know the diameter of the water main actually in this?

MR. ZENNER: If I am not incorrect, the minimum water main diameter that we have a six-inch, and I believe these may be eights.

MR. DUNN: Okay. Thank you.

MS. GEUEA JONES: Any other questions for staff? I have a quick one. Even with the utility easement running through the middle of Lots 6 and 1, there is still sufficient buildable area; is that correct?

MR. ZENNER: That would be correct. I mean the -- the typical setback will come from the easement line then, so along the -- at least Lot 1, which is the most impacted by that utility easement, the setback line, the western line of that utility easement becomes the actual realistic setback for the developments of the house is going to be tucked further back. That is the one lot out of this development, while it has sufficient acreage to support a duplex, without a relocation of that utility line, it is likely going to be developed with a single-family home set further back on the lot.

MS. GEUEA JONES: And you can put driveways over the easement?

MR. ZENNER: That is correct.

MS. GEUEA JONES: Okay.

MR. ZENNER: The driveway, you're just going to not put an actual, livable, occupiable structure over it.

MS. GEUEA JONES: Got it. Thank you. Seeing no further questions for staff. While this is not advertised for public hearing, we traditionally do take public comment. If there are any members of the public to comment on this case tonight, we would accept that now.

PUBLIC HEARING OPENED

MS. GEUEA JONES: I know you know the drill, but I'm going to do the whole thing. Name and address for the record. Please speak into the microphone. Three minutes for a group, six for -- or six minutes for a group, three minutes for an individual.

MR. SIMON: Yes. Keenan Simon, 1516 Business Loop 70 West. Sorry. Man, we just moved our office. I was, like, what is our address? I'm the civil engineer that is representing the client, so if you have any questions, comments, concerns, I can address that at this time.

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

MR. SIMON: Yeah.

MS. GEUEA JONES: Any other member of the public to comment on this case, please come forward. You need to come forward if you're --

MS. COLEMAN: No. I don't need to come forward.

MS. GEUEA JONES: I'm sorry. You -- if you're going to speak, you need to come up to the podium. And just state your name and address for the record so that we'll have on the transcript.

MS. COLEMAN: Julie Coleman, 402 Joey Drive. All I ask is if people could use their outside voice when they speak into the microphone. I had trouble hearing the last gentleman, and I'm having trouble hearing several of you.

MS. GEUEA JONES: Thank you very much for that comment. We'll do our best. We want to make sure everyone can participate. Anyone else? Seeing none.

PUBLIC HEARING CLOSED.

MS. GEUEA JONES: Any Commissioner comments? Seeing none. Is there a motion that someone would like to make? Commissioner MacMann?

MR. MACMANN: I have a motion, no questions or concerns? In the matter of Mataora Subdivision Plat 4, preliminary plat, Case 181-2023 -- that's Case 181-2023 -- thank you, Commissioner Stanton -- I move to approve.

MR. STANTON: Second.

MR. DUNN: Second.

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

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Ford, Ms. Wilson, Ms. Loe, Mr. Stanton, Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier. Motion carries 9-0.

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

MS. GEUEA JONES: Thank you. Are there any other motions related to that case? Seeing none. That recommendation will be forwarded to City Council.

In the matter of Mataora Subdivision Plat 4, preliminary plat, Case 181-2023, move to approve.

Yes: 9 - Loe, Stanton, MacMann, Carroll, Geuea Jones, Placier, Wilson, Dunn and Ford

VI. PUBLIC HEARINGS**Case # 247-2023**

A request by Crockett Engineering (agent), on behalf of The Roxie Grant Revocable Trust (owner), seeking approval of 41.17 acres of R-1 (One-Family Dwelling), 14.48 acres of R-2 (Two-Family Dwelling), and 4.7 acres of R-MF (Multiple-Family Dwelling) district zoning as permanent zoning, subject to annexation, of the applicant's 60.4-acre subject parcel. The property is currently zoned Boone County R-S and is located at 3705 Gibbs Road.

MS. GEUEA JONES: To be clear, this is only on the zoning, not on the subject of annexation. May we please have a staff report?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the request to permanently zone the subject 60.4 acres as follows and as depicted on the attached zoning graphic:

- 41.17 acres of R-1
- 14.48 acres of R-2
- 4.7 acres of R-MF.

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

MR. MACMANN: Thank you, Madam Chair. This may be a question for Mr. Zenner, but whichever one of you wants to answer it. This property's location and its timing has a bearing on our potential future West Area Plan, would you say? Where are we planning schools, roads? It's a little bit north. We have discussed on the West Area Plan whether or not -- if I recall correctly, it has been some time ago, given the pandemic, but one of the last places we left that conversation with the County was, do we cross 70 with the plan.

MR. ZENNER: And you are correct. It's been a -- it's been a moment. The planning activities for the West Area Plan really were being driven south of Interstate 70. And as many of you may be aware, and as the public may be aware, the County is working on an update to its County Comprehensive Plan at this point. So with respect to the West Area Plan, this actually, because it is north of 70, isn't in the area that we were originally looking at, so we would default to our other planning documents that we have in place; i.e., the CATSO Major Roadway Plan --

MR. MACMANN: CATSO and USA?

MR. ZENNER: Yeah. And the CATSO and the USA. So the Comp Plan and then the CATSO plan, both of which the project fits within. There are -- it's been identified in both with possible improvements to make access to the site and connectivity to other major roadway networks possible. So I think as Rusty was trying to point out, this may appear to be premature at this point because there is nothing around it. However, when we look at the broader context and what is planned for the area, which is driven by development, unfortunately, it is not as remote as one may think. And therefore, when you look at the -- the infrastructure that must be brought to the site and the offset of that cost, this proposal is what the applicant believes is necessary in order to assist with that. Ultimately, this decision, however, of zoning, as well as annexation, lie first zoning with you all with a recommendation, ultimately with Council on both sides. If this is viewed as being premature at this point, given the lack of maybe existing infrastructure, that may have an impact as it relates to its final decision.

MR. MACMANN: I don't have a question. Sorry, folks, this is a bit of arcana, but it goes to everyone in the City and the County, and hope that Council watches this section. I agree with you. I think we're just beyond the parameter of where we left those discussions at. I would caution that we don't necessarily let this development be a guide or a driver thereof what we end up doing with the West Area Plan.

MR. ZENNER: I would tend to agree, and we are waiting to find out. I think when the County finishes its land-use plan, it's up to do its comprehensive plan, should this property not have been addressed by that point, I think there may be better direction as it relates to how the County envisions this. But as is the case in most instances where you are immediately adjoining the City's --

MR. MACMANN: Uh-huh.

MR. ZENNER: --municipal boundary with access to City's municipal services, this would be a site that they likely would be more inclined --

MR. MACMANN: It's connected already. Yeah.

MR. ZENNER: -- to get to the City.

MR. MACMANN: Right. Yeah. Right. I just wanted to -- wanted to raise that point. Thank you very much. Thank you for that digression, Madam Chair.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Mr. Palmer, I realize this is a request for zoning, so maybe this is premature, but I'm interested in the land analysis map, given the size of this parcel. Is that something that we would expect at a later presentation?

MR. PALMER: Yeah. It would be typically submitted with the prelim plat.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for staff? Commissioner Dunn?

MR. DUNN: Part of the reason why I asked the question about the water main line is actually in relation to this project. And I know the water main line, if you look at the map, is pretty far north on the plat, farther from the develop -- the proposed development. Do we have any concerns, just as it relates to the increase in usage on that water main line that's --

MR. PALMER: I think you're actually referring to the sewer main on the north end?

MR. DUNN: Yeah.

MR. PALMER: And then the water is accessible along Gibbs. And actually, that is a six-inch line, which would potentially need to be upgraded to at least an eight-inch line to serve this, but that would be part of the developer's cost in -- in building the site, so --

MR. DUNN: And then I know we got some correspondence as it relates to the proposed road. You know, for the property owners that provided that correspondence, would they be losing out on that part of the property due to eminent domain or what's the process for --

MR. PALMER: So our process for obtaining right-of-way, typically, is when a developer comes to us with a property and proposes development, we look at our CATSO map, and if there's a roadway indicated that's a need that has been identified by our CATSO Committee, we would accommodate that through obtaining right-of-way at the time of a plat. Right? And so the conceptual plan shows what is also shown on our CATSO map, and that is, basically, accounting for what will eventually be dedicated right-of-way on this property. Now that kind of cements in place, if you will, where that road will go through their property, and therefore, where it enters the -- the neighboring properties. And so that does affect those neighboring properties, but their piece of that right-of-way most likely would not be obtained until they, too, come to us with a request to develop their property. In extreme cases, you know, where we find a greater public need for the sum connection, we may proactively pursue a right-of-way, obtaining of right-of-way, but we would -- the owners would be compensated for that at that time, and that's just not typically how we do that at this stage, so --

MR. DUNN: Thank you.

MR. PALMER: Uh-huh.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Yeah. Just to be extra clear about right-of-ways in this process as it applies to the surrounding land, as well as the developer and the City, the future collector that is marked on this, that's planned in the CATSO plan, would that go forward regardless of this current application?

MR. PALMER: So like I said, it's identified in the CATSO as a -- as a need, and then also in the other documents I shared with you, you know, regarding the connection of Scott to an interchange at Sorrell's Overpass. And so, as this area is developed at some point in the future, that need would be addressed and like we do it generally is in a piecemeal -- piecemeal fashion. And so that doesn't go away without the CATSO map being modified. Does that make sense?

MS. CARROLL: The CATSO map is modified if there's a development in place because the right-of-way dedicated here?

MR. PALMER: No. No. No. The right-of-way is prioritized based on what is shown on the CATSO map. The CATSO map is the conceptual connections from point A to B, but as the land is developed, we have to address those needs by obtaining right-of-way in those areas.

MS. CARROLL: So it will add priority to that project -- or to that CATSO project?

MR. PALMER: Oh, I -- yeah. I understand your question. So not exactly, but as it becomes more and more built out, it becomes more and more likely that that -- you know, that last piece would be added in, but, yeah. It's done in such a piecemeal, long-range kind of fashion that I wouldn't say that it adds a priority to a certain project over another.

MS. CARROLL: And for the area of the road that is marked, but -- or designated future road, not through this development, who is requesting right-of-way? Is that the City and not the developer?

MR. PALMER: Yeah. The CATSO organization is the Columbia Area Transportation Study Organization, so it's a regional --

MS. CARROLL: Uh-huh.

MR. PALMER: -- organization with representatives from the City, County, and MoDOT and others. So it is the City that gains the right-of-way for a property in the City, but generally, it's a regional concern, so --

MS. CARROLL: Thanks.

MS. GEUEA JONES: Any other questions for staff at this time? Seeing none. We will open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward. Name and address for the record. Six minutes for a group and three minutes for an individual.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Just a real quick overview again. Tonight we're just looking for the rezoning of this piece of property. That's what we're looking to do.

Typically, we do have the preliminary plat that accompanies the annexation request and zoning as it goes through the process. However, for the R-2 development, we are asking, we are seeking cottage standards. So we're not looking at doing duplexes, we're looking at doing the smaller single-family homes for sale. So with that, the next step would be if we were to gain approval on the zoning, our next step is to go to the Board of Adjustment to obtain the cottage standards, and then we would come back before this Commissioner with the preliminary plat. So that is the reason why you don't have the preliminary plat in front of you tonight, like you -- like you do many times is because we're going for the cottage standards. For the multi-family, we're looking at doing town homes at that location, as well. We're not looking to doing apartments. And again, it's 64 acres that's currently zoned single-family residential in the County. We're simply asking to rezone it to a similar zone for R-1, and then it's, of course, the R-2 for cottage, and then R-MF in the City. Again, you've seen the location. You know location of the site. Again, the conceptual plan, you can see here, roughly 45 percent of the site or so is going to be -- remain in open space. There's -- it gets really rough. It gets tough terrain as you go north. We want to leave that -- leave that in green space. And actually more of the developable -- more of the yellow area may become green space as we move forward, as well. Just to make sure there's no misunderstandings or misconceptions, the main east-west road that runs through the property there, that is the collector street that is identified by CATSO. That will be built on this property be built by the developer themselves. They're not looking for, not seeking, not asking for any other additional right-of-way offsite for that road as it goes off of this property. I just want to make sure that we're not looking to encroach onto the neighbors with regards to that. I mean, this is the CATSO plan, and we want to abide by that, and we're going to construct the road accordingly. This is a surrounding zoning exhibit. This meshes, basically, the County and the City zoning map into one. The dark dash line there is the current City limits. You can kind of see it's a mix of single-family residential on both sides of the City limit line. There is some ag land -- ag zoned property. There is a significant amount of multi-family or moderate density residential to the south. There's quite a few duplexes to the southeast. So it's kind of a mixed -- mixed-use zoning in that entire area. So what we're looking to do is have a single-family development, but in different types of uses, basically, 60-foot-wide lots, the cottage standard, and then attached single-family, as well. Again, I think you've seen this before. This is the CATSO map, so our -- our layout conforms to this CATSO map. You know, many times we're asking to modify, change or do something different other than what CATSO shows. In this case, we -- we're holding to it pretty firm. Columbia Imagined, it's identified as a neighborhood district on the

land-use plan that's included in Columbia Imagined, and that calls for a broad mix of residential uses, and I think that's exactly what we're proposing here tonight, different types of single-family residential uses for this area. It supports a diverse and inclusive housing options, you know, smaller lot sizes, promoting home ownership, and encouraging integrated residential densification. Now I wouldn't say this is a dense development by any means. If you look at our total area and our amount of green space that we're preserving, we're sitting around two units per acre. Now, if we were to take that on a regular single-family residential development, I would say that's not very dense in the City of Columbia. But given how the property to the north really kind of falls off, we ought to leave that as open space and keep our density on the developable areas. We think that's -- that's a sensitive move. Again, we're located inside the urban service area. It runs to the west, further to the west, so we are inside the urban service area, and there are utilities in place to serve the development. There is a 15-inch sanitary sewer that crosses the subject tract. And, Mr. Dunn, you asked about that. That is underutilized as far as capacity goes. There's plenty of capacity in that 15-inch sewer line, and that goes right down into -- right down into the trunk sewer that runs along -- along the -- along Perche Creek. And so there's adequate capacity in all the sewers. We checked that with the sewer department, and there's no issues there. Staff has also talked about the six-inch water line that crosses the property. There is a six-inch water line there. It will probably need to be upgraded, but there is a 12-inch water just -- just a little bit further to the east adjacent to the site. So there's adequate water to serve this development, as well. And so I think that's important when we talk about -- talk about water and sewer. And, of course, storm water would be per the City regulations and the electric will be served by Boone Electric. The request is consistent with the goals and objectives of Columbia Imagined, including the land-use plan. I think that was shown and illustrated in the staff report, and we -- we concur with that. It's compatible with the surrounding land and with the zoning and uses. There are a mixed use out there -- no doubt. There are some larger tracts of land. There are some agricultural-zoned properties, but there's a lot of multi-family and smaller tracts out there, as well. So given that we're preserving a lot of area and keeping our density to one location, I think it kind of -- it's compatible. And then, of course, it's also supported by the City staff. And so with that, I'm happy to answer any questions that the Commission may have.

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

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, good evening.

MR. CROCKETT: Hello.

MR. MACMANN: That area to the north, that's pretty rough.

MR. CROCKETT: Yes, sir.

MR. MACMANN: Do you anticipate, given your engineering background, getting all that storm water on the north end up there? I notice there's a south -- there's a proposed southern catchment basin. I'm just wondering about how difficult it's going to be to carry the water there because it's -- it's multiple hollers, if you will.

MR. CROCKETT: Right. Yes.

MR. MACMANN: There will have to be an extensive amount of dirt work to carry that storm water north.

MR. CROCKETT: Not too bad, Mr. MacMann, to be honest with you, because the -- the terrain falls for, you know, pretty much --

MR. MACMANN: On the west side, it certainly does.

MR. CROCKETT: Right.

MR. MACMANN: I'm just wondering from the -- on the east side --

MR. CROCKETT: On the east -- on the southeast, on the south portion or the --

MR. MACMANN: On the east side of the development overall, but you get -- it looks like you have to come over a ridge or something there?

MR. CROCKETT: Well, if you look on -- on the northeast, there's -- where the green space kind of protrudes coming south, there's a draw there, and so that's going to portray -- that's going to convey a lot of the storm water to the north through that draw. There's also a draw between the two cul-de-sacs. There's a reason why the cul-de-sacs aren't connected. There's a significant draw there. There's another draw a little bit further to the west there, so --

MR. MACMANN: All right. I was just wondering how much those trees are going to remain; that's what I was wondering.

MR. CROCKETT: The fast majority. I mean, we're going to do very little work in there. We have to bring the sewer. The sewer crosses this property, so the 15-inch trunk sewer actually crosses the property to the north, so we'll have to bring the sewer through there, as well, through that draw. But, you know, we have no intention to clear out hardly any of those trees if we can keep from it. I mean, the storm sewer, we can put it into -- into channels that are there now. We're not going to pipe that water. So we can put it in the channels, and then also put it --

MR. MACMANN: That was my next question. Are we going to end up pumping water here, clean or otherwise?

MR. CROCKETT: No.

MR. MACMANN: That was my main concern. Thank you very much. Madam

Chair?

MS. GEUEA JONES: Any other -- Commissioner Stanton?]

MR. STANTON: Mr. Crockett --

MR. CROCKETT: Yes, sir.

MR. STANTON: -- I see cottage style. Is this in name only, or are you truly going to be cottage?

MR. CROCKETT: Well, cottage standards according to the UDC, that's what we're looking for. We're looking to doing 40 foot, probably, you know, single-car garages, smaller homes, maybe two bedroom. You know, my client is a builder. He -- that's what he does, and he has another cottage development that came before this Commission in the recent past, and he's getting a lot of interest on that. There's a big hole in the market. I am trying to hit the smaller price point, and so he's getting a lot of interest in that, and so that's what we want to try and do here, is trying to make sure that we can hit a market that can't be reached right now. And so, in doing that, we need the smaller footprints.

MR. STANTON: But not just in look, but in actual definition, footprint?

MR. CROCKETT: Correct. Yeah.

MR. STANTON: Square footage?

MR. CROCKETT: Square footage, absolutely.

MR. STANTON: All that. Okay.

MR. CROCKETT: He developed -- he developed his floor plans for that other development and he wants to carry them over into this development, as well.

MR. STANTON: Thank you, sir.

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

MR. DUNN: You know, just given the correspondence in looking at the proposed collector road and seeing how close it does kind of butt up against their property, and specifically, their house, you know. What would the challenges be to shift that development a little bit west so that way if we needed to take that road a little bit closer to the property line --

MR. CROCKETT: I think we can look at that, absolutely. And I think that's something we definitely want to look at on the preliminary plat stage, should this project move forward. I think we can take that road and take that collector road and maybe start curving it over a little bit sooner and get it in more of a northerly direction to pull it away from -- from the neighbor's house to -- that's to the east. Absolutely.

MR. DUNN: Thank you.

MS. GEUEA JONES: Any other questions? I have one or will you indulge me with a

little exercise?

MR. CROCKETT: Yes, ma'am.

MS. GEUEA JONES: So we are not here tonight approving your development plan?

MR. CROCKETT: That is correct.

MS. GEUEA JONES: We are here tonight talking about what the zoning will be on this property should the City decide to annex it?

MR. CROCKETT: Correct.

MS. GEUEA JONES: And I appreciate very much the fact that you are thinking ahead and trying to show everybody in the area, this is what we're thinking about. But at this stage, this is what you're thinking about. Right?

MR. CROCKETT: It's -- it's -- yes. It's what we're thinking about, but we have our application completed and ready to go to the Board of Adjustment. That's our next step. We're ready to make that application as soon as we -- should we clear the Planning and Zoning Commission. We definitely want to -- I mean, I say that's what we're thinking about, but that's -- that's -- that's the initial game plan, and that's still the game plan today. So, yes. It's more than just a -- we're not just thinking about it, we actually want to execute on that.

MS. GEUEA JONES: Correct. Yes. What I want to emphasize to my fellow Commissioners and to those watching is you have to get a recommendation from us on the zoning. The City Council then has to approve annexation and zoning. The Board of Adjustment would then have to approve the cottage standard. The building department, the highway department, and the CATSO folks and everyone would then have to come through and look at this. So just because -- again, I appreciate the plan and I appreciate the fact that you took into account CATSO and wanted to say, you know, this is where CATSO shows the road, so this is where we're going to show the road. What I want to emphasize is when it actually comes time to break ground, all of the things that we've been talking about with the placement of existing houses with the storm water runoff, with the trees and the, you know, forest that has to be preserved, all of that will also be taken into account and be accommodated.

MR. CROCKETT: Absolutely.

MS. GEUEA JONES: So as you said, and I'd like for you to say it again, when it comes time to actually build this road, you will put it wherever the transportation department and everybody else says it needs to go, and it does -- it's not necessarily going to abut your neighbor's house?

MR. CROCKETT: Correct. Yes. We will work with them, and not just -- not just the members of CATSO, but also with that neighbor to make sure that we can best

accommodate them. It may not be to their exact liking, but certainly take their input and do what we can. Also with the members of CATSO, as well. Yes, ma'am.

MS. GEUEA JONES: And another question. In the past when we've seen developments like this that are multi- or mixed housing-type developments and that sort of thing, you're not going to break ground and build all of these at once necessarily or --

MR. CROCKETT: I don't anticipate it all being built at one time, no. I would probably see something like this probably being broke into two, maybe three, possibly four different phases.

MS. GEUEA JONES: Right. And those will also take into account water runoff during building and all that kind of stuff?

MR. CROCKETT: A hundred percent. Absolutely. And all those plans have to be submitted and approved by the City through the City storm water engineers, and it's all being inspected as it gets installed. We can't have additional runoff during construction, all those gets inspected by the City during construction. Absolutely.

MS. GEUEA JONES: Including traffic department, all of that kind of stuff? So I, again, really appreciate you saying this is what we want to do with the property, and I believe you when you say you actually want to do true cottage-style development and all of that. But I want to emphasize for folks, we're a long way from a bulldozer pulling off of Gibbs Road?

MR. CROCKETT: Right. Right. And this kind of goes back to the previous discussions that we have had with this Commissioner with regards to how we may want to modify the direction that we go forward with cottage standards in the future because it is a long, drawn-out process, and we do have to get that important R-2 zoning. And I don't think anybody disagrees with that, it's just one of those things in the UDC that we have to modify as we work through it, because we don't want to give the impression or the impersonation that we're doing duplexes when we're really looking for cottage standards, and that's really what we're looking for.

MS. GEUEA JONES: Thank you very much for indulging me.

MR. CROCKETT: Appreciate it. Thank you.

MS. GEUEA JONES: Thank you. Anybody else? Seeing none. Oh, sorry. Commissioner MacMann wants a second bite.

MR. MACMANN: Just -- just a little bit of a point of order. In the information for you, that very problem, the last one you mentioned, we worked on that today.

MR. CROCKETT: Excellent. I appreciate that.

MS. GEUEA JONES: Thank you very much, Mr. Crockett. Anyone else to speak on this case, please come forward.

MR. WEIRICH: Jason Weirich, 3875 West Gibbs Road. I find it very interesting, Mr. Palmer, that -- that's your name; is that right?

MR. PALMER: Yeah.

MR. WEIRICH: We weren't supposed to talk about anything else besides the zoning portion, but I think you stated your case to get exactly what you guys want. He specifically told me, don't bring up anything besides the zoning portion, so I find it very disturbing about the other discussions that have happened to support that. Let's imagine for a moment that you join a football team, and as an adult, you do some research before joining, making sure that you know the rules, the playing field where you will spend your time, defending your team, and who will be in charge. Like many teams formed, you do not know all your team mates, but you intend to interact with them in a way that builds relationships, camaraderie, and after research, you decide to join this particular team. And for all intent and purposes, let's call that Team Gibbs. You are excited to begin playing the game, and all seems to be going well in the first half. Both teams and the ref seem to be playing and calling the game fairly. But halftime is approaching and the other team has a plan. The other team sees the opportunity to win and beat team Gibbs, so during halftime, the ref's collude with the other team to change the rules and to change the area in what the game is being played. Leaving Team Gibbs scrambling, unfairly trying to understand why, in the middle of the game that has lasted for decades, the rules are being modified to benefit one team. The goal of a true and real game is to win. Naturally, you want to be a winner, coming out on top, having competed in a manner that shows strength, mental toughness, and downright grit, winning can seem like everything, an accolade to who you are as an individual, and display to the world your tenacity with this football game instead of giving it Superbowl status could be equated to a five-year-old game of flag football. Parents in their hearts are keeping the score, and the ref's are present to ensure the players are adhering to the rules set in place to keep the game equal and the players from harm. In that end -- in that end, tough, the winners are both teams. Five-year-olds just happy that they got to play the game and get a snack and juice when the final whistle blows. Our property, purchased more than ten years ago, was zoned R-1 or R-S in Boone County. In going into the sale of our home, we knew that one day the land behind us would eventually be developed for homes, but upon our initial research, and based on the zoning, we were committed to the idea of having a few neighbors, whose land was similar to ours, equals as teammates, spread out throughout 35 developable acres or 40. The traffic increase would be minimal to the area and the roads on which we drive, except the City's proposal changed the zoning to R-2 and R-MF is changing the rules, and this change will only benefit the other team and their referees.

Bringing in more than 120 homes upwards of 200, 300 cars, factoring in college and young people filling these cottages, does nothing but damage our team in a way that the players could never financially recover. The rules will change the playing field and damage our equipment, making the already poor road conditions worse, leaving the team broken facilities, no funds to repair or replace them. Plans set in motion to make the connector ZZ and Stadium has been in the works for over ten years now. We saw the plan before we signed on the dotted line, however, at present, there is still no action being taken, nor none that we see in the immediate future to alleviate the traffic situation that will occur upon changing the zoning. Over a half a million dollars has been spent on the sidewalks connected CIS to Cosmo Park. We can't even fathom what it would cost to construct the proposed road, or what time frame this would be built. One team can go home holding the Lombardi trophy, their income to the sale of the property, and the sale of those 120 cottages over their heads in pride and satisfaction in completing the switch and bait on the property owners around the grant land with the rezoning. There is another way, though, that in a fair and humble attitude, neither team loses. Games, as we know, do not end in a tie, but teams should be able to walk away from a game and say the rules upheld, the referees to help to judge -- and keep it zoned at what it is. I bought that property at -- zoned at that, and I want it to stay the same. I've got one last thing. I made a call. My house has been shot. I've had the cops at my house five times in the last four years. I've had bullet holes through my house. I've had people in my house when me and my kids were asleep, robbed -- robbed us. I made a call to one of the people in this room and I said, you know, I have a concern with people walking around our property. My wife and kids were home. An engineer, a surveyor was on the property walking around. I got told it's their right to be on that property. It may be their right, but common courtesy where I come from, you could knock on the door and say, hey, we're out here doing this.

MS. GEUEA JONES: Thank you. If you would give us just a moment, sir. Does anyone have any questions for this speaker? Seeing none. Thank you. Anyone else to speak on this case, please come forward.

MS. WEIRICH: Megan Weirich, 3875 West Gibbs Road. Proposing that the potential residential neighborhood on West Gibbs Road will be affordable housing is a ruse. Because Columbia is a college dense town and full of transient residents, only half of the homes in this city are actually occupied by their owners. The other 25,000 people who are inhabited our renters, and most of who are not going to be in Columbia for a long term. The idea regarding affordable housing should be homes that are affordable to purchase by owners who will live in them. People who are just starting out, people with

no children or a couple of little toddlers running around, purchasing a home should be a way for families to begin to build wealth, putting equity into their home. They should take pride in achieving what many Midwesterners love to do, have it all -- a house with a two-car garage. But this is not affordable housing that is being proposed. Building this type of neighborhood with 120 homes in 30 acres is not beneficial to the school district, to the Valley View neighborhood, surrounding homes, or the roads on which we drive. The last place -- the last place that affordable housing should be built is in the West Boulevard School District. In 2016, 75 percent of their children are eligible for free and reduced lunches, and now, after Covid, it is 99 percent. Our children attended West Boulevard for six years, and we have personally seen how the distribution of the burden -- that burdens the teachers, the administrators, and the staff. The disproportion of low-income families strains the systems in ways that only people who have seen it can understand. Building what this contractor has touted as the cheapest housing in Columbia, our division in this area will only increase the amount of students in that school district who qualify for free and reduced lunches. Valley View and Valley Ridge Subdivisions are neatly situated. They are homed by people who are long-term live there -- rent their -- many are not renters. Cars that are through this neighborhood are not going to be home once they get through that neighborhood. Now they are going to travel three-quarters of a mile with barely maintained, narrow, windy roads, and these -- the City street from Sunflower to Gibbs Road is marginally passable with two cars. There are steep drop-offs. You may even remember that the manhunt on West Gibbs Road that took place after four men had stolen a vehicle and wrecked into a tree in my front yard. Let's just gloss over the uptick in crime and focus on the alarming increase of the use of the already poorly maintained roads, causing more and more -- more wear and tear to the personal vehicles of those who have lived on West Gibbs Road. Can I be so naive to think that this land would never be developed? One could hope that the land would stay in the family as Ms. Roxie Grant had hoped, but I understand that the land is of no use to the family if they personally do not want to live on it. But who does this type of neighborhood benefit? Changing R-1 to R-2 and R-MF is beneficial to this seller and the developer. The developer is a savvy businessman with a smooth talker to use all the right phrasing to have the City's approval for the proposed affordable housing neighborhood. Affordable housing lines the pockets of the developers and the prospective landlords who are renting the homes out to young college students or families who are unable to purchase a home of their own. This proposal would never fly in the backyards of families on the south side of Columbia, Thornbrook, Copper Street, or Copper's Edge where the houses are upwards of \$1 million. The developer would not want to share fences with a

cottage style the size of their garage. The passing of this proposal demonstrates how the City of Columbia is an active participant in segregation, continuing to grow the City in a way that separates low-income families from the south and is a proponent of making the wealthy wealthier with little to no regard of the lower or middle-class individuals in our area.

MS. GEUEA JONES: Ma'am, I'm sorry. That's your time. Did you have one last --

MS. WEIRICH: I have -- I have a quote that I found from Patrick Zenner back in 2016 regarding the Brookside Apartments that says, "We have failed you and I admit it. Our failures have left carnage at the edge of your neighborhood."

MS. GEUEA JONES: Thank you very much. Any questions for this speaker?
Seeing none. Thank you. Oh, I'm sorry. Commissioner Stanton?

MR. STANTON: I hear you. I think you're making a lot of assumptions. What would you like there? What would make your neighborhood --

MS. WEIRICH: I mean I --

MR. STANTON: What would like there? If it was your property, what would you do with it that would be -- if you're taking one for the team, your community, what would you put there?

MS. WEIRICH: How could this land be better used by the City of Columbia? What if the land was developed as it is zoned right now? What if it's R-1, and instead of these 30-foot lots, two acre lots are sectioned that are similar to the homes that are already in the area. What if the homes that are built draw owners whose children attend West Boulevard and become valuable participants in their school district?

MR. STANTON: Well, if I had had two-acre lots, is -- you know that's a half million, million dollars house.

MS. WEIRICH: So you think I can sell my house for a half a million dollars? No way.

MR. STANTON: So you have --

MS. WEIRICH: I live in that little square that has nothing on it right by the pond. That's where I live, and I'm not going to be able to sell my house for that.

MR. STANTON: So bigger lots, bigger houses?

MS. WEIRICH: I'm not asking -- I don't have -- I feel like I don't have a big house. But a lot that is similar to what's already around there, yeah. I drive by. I drive through the neighborhood, and there are -- it is a small neighborhood of duplexes. But the houses who live to the west of me and on down Gibbs Road, all of those are houses that live on two acres or more.

MR. STANTON: Thank you.

MS. GEUEA JONES: Thank you very -- oh, I'm sorry. Commissioner MacMann, go ahead.

MR. MACMANN: Just a comment. I rent. My son went to school at West Boulevard. As of yet, neither one of us have been arrested for any crimes. Thank you very much.

MS. GEUEA JONES: Commissioner Carroll.

MS. CARROLL: Yeah. I was going to speak towards the West Boulevard School, as well. My children attend West Boulevard. I do think that there may be some assumptions made here. The -- the cottage developments that have been going forward very recently have all been for sale and have been purchased by families much like the ones that you're describing, actually. And I'm looking at the recently placed cottage developments using the same setbacks as described here. I -- I guess I --

MS. WEIRICH: So you're saying that we -- we have a different experience at West Boulevard than you did? I just am not understanding.

MS. CARROLL: No. I'm not arguing with you. The vast majority of West Boulevard is -- is lunch -- free and reduced lunch. After Covid, they made it free and reduced lunch for all students.

MS. WEIRICH: But it -- (inaudible) -- there's 25 percent free and reduced lunches.

MS. CARROLL: I understand.

MS. WEIRICH: What if -- what if someone was to decide to buy back the land that was donated by Larry Potterfield that's on the other side, and then though they're -- it's a completely open area. It's developable also, and they would be in a district that could hold capacitywise some of -- alleviate some of the tensions that happens at West Boulevard.

MS. CARROLL: Yeah. I guess the questions that I had were regarding the zoning here, and the knowledge of, you know, the fact that this is for zoning and not for building.

MS. WEIRICH: But for purposes of zoning --

MS. GEUEA JONES: Excuse me. Please do not interrupt the Commissioners. Thank you.

MS. CARROLL: Yeah. I do see what you're saying about the way that the City grows and the disproportionate way that we tend to see the growth. I would generally support cottage-style south of town, as well. I guess I will leave it at that.

MS. GEUEA JONES: Thank you. Any other questions? Okay. Thank you very much for coming. Anyone else to speak on this case, please come forward. Just is a reminder, three minutes for individuals, six minutes if you're representing a group.

MR. DOUGLASS: Joe Douglass, 4855 Roemer Road. I'm not here on behalf of -- I

grew up on Gibbs Road. I went to West Boulevard. Lived there most of my early life -- you know, early childhood life. My grandmother, who is here in the crowd, she asked me to speak on her behalf. She's 95 years old. She owns the 40 acres immediately west of this property. She does not want this to be rezoned. And respectfully, I know there's been a lot of talk and discussions about the cottages, but that wasn't brought up till the developer came up and started talking, and I think we're just talking about the zoning, is what's presented, so what we're all not liking is the R-2 or the R-MF. So the cottage things shouldn't really even be discussed if it's not official, it's not writing, it's just talk. I know there's been some talk -- getting back to the -- to the road project, I know that they only go back to like 2009, but for like the last 30 years, they've been talking about Scott Boulevard going through. And all the people on the road know that. We know it's inevitable, but there's been talk about what comes first, the road or these kind of developments, and it's kind of like the chicken and the egg, but I would argue that it's more putting the cart before the horse. It makes a lot more sense logically to get the infrastructure in place so you can be more flexible and put it in what's best in what spots. Maybe there has to be some multi-family there, but it's going to make a lot more sense once all the infrastructure is in place. Maybe it would be better to have another school there. Maybe it would be better to have a park. There's only so much land there -- and you've already heard on that site. There's only so much land in that entire area. Even my grandma's land, that's actually you can do stuff with. There's of bluffs, there's tons of hollers. And once you put this place in, it's going to really limit the City's flexibility to make any kind of changes to future plans of that road because it's already changed multiple times. It's probably going to change some more, and it doesn't make sense to build the middle of a road in a development before you build the whole thing. I think it's illogical, and there's not enough infrastructure right now to support it on that road, and there's already issues with crime, and it's just going to make things worse right now. And if it's -- I was hopefully just to kind of -- I'd ask the Council if it would be all right if I asked the room to raise their hand in show of support, because I think a lot of people here are for it. It might save you all some time than everybody coming and talking. But if you guys don't mind, if I could ask the room to raise their hand.

MS. GEUEA JONES: Well, while I appreciate the idea, please don't. Thank you.

MR. DOUGLASS: I guess you would rather not. Okay. I didn't know if you did or not. Okay. I didn't know if that was allowed or not. So that's all I have.

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

MS. PLACIER: Oh, just a clarification. And you can see it on the screen now.

Forty acres of this will be R-1, which is what we traditionally call single-family, so most of it is single family housing for sale. Fourteen acres is labeled R-2, but that is only because our current plan is really confusing, that to do these smaller single-family homes called cottages, right now the zoning is R-2. That doesn't mean they're duplexes. It means that they are single-family homes that will be for sale, they'll just be smaller than usual. So R-2, we are trying to fix that because it's really confusing. People think it means duplex.

MR. DOUGLASS: What does the R-MF mean then, like, that five acres.

MS. PLACIER: R-MF will also be single-family townhouses. They'll be side-by-side-by-side, but single family, not some kind of giant apartment building or something. At least that -- but that's the intention. Now I realize -- I'm not naive enough to think that whatever is said at this time, because this is very preliminary, is what is going to happen, because as our Chair pointed out, lots of things have to happen. But I just wanted to clarify what those zoning categories mean and what it is that we're looking at, or what we were told anyhow would be a variety of single-family housing.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I'd refer you back to when I spoke earlier, and asked Mr. Zenner a question. It referred directly to what you're talking about. I referred to the West Area Plan, and that was us and the County and CPS, and was there anyone else -- those type of entities, plan -- CATSO, plan where the roads go, plan where the schools go, et cetera. The type of thing you were talking about. This area was not included in that. By West Area, we're mostly referring to the west of Perche. I agree with you. I think many in this room agree with you. Gosh, it would be great to have that planned out in the, in the first place, but it's not here, and this is the process that we currently have. And I would suggest to you folks if you are -- if the strength of your concern maintains, I would suggest that you go to all of the meetings that our Chair, Ms. Geuea Jones, mentioned, and share your things, and that's the best way to modify these types of things going forward. Thank you, Madam Chair.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I've heard three speakers say this, and I didn't say anything until I seen a pattern. The reason why we're heavily talking about the zoning, the why, the what maybe, because that will -- that weighs heavily on our decision on the zoning. I can't speak for everybody, but I'm very skeptical of what I can't have solid. So if you listen to the questions that I asked the engineer specifically, not in -- not in look, but in actual specifications of a cottage, that's why I asked that. We want to know that because you have to justify to us why we would want to change, so where is your thinking at. That's

why we're talking about cottage, that's why we're talking about these things, because it is instrumental that we're thinking 50 to 100 years ahead. So that's why we're talking that, and it's kind of hard to separate the two because if we just talked zoning, there's a whole bunch of mistrust there. And we're trying to nail down both parties and get it on the record what comes out of his mouth so that in the future and for the future for you guys following this case, which I strongly recommend. Put your feet in your mouth where your concerns are because at every step that the Chairman talked about, you're -- you're putting the bug in everybody's ear that's making the decisions what -- what's going on and what your concerns are, and we do take those in consideration. The cottage style from my -- and I can only speak from my experience -- from my experience is generally for empty nesters, families that have downsized. If you -- if you remember the questions asked the engineer about the square footage, this could be single mom, two kids, one kid. Just it's not a Brady Bunch type level of housing that we're building out here. To the other speaker, the back-end lots are big. I'm going to stay on this, but it does trouble me that the kind of characterization of the free and reduced lunch. It's kind of bothering me, but I'm just going to leave that alone. I think this is a good idea. I think it's something that you guys need to stay on and pursue as citizens so that you can stay on top of it, and the powers that be have to listen. And when it comes down to the final decision, all your concerns will be recorded and they will be considered. We're considering everything you guys are saying, and every step of the way, they will also be considered. So, thank you for voicing your opinions.

MS. GEUEA JONES: Any other questions for this speaker? I have a quick one. If - if they get denied and decide they're going to build anyway, under R-S zoning, it appears to me that they would be able to build somewhere between 200 and 240 single-family homes here. Would that be preferable to you?

MR. DOUGLASS: Yeah. R-S would definitely be preferable, yes.

MS. GEUEA JONES: You understand that would be a lot more. That's almost twice as many houses.

MR. DOUGLASS: I -- just based on what I know from the land, the way it lays, there's no way they could build that many, but I understand what you're saying from an acreage and things, and plus the -- with the -- just with the road, too, it wouldn't support it. But, you know, there's no -- I don't think there's any way you could build that many houses on that land the way it lays, but --

MS. GEUEA JONES: But I'm telling you that's what they could legally do if we say no.

MR. DOUGLASS: Well, then why are they coming here and getting it rezoned then,

I guess, if they can just do that already anyway. I'm confused. I don't that much about zoning, but, I'm sorry. I don't understand --

MS. GEUEA JONES: That's okay. I'm just trying to do what Commissioner Stanton often does which is the would you prefer it with us saying nothing, but -- Commissioner Stanton, go ahead.

MR. STANTON: They're trying to propose, I would say, a bleeding edge, cutting edge concept of -- and that's why we had to change these zonings around because our law, as it sits, does not allow you to do it the way they're thinking about doing it, so they're doing it -- they have to fall within certain zonings, and blah, blah, blah, blah, blah. It's a lot more work than just -- they could just put a road in and put a bunch of houses. They could give you what one of the speakers said you want the two-acre lots, you want the this, that. They can do that and have no consideration whatever you all thought. They could just do it. This is almost -- I hate to use this word. Mr. Zenner, don't -- it's almost like a planned development and we're still way away from that, but that's kind of where he's at, and, yeah. He can -- he can back out of this whole thing, make one big cul-de-sac down there, and make two-, three-acre lots, or whatever you guys think you --

MR. DOUGLASS: And they can do that whether it's County or City, or does it matter.

MS. GEUEA JONES: Are you finished, Commissioner Stanton? I'm sorry.

MR. STANTON: Oh, he can get it in there. He can get all of that that you want. He could -- he could get it in there.

MR. DOUGLASS: And does it matter if it's County or City, and he can put as many he wants, or I -- I don't know.

MS. GEUEA JONES: Uh-huh.

MR. STANTON: I don't want to get in the weeds like that, but that's why this -- we're going through this rigamarole because he has a certain way he wants to build, and it's way easier not to ask us for all this stuff, yes.

MS. GEUEA JONES: Thank you. Commissioner Wilson?

MS. WILSON: I apologize. For the last three speakers, I have been trying to clarify in my pea brain, what is the actual objection to this proposal. Outside of we don't like they're changing the zoning, when you say you don't like that they're asking for a different zoning, what is the problem?

MR. DOUGLASS: Well I think the impression that I think my grandma and the neighbors have is that it's going to be very cheap housing or rental property, and that's the impression that's -- you know, when people -- because on here it says multiple family dwellings and two-family dwellings in the -- what's written here on this -- on the

agenda, so that people think that -- assume that means duplexes and, you know, apartments. So that's the reason why we're down here, so --

MS. WILSON: Okay.

MR. DOUGLASS: I don't know if that helps or not.

MS. WILSON: So I'll just follow up -- follow up, a couple of follow-up questions. Have you all spoken to each other and this is the conclusion that you've drawn?

MR. DOUGLASS: I don't represent the group. I'm just here --

MS. WILSON: No. No. I'm just asking.

MR. DOUGLASS: But I know that the neighbors have spoke to each other about it, I don't live on the road anymore because I moved to the north. I live on Roemer Road now, so -- but I don't know what conversations the neighbors have had, but that might be a good question for maybe someone else can come up and answer that for you. I just -- that actually lives on the road, I'm sure there's somebody -- I'm pretty sure there's somebody coming right after me that probably can, so --

MS. WILSON: Having asked that question, my next question is, does everything have to be a negative outcome? What if, as Commissioner Stanton proposed, yes, it's a cottage-style home, and at one point, I was considering buying a cottage-style home, and it cost \$300,000. So just because it's a cottage-style home doesn't mean that some low-life terrible person is going to live there and perhaps it may behoove us to think positive of why this developer wants to create multiple styles of housing so that individuals who may not be able to afford a two-acre lot, which is becoming something that is probably going to be a little bit more expensive now even though one person said I can't sell my house for that much. Probably not, because when you bought it -- right? But now Columbia is becoming more dense, and so it may be worth much more. I think we need to sort of open our brains a little bit and consider that just because it's a different styled housing doesn't mean it's going to invite bad neighbors.

MR. DOUGLASS: I think that's a fair statement. I still would think my -- back to my original argument. I would just say that I still think that all those things can happen after the main road comes through. I just think it would make a lot more sense -- if we really want what's best for the area and the City, it would make sense to do the -- to get the entire road there first -- the road first, and then figure these kind of things out. But I do -- I do completely agree with what you're saying. There's nothing wrong with a \$300,000 town home, because, to me, you're describing like a town home. Town home sounds great to me, but I hear a cottage, a little bitty house, that's the size of a little big garage. I don't -- you know -- you know, we --

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: The definition of a cottage, I was raised in Europe. Cottages are not -- they're in between a -- they're in between a tiny home and a conventional 1,200 square foot home. Most cottages are around 1,000, 1,200 square feet, maybe. They're the rave -- your ancestors probably lived in a cottage if you're from Europe. That's the style to address density. They're just -- cottage really is associated to square footage. It has nothing to do with the quality. It has to do with what they do within a particular footprint. And, generally, the cottages are being built right now, and I'm a big proponent, and I work in the space of affordable housing. Most cottages are not into those free or reduced large family incomes.

MR. DOUGLASS: Well, personally, I don't have a problem with anybody being on free reduced lunch, so --

MR. STANTON: No. I'm just saying that there'll be, you know, affordable means not half a million dollars, you know, and they could be, because there's cottages that go for that. So let's not get into the size means more or less money. I live in a 900 square foot home, and I'm papered up, so -- meaning I have money, so --

MS. GEUEA JONES: Any other questions for this speaker? Thank you for your indulgence, sir.

MR. DOUGLASS: Thank you for your time.

MS. GEUEA JONES: Is there anyone else to speak on this case, please come forward?

MR. JAMES: Hal James; live at 3605 Barberry Avenue. I'm the one that sent you the wrong map. Apparently, there's more than one map. I've learned a lot in four days. This has been more than confusing. Learned a lot tonight. This has been more than confusing. I -- I don't see how anybody could build as many units as you say on that parcel, that there's a lot of things that would go into that. The biggest issue is that road is -- at the moment, is not going to be able to handle this. I don't know if any of you guys have driven on that road. It's 20-foot wide county road. It's got six to two-foot ditches on either side. You know, this kind of -- this kind of housing makes a lot of sense in -- in Columbia. I've financed a lot of them, seen a lot of them. It's a -- you know, where you've got a wider street, and you've got sidewalks and you've got storm sewers and you've got street lights, it makes sense to fill in corners where areas aren't completed, or something needs to be rejuvenated or changed. It makes a lot of sense to fill in corners. Gibbs and Barberry Road don't have any of this. It's nothing. The -- I thought it also interesting, just a sidebar, I didn't -- I was surprised Boone County is going to be your electric out there. That's an interesting thing. But the real issue here is that, you know, this is all -- all predicated. The City's approval is predicated on a concept of a road that's on a piece of

paper. Move this down 20 years in the City, they still didn't have any money to build this road, and by opening this door, there's a lot of parcels up here that are going to get developed. And you're opening the door to have different zoning than exists, everything from Barberry Road north of Route E is single family right now. There's several really nice developments up there, all nice, a lot of middle-sized homes. There's nothing wrong with them. We're not talking giant places, but it's all the same. It's all similar. It's all uniform. And this would be the first time that you open that up. There's a lot of discussion about the -- the property in the south. Almost all the property except for one small section has access to the outer road. They're not on Barberry. This is -- every -- this is all going to go in and out on Barberry and Gibbs, and that road is not going to be able to handle it. I mean, you can't even walk on that road. You'll get killed. I can't imagine some kid walking -- running his bicycle out there and getting run over, but as kids are, it's real likely to happen. This is -- this -- the fact that a road may be built to justify expanding this out, this just isn't a way to annex property into the City of Columbia. You know, keep it similar, keep it the same, but you start doing this all over the place, you're going to have a crazy patchwork of all different kinds of properties out there, and this is -- this is your opportunity to make sure that it's all similar and it's all the same, because whoever sits in these chairs 20 years from now is probably going to cuss you for doing this if you don't keep it the same. It's a difficult -- it's a difficult task, but a lot of these roads may never be built. I've got -- my property is owned by an LLC. It may never change hands, and it doesn't have to when I'm gone, so, you know, that'll be a fun fight about trying to take it over. I appreciate compensation, but I don't give a shit about the money. That's not -- that's not what the deal is. So -- but you've really got to think about the change that you're doing here. That's -- that's the biggest point of all of this, and I think -- I found it very bizarre that this was predicated on a road that's on a piece of paper. That's -- that's not logical.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you, sir. Anyone else to speak on this case? Going once -- there we go.

MR. DOUGLASS: Good afternoon -- good evening. Michael Douglass, 4001 Barberry. I'm against the rezoning. I would like to have it stay the same as R-1, and also similar -- keep the houses similar to what's in the neighborhood right now. Most of them are anywhere from 2,000 to 3,000 square feet, what we should have on there, not multi-house -- not multi-family houses.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none. Thank you very much for your time, sir. Anyone else to speak?

MR. REDDICK: Good evening. Scott Reddick, 4200 West Gibbs Road. I'll make

this brief because I think most of this has been covered. But I would ask any of you all to take a ride out there, especially about 4:00, 5:00 in the afternoon rush hour. It's not safe to have your kids anywhere near the road. I have grandkids now that come out there, and I have to keep them away. It's like the Autobahn through there. Okay? And I'm not -- I'm not making that up. I mean, I've yelled at cars, slow down. You know, there's been nothing -- I mean, that road is nasty. Okay? And I live just west of my neighbor, Lois, who was brought up a minute ago. And when they put in the apartment complex to the east of both of us, they did nothing for the road because it fell in the City. But once people figured out that you could use that road to get over to Scott Boulevard, it has created a major, major traffic problem. And he is right. You would be -- you would be crazy to ride a bicycle or try to walk on this road. There's no lighting at night. So I'm just really -- I'm just kind of going over the points again of my concerns of converting this into R-2 and R-MF, the amount of people, because this road may never happen. And if it doesn't, then we're going to have to sustain the road we have now, and you're talking maybe how many cars versus 200-plus cars? I mean, that's all I really have. I mean, I'm not going to sit up here and go over all the rest of the points. It's just my concerns for myself and my family and my neighbors.

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

MR. STANTON: So what's a win-win between you, as a neighbor, and a person that owns this parcel? What would make both of you happy where you could respect his land rights and respect his ability to develop, but keep you happy at the same time? What's a win-win?

MR. REDDICK: Well, first of all, each -- it would be one of two things. Either the road be put in first, a better road that could handle the congestion, and/or either keep it the same, R-1. Now I was under the impression and, I mean, I'm not going to deny or say I know. I thought you had to have five acres in the county to build a house, but maybe that's wrong now. I don't know what it is. I'm not going to argue that point. Maybe it's one acre, maybe it's two, whatever it is. But to keep the neighborhood the way that it is would be the one option or, two, the -- a road before you start building these things because they put that new complex in there several years ago, and didn't do anything for the road. And we bear the brunt of that, the people who live out there. So that's my concern. And that would mean -- I mean I don't know what else he has to offer. I don't really have a lot of different other options.

MS. GEUEA JONES: Thank you.

MR. REDDICK: Thank you.

MS. GEUEA JONES: Thank you very much. Anyone else to speak, please come forward. Going once, going twice. All right. We'll close public hearing on this case and go to Commission comment. .

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any comments from the Commissioners? Commissioner Carroll?

MS. CARROLL: Here's what I'm getting at, that our Chair brought up at the very beginning of this statement -- of this hearing, and that's that we don't approve any kind of annexation. That's not in our court, that's not a decision that's being made here tonight. The only thing that we're allowed to -- the only decision that we're allowed to influence here is what the zoning would be if it were annexed. If City Council doesn't choose to annex it, then all of that is a wash anyway. Part of my consideration goes towards urban sprawl. I dislike the slow moving out of our borders and annexing more and more R-1 in a way that makes the City harder to sustain and puts more burden on the infrastructure. I tend to like mixed zoning. We don't see that in annexations very often actually. I tend to like that this could support a variety of housing styles. I -- I'd like to point out that most of our existing -- much of our existing housing would be considered cottage by these standards already. Aside from that point, I don't like very much annexation requests that are pending the need for the City to build infrastructure in the forms of roads to support it. This is already in the CATSO plan, but I -- I do feel the cart before the horse argument quite a bit. That is something that City Council decides on; we don't get to make that decision. So those are my comments related to this case.

MS. GEUEA HONES: Any other Commissioner comments? Commissioner Dunn, and then Commissioner Placier.

MR. DUNN: Madam Chair, am I allowed to address another Commissioner?

MS. GEUEA JONES: Sure.

MR. DUNN: Commissioner Ford, do you mind indulging me for a moment?

MR. FORD: I can try.

MR. DUNN: You're -- you're a realtor. Correct?

MR. FORD: Yes, sir.

MR. DUNN: Do you know what the median household cost in Boone County is currently -- roughly, if you had to ballpark?

MR. FORD: Two eighty, but I'm not very confident on that.

MR. DUNN: It's actually -- I looked it up on -- it's in the newspaper recently, \$392,000 is the median household cost in Boone County.

MR. FORD: I'm off.

MR. DUNN: You know, I'm -- I'm a young guy. Haven't owned a house yet, and it's really not obtainable because of the housing cost and high interest rates. And so, personally, when I see developments proposed like this and zoning kind of changing with the intention of building more affordable housing, I like it. And one of the things that I also like about this is how they are using the R-1 and the R-2 zonings to kind of encapsulate that R-MF. And so for me, if you were to drive by this development, it would really look no different than any other neighborhood in Columbia or anywhere else because it's going to be cottage style single-family homes. You know, when I received some of the correspondence from the neighbors, you know, I certainly hear those concerns. I definitely was looking to try and find ways to hopefully get the neighbors to work with the developer on certain aspects, and, you know, I think that road is definitely going to be a challenge, and hopefully that's something that can be solved down the road. It's not going to be solved here today. You know, we're here to focus on the zoning. And so, you know, just as it relates to zoning, I think I support this.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: Yes. I generally do support this style of development. Whether it is cart before the horse is a -- is a consideration because the -- it's kind of a new style urbanism or kind of a -- I don't know if I want to use that word, but it is -- in the setting where it is, it's kind of moving into the future. In other words, it's -- it's probably the way we're going to grow from now on instead of annexing big, odd developments of big lots. But I have to admit that I was hesitating to comment because of the misunderstandings of what this was going to be as if it was going to be -- I think Commissioner Wilson called it low-lives, criminals, low-income people, when it is true what Commissioner Dunn said, that these are probably going -- not going to be super low-cost housing, certainly not at the level of subsidized housing. There's no plan for that. And I got triggered because of things in my background that would have led people to judge people from my old neighborhood as a kid as being that kind of place, and it wasn't. And so I'm going to put those feelings aside and just consider is this the right thing for this particular area. These are all single-family for sale housing as it has been described to us. We're not the developer, however. We cannot constrain the developer into doing that, but the boundaries of the proposed zones do indicate that the vast majority of it is the traditional R-1, and the smaller parts of it are the alternatives, the -- the more dense housing.

MS. GEUEA JONES: Thank you, Commissioner. Anyone else to make a comment? Commissioner Stanton?

MR. STANTON: I know this is not set in stone, but I think getting with Crockett and looking at his proposed lots, it's not up here now, but looking at the lot layouts may give

you a better understanding, because, yeah. He's giving everything everybody has asked him for. I got big lots wrapping around the outside perimeters of the cul-de-sacs. The density is more closer to the road. I get it. I get it. But, yeah, it's hard for me to wrap around the misconceptions of what these houses can be or will be, hopefully. But I think this -- this graph right here can give a better graph of what they're thinking about.

MS. GEUEA JONES: Any other comments from Commissioners? I think my comment, and the way that I often look at requested zoning changes is what are they allowed to do now versus what they would be allowed to do if we approve what they're asking for. And I know that a lot of the people who spoke tonight think that R-S in the County means one- and two-acre lots because that's what people have built around there. But from what I can tell looking at County zoning, County zoning actually allows for even smaller lots than our City zoning does. So they could build more densely under County R-S zoning than they could under City R-1 zoning. And I -- when I am looking at what could they do if we do nothing versus what are they asking for, even if they are completely lying to us, Commissioner Stanton, and they build out to the maximum density, I still think that we are looking at something that fits with the trend heading that direction. Now, I also think that we are so early in this process that all we are talking about is what can they possibly do in the future. We're not talking about what they're going to do tomorrow. And I -- I think that, in my experience, the way that the CATSO folks work is they don't improve the road until there are people there to use it. And is that backwards thinking? Maybe, but I don't control everything. I'm just one person. As much as I would love to have a Fiat stick, which is what we called it back when I did debate, where you could just hit people over the head and make them do whatever you wanted. If I could, I would say build this out to a four-lane road, because, clearly, people are moving in that direction and it should be a four-lane road, and it should have nice shoulders, and it should probably have a bike lane, it should probably have a pedway, Commissioner Carroll. But I don't get to make that choice, and it's not going to get improved until someone breaks ground. That's just the truth of it. So I -- weighing all that, I -- I think that should the City Council decide to annex this, doing this kind of mixed housing types where the density is surrounded by less denseness is a responsible way to do it. And so I'm generally supportive. Anyone else? Commissioner MacMann?

MR. MACMANN: If none of my fellow Commissioners have any more questions or concerns, I'm going to make a motion. In the matter of 3705 West Gibbs Road permanent zoning, Case 247-2023, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval moved by Commissioner MacMann, seconded by

Commissioner Stanton. Is there any discussion on the motion? Okay. Seeing none.

Commissioner Carroll, whenever you're ready.

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

Ford, Ms. Wilson, Ms. Loe, Mr. Stanton, Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms.

Geuea Jones, Ms. Placier. Motion carries 9-0.

MS. CARROLL: The final vote is nine to approve; the motion carries.

MS. GEUEA JONES: Is there any other motion regarding this case? Commissioner MacMann?

MR. MACMANN: Do I have a motion on this one?

MS. GEUEA JONES: Yes.

MR. MACMANN: Do I have that flexibility? I move that this be taken off of the -- I move -- the annexation is moved off of consent on City Council's agenda.

MS. GEUEA JONES: Commissioner MacMann has moved to remove this case from

--

MR. DUNN: Second.

MS. GEUEA JONES: Thank you. -- from the City Council consent agenda, Commissioner Dunn has seconded. I believe we can do thumbs up approval on this?

MS. THOMPSON: Appropriate.

MS. GEUEA JONES: Thumbs up approval on this motion, please?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous. Thank you very much.

MR. MACMANN: Madam Chair?

MS. GEUEA JONES: Yes, Commissioner MacMann.

MR. MACMANN: Point of order, or a suggestion. Could you kindly explain to our guests what we just did.

MS. GEUEA JONES: Of course. If I can stop coughing. So the City Council as an item on their agenda every time they meet called the consent agenda. Items on that generally don't get discussed individually. City Council votes on them as a whole. By removing it from that agenda, this particular case and the annexation associated with it will be held out separately, and you will have opportunity to comment and discuss on it individually instead of as part of a larger package. So it gives you a chance to do what you did here tonight in front of City Council, which has the final say. All right. With that, Commissioner Loe, would you mind reading the next case. I'm sorry.

MS. LOE: Of course. We're going to move on to the next case of the evening.

In the matter of 3705 West Gibbs Road permanent zoning, Case 247-2023, move to approve.

Yes: 9 - Loe, Stanton, MacMann, Carroll, Geuea Jones, Placier, Wilson, Dunn and Ford

Case # 249-2023

A request by State Permits, Inc. (agent), on behalf of Broadway Fairview Venture, LLC (owners), for approval of a PD Plan amendment to the Fairview Marketplace PD Plan, modifying the Starbucks Coffee outdoor seating, drive-thru facilities, and vehicular circulation as well as approval of a new Statement of Intent (SOI) meeting current PD district requirements. The 22.55-acre subject site is located at 2901 W. Broadway.

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the proposed major amendment to the "Fairview Marketplace PD Plan," and the associated Statement of Intent (SOI) pursuant to minor technical corrections.

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

MS. PLACIER: Yeah. This plan was exceptionally detailed. Maybe I'm wanting something for dummies, but if I'm driving through, how does it work? You know, where do I order? Where do I pick up?

MR. PALMER: Yeah. So this -- this is the new plan, and maybe I should have shown a little more context here. There's not a lot to be shown because they've provided a very specific area on their plan. But right now, the building is here, and this internal lane often gets backed up because people are turning here. Menu board is either on the building, or right here next to the seating area. And so the front of the building becomes unusable, and then there's just -- there's just issues with pedestrians and cars. So they are moving the menu board down here to this outer island, the southernmost island, and forcing the drive-through traffic to go towards -- to utilize the outer drive aisle in the parking lot. Yeah. So instead of coming in and driving down that inner drive aisle, they'll be forced to drive down this outer aisle and basically, they'll be avoiding any kind of internal backups there. And then also the main route for traffic kind of comes in and turns on that main aisle, because you can see it goes across both of those out-lot buildings. It kind of -- that's kind of a primary corridor that crosses the entirety of the site. And so when you pull in, you'll kind of come down that way and then turn back around, or you can enter, I think, down here, actually. You have to enter, and this one has a median, so you have to go around it, and then come back to the south to get to that lane.

Does that make sense?

MS. PLACIER: And then if I'm a pedestrian, I go through the -- well, I have to park somewhere. So then I go through that island thing, if I still insist on going to the actual store, I guess.

MR. PALMER: Yeah. So the -- the pedestrian improvements are really focused on -- on walking traffic. And so they would enter from the sidewalk out at this corner, and they come across kind of the green space on that corner, and then they enter the parking lot kind of in the same location here, but they'll now cross the drive-through lane there, and there's actually also a bypass lane, so there's two lanes of one-direction traffic going to the west -- or the east, sorry. And then that island then becomes kind of safe haven for those pedestrians. And then, again, the crosswalk here will be better delineated and raised as a kind of a speed table arrangement. The just -- it's kind of a best practice in pedestrian safety almost like bump-outs are used in urban areas just to minimize the -- the risk as you cross their street there -- the drive aisle. And, again, that -- that outdoor seating areas is actually going to be reduced, so much of that seating is going to be removed, and that's in an effort to provide ease of pedestrian flow through that area.

MS. GEUEA JONES: Are you finished, Commissioner Placier?

MS. PLACIER: Yeah.

MS. GEUEA JONES: Okay. Commissioner Carroll?

MS. CARROLL: I'm trying to jog my memory. Was there pedestrian infrastructure for pedestrians offsite in the existing configuration? I didn't look for that before.

MR. PALMER: What's -- what you can see on the aerial map is -- is currently in place, and so the public network out in the right-of-way, there is a connection across the private green space there at the corner, and there are crosswalks there, but it's just an at-grade crossing of those drive aisles.

MS. CARROLL: Yeah. And the existing configuration still has pedestrians crossing the drive-through lane?

MR. PALMER: Yes.

MS. CARROLL: And the drive-through lane is less specifically at one location versus the other?

MR. PALMER: Right.

MS. CARROLL: Yeah. Okay. Thanks.

MS. GEUEA JONES: Any other questions for staff? Seeing -- oh. Commissioner Dunn?

MR. DUNN: I actually drove through the Starbuck's on the way over here today. And, you know, when I was exiting the drive-through, I actually kind of acknowledged that

a lot of that traffic likes to wrap around the back side of that building. And it's a two-way street, but it's actually pretty narrow. Is there any consideration that we might be able to give to maybe making that a one-way to help the flow of traffic out of that Starbucks?

MR. PALMER: I didn't include it on here, but I believe that is one of the considerations on the plan, is it limited to a bypass lane one way around that corner. Don't -- I'll need to double-check that, but that's something that can be considered, yes.

MR. DUNN: Awesome. Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We'll open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If anyone would like to come forward and speak on this case, please do so now. Anyone at all? No one here from the applicant? Okay. In that case, we will close public hearing.

PUBLIC HEARING CLOSED.

MS. GEUEA JONES: Are there any Commissioner comments on this case? Commissioner Carroll?

MS. CARROLL: I think this is a huge improvement, so thanks for doing it, if you're in the room. I appreciate the pedestrian crossing. I appreciate the island. I get coffee here occasionally, and it does back up really poorly. That's all.

MS. GEUEA JONES: Thank you. As a point of information, Commissioner Wilson was not feeling well and will be out for the rest of the evening. Commissioner MacMann, though, I believe would be right back, so I will stand at ease for just a moment and let me see if I can figure out if he's coming back in to cast his vote. We'll stand at ease for however long it takes me to send a text message.

(Off the record.)

MS. GEUEA JONES: And like magic, I see the Commissioner, so we will call ourselves back to order. All right. With that, I will do one last call for Commissioner comment on the drive-through redesign of the Starbucks. Is there anyone who would like to make a motion on this case? Commissioner Loe?

MS. LOE: I move to approve case -- in the case of 249-2023, Fairview Marketplace PD Plan major revision, approve the revised Fairview Marketplace PD Plan and associated Statement of Intent.

MR. STANTON: Second.

MS. GEUEA JONES: Approval moved by Commissioner Loe, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Carroll, when you're ready, may we have a roll call. Oh, I'm sorry.

Commissioner Dunn?

MR. DUNN: I just wanted to verify. Is there a way to get confirmation that that road is --

MR. PALMER: I don't have the plan in front of me, but I will include your comment in the staff report as it moves to Council, and I'll also confirm with the -- with the applicant and the plan that that's on there.

MR. DUNN: Awesome. Thank you.

MS. GEUEA JONES: Thank you. Any other discussion on the motion? Seeing none. Now, Commissioner Carroll, may we have a roll call?

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

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

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

Move to approve case 249-2023, revised Fairview Marketplace PD Plan and associated Statement of Intent.

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

Excused: 1 - Wilson

Case # 260-2023

A request by Engineering Surveys and Services (agent), on behalf of Columbia South Real Estate, LLC (owner), for approval of a PD Plan amendment revising the type of uses and structure size presently permitted on Lot 3B of the Cherry Hill PD Plan. The proposed revisions include converting the use of the building from retail/residential to all residential and increasing the number of approved multi-family residential units from 4 to 24. The 0.41-acre subject site is located northeast of the intersection of Flagstone Drive and Corona Road.

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

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

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any outside contact -- if anyone has had any outside contact with parties to this case, please disclose so now. Commissioner Stanton?

MR. STANTON: I know the owner of this property. He just briefly told me that he had a case coming up. We didn't discuss his case in particular, and I have no qualms

giving him thumbs down if I don't like what he -- what he says.

MS. GEUEA JONES: Thank you very much for being forthcoming.

MR. STANTON: Okay.

MS. GEUEA JONES: I appreciate that. Any other disclosures? Seeing none. Are there any questions for staff? Seeing none. We will open the floor for public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: You can fight it out or I can flip a coin or --

MR. BARNETT: I've Kevin Barnett, 1908 Potomac Drive. I get six minutes because I'm here to represent the HOA board for Cherry Hill.

MS. GEUEA JONES: Very good.

MR. BARNETT: We're going to really disagree with parking is not an issue. There were 23 spots that were designed in the original plan for this building, and you're eliminating all of them. And so at 5:45 or so when I left come down here and figure out where all this is happening, I counted all the spots, and there were the six in front of this building that you could put parallel with the building, and there were six on the east lot that you have there, and there was nothing else that wouldn't impact the current tenants that are in the commercial space or in the residential space. So the board voted and a majority of the board decided that this was not in favor of the Cherry Hill -- Village of Cherry Hill Homeowners Association. It looks to me like from your design, you're actually going to take out another six spots, and I don't know if that's just because you drew the red line on one side of those six spots or not. It looks like you're actually taking six more spots. Let's see. The other thing you're not considering is, there is the -- I don't know if everybody can see that, but there is the Town Center, which has a green space in it. And to the north of that, there's another potential spot for retail at the first floor and residential at the second floor. So any available spots that you take up by these potential 47 cars are going impact the amount of retail visitors we get, the amount of retail businesses that we could possibly get in that -- in that spot, and any other people that want to stay there. So this is changing the type of the business. It's not really in the benefit of any of the residences in Cherry Hill to change this to single- and double-bedroom apartments. We're going to run into issues with voting. We're going to run into issues with the pool. It doesn't do anything for any of the residents that I can think of that are positive. Let's see here. Right now, we have the ability to go to the dentist, a financial advisor, an optometrist. You are taking that away from the residents of Cherry Hill by putting in a three-story, which, by the way, is like a whole story taller than all the other buildings, as far as I know, and making it a monstrous 24-unit building instead of a four-unit residential spot that's really nice, like what we have currently on the

town square. Let's see. There's a thought that this will be degrade the properties versus having a nice town square, which was the original thought pattern when we bought into the Village of Cherry Hill, that we would have nice first-floor retail, nice apartments above, and, basically, this is becoming a monstrous 24-unit with no parking and no accountability for anything. We don't know whether they're going to fit within the business part of our management, or whether they're going to fit in the residential part. So we haven't figured out what the voting rights are for that. We haven't figured out what the dues would be for something like that. So -- and we don't -- and there's a certain amount of people that are, like, upset about even pool usage, because if this is potentially 24 units, and then we allow that to happen in the other spot up there, it could easily be done the same way, then we've got 48 families that are also trying to reach in that little bitty pool which is right there, that little bitty small pool. So I think that was kind of hitting the highlights of it. I've been a resident for 20 years, so we just thought this was going to be a nice place -- a nice place where you would have retail at the first floor. And we've gone through a couple of retail businesses, we've gone through restaurants, we've gone through bakeries, and those things come and go. But what you said in terms of lack of retail ownerships, we walked through there today, and I didn't see any lack of retail business. As a matter of fact, the only thing I saw was a for rent sign for two apartments in one of the units, and one of the units is right across the street from here. So I think that was it. I think one of the board members wanted to point out that your report was kind of contradictory in the fact that you said that commercial space was not doing well, and you could use that parking space. I didn't understand that. But that was it in general, is that we've been sold a bill of goods that it was going to be this nice thing, and what you're presenting is this monstrous building that's going to cause problems with parking. It's going to cause problems when they try to sell the other lot. And so it's just not in the best interest of the board or the actual owners.

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

MR. STANTON: Is there a win-win? Is there any way you could split the baby with the owner?

MR. BARNETT: Yeah. Absolutely. So when we bought our property and when whoever owns that property bought that property, they agreed to retail on the first floor and four residences above. That's the win-win. That's what everybody agreed to. This is a change to the agreed to.

MR. STANTON: So there's no wiggle room negotiating what it is right now?

MR. BARNETT: Well, just -- you're asking if I can move off of what I agreed to and

what they agreed to before?

MR. STANTON: Well, not really digging into this case, there must be a market need for this change, and maybe I'm wrong. I could be wrong. I didn't really dig into why this change is being proposed. I love Cherry Hill. It's my favorite development in the City.

MR. BARNETT: Do you want more stores, or do you want some young people with fast cars that don't care of them?

MR. STANTON: I'm a businessman, too. I'm a businessman, too. If it's just for the look of the building and they keep it looking the same because I think one thing --

MR. BARNETT: That was the bill of goods sold.

MR. STANTON: -- is it a viable business move and, yeah. And what I'm asking you is, if you owned in this business and had to make a business change, how could I keep you as a neighbor happy, but not lose my shirt as a businessman that owns the building? What is a win-win that you could meet in the middle?

MR. BARNETT: Right.

MR. STANTON: How could you both be happy or both be equally upset to be a perfect compromise?

MR. BARNETT: When we bought our houses, we were sold a bill of goods. This proposal changes the bill of goods. When the owner of this lot bought this lot, he knew the bill of goods, and now he's changing the bill of goods with this proposal. He has changed his position. He gets a bigger building with this, which we never agreed to. He gets a different use of the building, which we never agreed to. It impacts the voting rights of the HOA. It impacts things beyond that. It impacts parking. It impacts the current commercial residents and the current retailers. Where are they going -- where are their guests going to park, because now you've got 40 other -- according to him, 47 cars that have to find a place because we're taking out, I'm thinking, six right there. So there's no win in this scenario. There was an agreed upon use of the premises, and this is double and a much lower value to the community.

MR. STANTON: Okay. I live on Lasalle, and all my life I had a perfect view of Jesse Hall from my venue. Now I have a big-assed garage right in front of my property. My grandparents who bought the land did not intend to have a sheet of metal and concrete covering that view of the University. I mean, I -- perfect view of the University from my house. Now I have a garage. And I'm saying this to say things change. I call the Town of Cherry Hill was designed in a new urbanism style to replicate how cities were built when our forefathers or your forefathers got here and built this country. Right? Things change, they evolve. So what I'm hearing, there is no way that could make you happy to evolve? What if the needs of the Town of Cherry Hill have changed? And I don't know if

they have or not, nor if this is pure capitalism at play here. Would the number of apartments help you? Would the --

MR. BARNETT: You mean, is there a middle ground between four and twenty-four?

MR. STANTON: Yeah. Between what he wants to do and what -- and what the community would tolerate or your HMO.

MR. BARNETT: I think -- I think I could speak for the board --

MR. STANTON: Okay.

MR. BARNETT: -- that right now, we've got a 10,000 square foot building that they're allowed to build, and he wants to build a 20,000 square foot building, and he wants to make it three stories tall versus what it was supposed to be. I think making it a little bit bigger would probably be digestible, but not making it three stories tall, and not eliminating all the parking. I mean, that's reasonable. And to your point, your parents probably bought that and they can't control it. They didn't -- they didn't have a plan put in front of them that said no one is going to change that. We had a plan put in front of us when we bought our property. It said this is going to be this, and this is going to be that. That's -- that's the plan we bought into, and now we have someone changing that. Right? I mean, it was on paper. It wasn't, like, hey, somebody is just -- it was actually on paper. So you and I probably don't see the same, but I understand your point, too.

MR. STANTON: Thank you, sir.

MS. GEUEA JONES: Okay. Commissioner Dunn and then Commissioner MacMann.

MR. DUNN: A few questions for you. You know, in your statement, you mentioned that it would impact voting. Could you kind of elaborate on that?

MR. BARNETT: Yeah. So we have the HOA. I don't know if this is going to be a residence. I don't know if this is going to be part of the commercial district. So when we have residents, they get to vote as part of the homeowners' association, but there's no current methodology for those people to take part in the HOA, and now we've got 24, and if you allow the other lot that's not developed to also be 24, because it's even a bigger lot, then we have 48 households voting in the HOA that have a different agenda that someone who has a single-family home.

MR. DUNN: Would a renter be considered a homeowner?

MR. BARNETT: Maybe it's not a renter. Maybe they actually buy it. Maybe it's a condo owner. But that mentality is different than a single-family homeowner that may have three kids.

MR. DUNN: I will say, you know, one of my drives today, I found myself down in Cherry Hill, wanted to take a look at the, you know, site that we're kind of considering

today. We did get some correspondence on it, so, you know, I try and poke my head around. And, you know, I was -- I was there from about 5:00 today till about 5:10, you know, and I just sat there in one of the parking spots right next site. And I -- one of the observations that I made during that time is much to your point, actually, that the parking in that area is very limited, you know. And, you know, one of the other concerns that I kind of figured what had happened about the rush hour at 5:00, 5:10 would have been kind of traffic and congestion. I actually didn't see that, but I did see a lot of parking issues. And so, you know --

MR. BARNETT: Not a lot, but --

MR. DUNN: But to your point, yeah. Absolutely.

MR. BARNETT: But not enough for 47 cars.

MR. DUNN: Right. Right. And so, you know, knowing that this is a mixed use currently as it's zoned, if they were to add a third floor and add more units to that, would that be acceptable?

MR. BARNETT: We would consider that. We would consider that. I'm speaking for the board; I'm one of five, but I think that would be a better proposal.

MR. DUNN: Yeah. Just something that's not 24 units or whatever?

MR. BARNETT: Yeah. Something that's not twice as big as intended, and not 24.

MR. DUNN: Okay. Thank you.

MR. BARNETT: I think the board really likes the idea of a retail space, and we do miss certain retail things that used to be there. The restaurant was really good.

MR. DUNN: Yeah. Yeah.

MS. GEUEA JONES: Commissioner MacMann. Oh, I'm sorry. Commissioner Dunn, are you finished?

MR. DUNN: I am. Thank you.

MS. GEUEA JONES: Thank you. Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I have a couple of questions for you, and I'm going to go, like, old timer on you, because I helped build this way back in the day. Before there were any houses there, it was a field. Help me understand. Between the subject property and the green space, there's a building. That building used to have businesses on the downstairs and apartments upstairs. Does it still --

MR. BARNETT: It does.

MR. MACMANN: Okay. Are those apartment livers members of your HOA?

MR. BARNETT: I don't know off the top of my head, but I --

MR. MACMANN: Okay. Next question. That's fine.

MR. BARNETT: I don't think they are.

MR. MACMANN: Looking at your -- if the map of the overhead presented here, just to the right of the word "Cherry" in Cherry Hill Drive, that was an apartment building and was all apartments. Is that still apartments?

MR. BARNETT: As to where the Cherry is --

MR. MACMANN: If you look at the -- the --

MR. BARNETT: -- to the right of that, yes. That's apartments.

MR. MACMANN: Okay. That's all apartments. Are those people --

MR. BARNETT: They're apartments or condos. I don't know what they are.

MR. MACMANN: Okay. But they were apartments.

MR. BARNETT: Yes.

MR. MACMANN: Like I said, I'm going old school on you. Are those people in your HOA?

MR. BARNETT: No.

MR. MACMANN: Okay. Knowing the developers -- I did know the developers back in the day, but this -- none of those people are -- two sets of them are retired.

MR. BARNETT: But just to the other side of them, those people are part of the HOA.

MR. MACMANN: Is that an apartment complex?

MR. BARNETT: That are -- those are town homes.

MR. MACMANN: Those are town homes. The concept was, as Commissioner Stanton said, this was going to be a town square, two story, two story only, in another node, if you will. I liked -- I really did like that concept to -- whereby it would allow the local residents or the residents in the immediate area to get many of the services locally rather than having to drive, you know, two, three, four miles downtown. I don't think you need to solve your HOA problem. We're in charge of reviewing this -- this major amendment. I'm -- Commissioner Stanton, I'm a little maybe on the other side of you on this. I don't know really where you're at here. I viewed the original concept to stay as was, and I do know that things change. This will change it, so I just wanted to bring up, number one, that walk down memory lane there, and number two, I don't -- I agree with you also there are not 47 extra parking places.

MR. BARNETT: Actually, if you count the other thing, you're looking at 90, because once you set the precedent for this, then what are you going to do with the unit that's to the north of the square?

MR. MACMANN: Yeah. And that's -- that's -- yeah. I -- I do agree with you there. I just wanted to get some of your input on that, and that's all I have for the moment. Thank you, Madam Chair.

MS. GEUEA JONES: Thank you, Commissioner MacMann. Commissioner Loe?

MS. LOE: Mr. -- I actually have a question based on your comments for Mr. Palmer on the parking. And if -- I'm seeing that the parking was shown for this property, for the proposed building in the new PD Plan, but was there a calculation done for the whole property?

MR. PALMER: Absolutely, yeah. The V calculation is for the entire property. There's a table that's included on the PD Plan that is not on the PD plan that you see there. It's actually why this would be requiring technical corrections. They didn't bring it forward to this modified PD Plan. On all other versions of the broad Cherry Hill PD Plan, there is a parking table that allocates certain parking -- and not specifically. It just says this use typically would require X number. Yeah, it's in -- it's in a -- it's in text form. It's written in there on the PD Plan that they presented, but previous versions have a table that lays it out. It basically just says, you know, the -- the City code would require X number. We are providing Y, and this is intended to be a walkable community, and is not intended to be vehicularly oriented. And so those parking standards were reduced from the City standard open zoning parking requirements. That 47 spaces that would be required by the City code is based on that standard. So the PD already had reduced parking, and this would just be a further extension of that. That 47 is like a worst-case scenario, and that's what's required of, you know, a standard, like, R-1 development, or, in this case, actually, it would be an R-MF development. But I think, you know, there is a -- a pretty strong argument that that is in excess of what's actually needed, but that's, you know, another debate to have.

MS. LOE: Thank you.

MR. PALMER: Uh-huh.

MR. BARNETT: Am I allowed to ask a question?

MS. GEUEA JONES: Give us just a moment, but, yes. Anyone else? Okay. Go ahead and ask your question, and then I have a question for you.

MR. BARNETT: So it was unclear to the board in this plan, in this red outline, there are about six or seven parking spots on the north side of that that's included in that.

MR. PALMER: They're still there.

MS. GEUEA JONES: Those will not be.

MR. BARNETT: Those are still there, but there will be a dumpster there, so that removes one or two of them.

MR. PALMER: One. Yeah.

MR. BARNETT: Okay. And so we're going from a 10,000 square foot building with approximately 22 parking spaces to a 20,000 square foot building with none -- no additional parking spaces?

MR. PALMER: That's what's being proposed, yes.

MR. BARNETT: Okay.

MS. GEUEA JONES: Thank you very much, Planner Palmer. So my question for you is this. If this three-story, 24-unit building was actually a three-story, 16-unit building with the first floor being retail. Would you still feel the same?

MR. BARNETT: No. I would not personally, but I -- the board is five people.

MS. GEUEA JONES: And I understand your board would have to vote.

MR. BARNETT: But I think the flavor of what's being offered versus the 24 apartments or whatever they are, is different, and I think that that could be a good -- to your point, Commissioner Stanton, a good middle ground.

MS. GEUEA JONES: And I actually go to Cherry Hill once a week at least because my chiropractor is there.

MR. BARNETT: As long as they put a bar in.

MS. GEUEA JONES: I was thinking grocery store, but bar works, too.

MR. MACMANN: That's a dentist.

MS. GEUEA JONES: I guess my question is, like, I think the vision that they -- all of the parking would be across the street. Again, assuming -- and this is -- I have no power to do this, but assuming that the first floor was retail, and we still had all of the parking across the street, does that bother you?

MR. BARNETT: If the first floor was retail and you had two floors of residences above, and they were built similarly to the other ones that are just to the north of this, I think everyone would be happy.

MS. GEUEA JONES: Thank you. One last question, and then we'll do one more call, and then you can go. Did the developer come and talk to the board of the HOA at all?

MR. BARNETT: No. As a matter of fact, we just last minuted it today.

MS. GEUEA JONES: Okay. Thank you very much. Any other questions for this speaker? Thank you very much for your time. Next person?

MR. KREIDE: Thank you. My name is Matthew Kreide; I'm with Engineering Surveys and Services, offices at 1113 Fay Street, and the civil engineer on the project. So I don't think I'll spend a lot of time going through the details of it. I get my chance to rebut here that I normally wouldn't get. So again, to kind of give you a better picture, kind of maybe the overall area, the blue being the building there, and how that sits on the lot. Yes. To the right is an existing residential building. There is no retail on that. To the left is a mixed-use building and, of course, as you go to the north is mixed used. As you continue to the -- to the east -- I think I said west -- to the east is, of course, all

residential. So from the -- from the plan standpoint again, here's a little more detail about it. Again, mentioned the utility relocations. Yeah. We've talked to Water and Light and addressed -- we'll get those issues addressed. You do see the pedestrian crossing. And as a whole, again, we're talking about the vision of this being a walkable community. I think the idea of arguing about where the parking is located, particularly on a lot, is -- is completely different than what the original plan at Cherry Hill was. The point was is to be able to walk and to be able to navigate the area. We're adding a pedestrian crossing. That's actually getting access to where there's parking available for these residents. And if you go through, I'll just -- and highlight kind of the last thing. There's available parking right over there. Right now, we've got six parking stalls on the street. We have the additional stalls up to the north. Over there highlighted is more than 47 stalls total. Those stalls are not being used on a regular basis down there. I mean, right here, right available, easy walking distance. Parking is not an issue here. Second, I address the HOA issue. No, these residents are not part of the HOA. In fact, this building is part of the -- is Town Center Association. It's -- they're different associations. That association has been approached by my client. And at this point, there has been no negative feedback on it, and so far supportive of the project. So, yeah. So certainly we have the association next door who has their opinion, as well. I don't expect this is going to create some traffic snarl. I don't believe this is going to cause a lot of parking issues. It's available there. The fact or reality of -- of use. It's been 25 years almost since this plan was originally proposed, so things have changed. If this were going to be a retail building with residential on the upper stories, it would have happened by now. The reality is the market doesn't support it. So, yes, there has to be a change. Things have to adapt. So here we are. I mean, it's all residential. This is a great transition to the town homes, to the -- to the residential to the south. We already have apartments to the -- to the east of here, and then you're working back more into the mixed use and retail area to the -- to the north area of that. You know, this isn't the heart of the town square portion of it, as well. I think, you know, as a whole, this is an appropriate use and a change to -- to the original plan. Otherwise, you know, we continue with a plan that in today's market is not viable. Well, with that, I think I've addressed the association and the parking issues, those seem to be the biggest questions. Otherwise, I would be happy to answer any questions that you all may have. Oh, and I did one. I'm sorry. I jumped ahead. I changed it. I think we did have some elevations for you that show you what you're looking at from, like, a building standpoint. Thought it would helpful again to kind of get a visual aspect of what the building is proposed to be, so, again -- okay. Now, if you have any questions, I'll be happy to answer them.

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

MR. STANTON: I'll yield my time for questions for now.

MS. GEUEA JONES: Okay. Any questions? Just briefly, I know that Town Center has its own association, but I have always thought the vision of Cherry Hill is that it is a community that includes the single-family homes and town homes that were part of the original envisioning of the project. It strikes me as odd. Is there a reason you didn't approach that HOA?

MR. KREIDE: I think we approached the association that we were a part of. I think that was where we believed that was the important association to address.

MS. GEUEA JONES: I guess my question is, was it an oversight or was it intentional?

MR. KREIDE: Oh, certainly not intentional, no. No.

MS. GEUEA JONES: Okay. Okay. And I guess market forces would be the reason that you didn't include retail on the first floor?

MR. KREIDE: Yes.

MS. GEUEA JONES: Okay. All right. Thank you very much for your time. Or sorry. Questions? Commissioner Dunn?

MR. DUNN: Sorry. Is anybody from the association here to testify in support of this today?

MR. KREIDE: No.

MR. DUNN: Do you have a letter of support from the association?

MR. KREIDE: No. We don't have the official support, no.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: If we can go back to the elevations. I'm curious as to why this isn't shown in the context.

MR. KREIDE: I didn't create them, but no.

MS. LOE: It's shown as if it's in a vacant site, and we're not seeing -- it's hard to determine the scale of it compared to the surrounding existing context, which has been one of the comments.

MR. KREIDE: Well, fair enough. And I can address that a bit, as well.

MS. LOE: Do you have other elevations that depict --

MR. KREIDE: No. I don't have anything that shows the context of it.

MS. LOE: Okay.

MR. KREIDE: But -- but bear in mind again, we're talking about residential structures here, so the finished floor heights on these are shorter than your retail structures. So

when you look at a two-story structure sitting next door similar to what you have across the street and to the north, this building is going to be, you know, roughly ten to twelve foot taller than that. It's not, by any means going to be towering over it by any means. It's not even really a full story. And then primarily the main reason it's taller is because of the pitch of the roof.

MS. LOE: Thank you.

MS. GEUEA JONES: Last call for questions. Commissioner Dunn?

MR. DUNN: Sorry. One more. On the sidewalk that runs kind of through that area there, is that going to be removed for the development, or is that sidewalk to the south of the parcel still going to remain?

MR. KREIDE: That's -- that's still going to remain, and I believe that's part of -- I think the homeowners' association, if I'm not mistaken. But, yes, that remains.

MR. DUNN: Thank you.

MR. KREIDE: Uh-huh.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Mr. Kreide, how are you this evening? Just for clarification, the association stops at the end of this property and the HOA picks up after it, so this does not actually physically sit in the HOA; is that a correct statement?

MR. KREIDE: That is correct.

MR. MACMANN: Thank you.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you for your time. Oh, sorry. Commissioner Stanton?

MR. STANTON: I just had a comment.

MS. GEUEA JONES: You've all got to stop hesitating.

MR. STANTON: Well, I just -- right. The only thing I have a problem with this is that, you know, and I'm a romantic. I love Cherry Hill. I don't think that that fits everything around it. I think it could blend in better. I think -- you know, and I understand why you deal with the association that you need to get the support from. I -- I didn't know there was two, so that clarified a lot for me. Architecturally, it doesn't seem like it blends into the Cherry Hill thing. Most of -- most of the structures around are brick. You guys went with siding. It's sure its Hardi Board. I hope it's Hardi Board, at least.

MR. KREIDE: Absolutely.

MR. STANTON: It -- I would love to see it fit a little better, and I think that's a -- that's a choice of materials. It just to me sticks out, like, man, this is something new versus the Cherry Hill that I know and love, everything kind of just blends together. This sticks out. That's the only problem I have.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I'll redirect. I'm going to help you, and I'm going to help you. The apartment to the east of it, it was the first time I ever used Hardi Plank. That building is all residential, and it's Hardi Plank, and it is Hardi Plank, so you can use that as a retort, but you know what, it's butt ugly and it doesn't fit. So I agree with you, it doesn't fit the ethic of the entire place. And when they -- when they added that building, I was truly concerned.

MS. GEUEA JONES: Commissioner MacMann, did you have a question for our speaker?

MR. MACMANN: I was just -- a point of order for me just to let you know --

MR. STANTON: Clarifying to me.

MR. MACMANN: --there's already Hardi Plank there.

MS. GEUEA JONES: Well, I would just like to let him sit down and we can do that during discussion.

MR. MACMANN: All right. Okay.

MR. KREIDE: And I think, and as a whole, that building is probably a lot of what drove the styling this as well, trying to blend in between the two of those.

MS. GEUEA JONES: Seeing no one else, thank you very much for your time. Next?

MR. MCGEE: Hi. I'm Travis McGee with Columbia South, 308 South Ninth Street. I am the developer and I was here to answer some questions tonight, but I'm going to tell you a little bit about the history of this property, why we came up with this design, and how we moved forward with the association, because I know you guy had some questions on that. So the building across the street at 2101 Corona, I own. I became a member of Cherry Hill about ten years ago when I bought -- when I purchased that building. I purchased that building from a financial institution when Cherry Hill was having some -- some struggles. And when we bought that building, I took all the office space off the second floor out of that building and -- and put in single apartments, 12 single apartments upstairs. And so my vision of Cherry Hill, and when I did that, you know, Cherry Hill was struggling on the retail side. And so, I -- you know, I've always told our association, the Town Center, which is the association the subject lot is in, what we have to do to -- to help Cherry Hill survive is to add more residential housing, get more people in there, create walkability, just like we've done in some other developments down the street. I mean, that's -- that's really important for Cherry Hill. So, yes. It's grown from 7,200 square feet to 10,000, to 20,000. I will say the 20,000 is a little deceiving because in this building, there's about 5,000 square feet of breezeways. Each level goes up, you

know, there's breezeways you walk through to get in the apartment, so living space in this building is only about 12,500 square feet of living space. I've necked these apartments down. I've made them smaller, because we wanted to build more market-rate housing, make it as affordable as we can, So that's what we've done. As far as the architectural questions I've heard tonight, that's not set in stone. I'm a member of the Town Center. I reached out to them. I've submitted my architectural plans for review to them. They have an architectural review process and have actually a licensed architect that are going to look at the set of plans, so I'm sure she'll take this into account tonight. So that's something that we can address. I think tonight really what we're here to try to get approval with Planning and Zoning is the footprint and the number of units, not specifically the type of architecture. The only reason, you know, I -- you know, back to the association. So we submit a formal application to the association. The Cherry Hill Neighborhood Association, of which this lot is not part of, Town Center, as of this morning, I had spoken to them. They had not heard from Cherry Hill Neighborhood Association. My plan has been in a formal review process with the -- with Town Center for over two months now, and I've been working through that process with my association, and so I was really working through them. They -- they deal directly with Cherry Hill Homeowners Association. I had reached out to them this morning. They actually had a board meeting this morning, and I -- just to see if there was any comments or any feedback from that association, and as of this morning, there was none. I'm happy to talk to them about it. Something that, you know, one -- you could call it maybe an oversight, it was an oversight. I was really working through my association in order to move forward with this project. The buffer zone on the south, which actually is part of the neighborhood association, we're not touching any of the green space, obviously, on the property to the south. There is -- I don't know, Matt, if you know the dimensions of that, you know, to the next house, but that sidewalk kind of snakes through there like that, and it -- that's how it is, and there is some mature timber. There's a few mature trees in there. So our groom space, and I don't know if it's a 50 or 75 foot buffer, but it is -- it is substantial through there. Parking, I think we've talked about that. You know, this building is part of a PUD which had a total square footage -- Rusty can probably tell us the total square footage for this building, which was, you know, 100,000.

MR. PALMER: I don't know.

MR. MCGEE: I think it was 100 and something, 162,000 square feet in -- in Cherry Hill. So we have fallen in the parameters of that 162,000 square feet. The total parking that as allotted for Cherry Hill, the way the parking works at Cherry Hill Town Center is all shared parking. It was originally, like we've all talked to -- I've talked about tonight, to be -

- you know, to promote walkability. I think this building does that. You know, me as a developer, making the apartments smaller so that I can build them cost efficient so people can afford to live in Cherry Hill, which is a beautiful place, as we all know. I think that's a positive thing, moving forward to, you know, create that diversity and create that livability for -- you know, for other people in the community. Walkability-wise, we wanted, you know, we wanted to put in the -- the crosswalk, and that way it would be safety, you know, for people, you know, walking from across the street, and the fact that we don't have to build a parking lot for this building only helps my cost for the construction; right -- so that we can, you know, try to provide more market ready affordable housing. I'll answer any questions.

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

MR. STANTON: I do have a comment. Even though you're not in front of us to discuss architecture --

MR. MCGEE: Sure.

MR. STANTON: -- the question, because I'm getting in your head as developer, as far as what is your true intent. It is our intent as the Board to make sure that we have structures that fit neighborhoods correctly.

MR. MCGEE: Right.

MR. STANTON: And we don't have box structures that are terrible for the community's esthetics, history, all of that. So that is -- this is important as what you're building, but it also tells me where your heart and intent is. Are you truly in support of the neighborhood or are you just trying to make money and throw up a box structure.

MR. MCGEE: Right.

MR. STANTON: So that's why the architecture is important, and it shows me if you're flexible and willing to work with the neighbors. If you were -- stand fast and say no, it's going to look like this when I get done, and that tells me that you're not really communicating with the neighbors.

MR. MCGEE: I think my recommendation to those neighbors specifically would be to comment out to our association and provide comment and feedback to our architectural committee who has the final say on what the buildings look like in that association, so that would be a comment on that, Anthony. Thank you.

MS. GEUEA JONES: Commissioner Loe? Or not Commissioner Loe -- I'm sorry. Commissioner Carroll?

MS. CARROLL: What -- you threw out the terms market rate and affordable housing. What's that mean to you?

MR. MCGEE: Market rate affordable housing is just what it is. It's -- you know, in

that market, you know, housing is -- you know, for these bedrooms are going to be somewhere in the \$1,000 a month range in this area. Uh-huh.

MS. CARROLL: Okay. Thanks.

MS. GEUEA JONES: Anyone else?

MR. MCGEE: I mean, there is a true definition of market rate housing. I mean, I'm sure you know what that is.

MS. GEUEA JONES: Thank you very much for your time.

MR. MCGEE: Okay. Thank you. Appreciate it.

MS. GEUEA JONES: Any other member of the public to speak, please come forward.

MS. BARNETT: Hi. I'm Julie Barnett; I live at 1908 Potomac Drive. So I just have a few comments. So I do want to say I also think it's odd that even though that's a separate HOA with the Town Center, that there wouldn't have been a consideration to contact the HOA for the residences for this reason. The plan of Cherry Hill was for all of us to live together in this lovely, almost utopia there, you know, and have retail and residences and it's walkable, and it's a different lifestyle. And that's what people bought into when we bought our properties there. So whether or not that was intentional, I don't think it was necessarily the job of the residential HOA to figure out what's always going on with Town Center. But if you're looking at building this kind of property, then I think that should have been at the forefront, that the HOA of the residential homeowners, they should have been contacted right away. Secondly, walkability already exists in Cherry Hill. It's a beautiful thing. If you're ever driven through there in the mornings, in the evenings, we walk every evening. We walk our dog. It's very walkable. Everybody is out walking. It's already surviving. Our homes don't stay on the market very long. We have a great area for people to buy property. Our businesses do very well. Since I drive through Town Center every night on my way home, and the chiropractor is always busy, the Therapy Unlimited is always busy, and there are children out all the time. So then I'm thinking about this. We have a new building with shared parking as part of the plan, yes. But what happens when all of these tenants maybe start having guests. Where are they going to park, because we've only allotted for perhaps those tenants, and the spaces that across the street, those are pretty full because I come in that way every single day, make a left turn, head to my house. Those are pretty full, they're not empty, like they're just available. But if, let's just say, some of the people in that apartment building had guests, and they decide to park, they end up parking in front of the homes that are further down the way, which causes congestion and an issue. I think that might be it. I would also like to say I don't know what the market research says about the survival of Cherry

Hill because I'm pretty sure it is surviving. We're doing really well. It's a great place, and has been for 21 years, so I'm not really sure what that means. I would love to see that research, but I don't really know what that means as a homeowner there. Anyway, that's it.

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

MR. STANTON: I'm going to ask you the same question. What's a win-win? What is your vision? Keep your mind on the owner who has a right to his property, he's got money on the table. If you were him, listening to you or talking to you --

MS. BARNETT: Yeah.

MR. STANTON: -- what would be a good win-win?

MS. BARNETT: So, I'm going to also say, I'm going to assume positive intent, because I'm an educator -- life-long educator and I'm an administrator at the Career Center, so -- and I love our construction program. So I'm all for building new properties. That's great. However, I want to assume positive intent and say this is not just a money-making opportunity for someone, but they're really considering how this affects the entirety of Cherry Hill, not just the Town Center, because we are not just a town center, we are entire residential living, a joint combination. So not as many apartments there, yes. I think if it were fewer apartments, if it wasn't going to be -- I don't know if the levels would make the big difference for our HOA, but I think not as many, just because of congestion and parking and how that overall effect would be in Cherry Hill.

MS. GEUEA JONES: Any other questions for this speaker? Okay. Thank you so much for your time.

MS. BARNETT: Thanks.

MS. GEUEA JONES: Anyone else from the public to speak on this case? Seeing none. We'll close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment? Who wants to start? Mr. Stanton?

MR. STANTON: Oh. I pulled the old book out on new urbanism. A new urbanism community is basically a microcosm of a city, so the town center is more dense, and as you go out from the center, you get less density. So I'm looking at what's here and I'm seeing those apartments kind of over to the side there. So I -- I do support more density right there. I would almost agree more people moving around means more traffic for the retail. The size and the number, I think could be debated, and I definitely have a problem with the architecture, but I think it's a good move. It might not be this move, a move to more dense -- density in the center of town, that's the -- if you want to talk about what it is, that's what the original town design is, more dense in the center, and as you go to the

perimeters of the community, you're spreading out. So want to pull the rule books out, that's really what new urbanism is.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: My problem with this one is the loss of the parking spaces, and I very, very rarely argue in favor of parking. I hate making people build parking spaces. I say that a lot. Cherry Hill is very walkable. Internally, it's very walkable. It doesn't always have that great of communication to enter from -- for pedestrians from the City at large. It's a bit removed. It also has a lot of doctors' offices. It has -- the retail space is used in ways that seem to draw people from outside of the community, also driving cars. I go to the same chiropractor that Commissioner Geuea Jones does, and I usually struggle to find a parking spot. And -- and I think that has an impact on the residents. I do support putting -- putting housing, putting apartments in that location. The issue for me here is that it's a PD Plan, and, you know, our first speaker spoke to a bill of goods, and I very rarely side with bill of goods, as well. But for PD plans, they are what they're -- what's on the plan. And if we're going to change the PD plan, I guess I want to see a compelling reason as to why it's needed and how it helps the surroundings, especially in an environment that's kind of high concept like Cherry Hill.

MS. GEUEA JONES: Thank you. Other Commissioner comments? I'm going to come back to you after -- Commissioner Dunn?

MR. DUNN: Yeah. You know, just in my experience, I've spent a lot of time in Cherry Hill, knocking doors for elections. You know, I spent some time down there today, you know, just to check out the parking situation, check out traffic during rush hour, et cetera. You know, the other thing, too, is I -- I'm a big fan of mixed use, and so to see that kind be taken away and, you know, seeing something before me that just didn't really fit the neighborhood, and the time that I've spent there. You know, I'd like to see this maybe come back and maintain a mixed use, maybe additional units, a third floor, you know, different conversation, but, you know, as it is today, I don't think I can support it.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: The only problem with that, and I'll use -- I'll use Discovery Ridge as an example. How many times did Discovery Ridge morph? It is nothing like what it was intended to look like. And the -- and the owners and the developers had to adjust to the market. They had to. And if they had stuck to their guns and stuck to their original PD plan of Discovery Ridge, I think there would have been a lot of vacant buildings out there. And I'm almost the same here, and I love this neighborhood. I'm, like, do we live and die by this without adjusting to the market or the change in the world. I mean, it's just like

this plan might not be exactly it, but to stay and ride or die, we want the ride or die with having vacant residential or vacant commercial for the sake of this is what we want, and then you have vacant, for sale, or for rent for an extended period of time. I don't think that helps the neighborhood. I think adjusting the plan to help perpetuate the concept of Cherry Hill is a good move.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Mr. Zenner, remind me, for residential use downtown, parking is not required to be located on site. What's the distance allowed?

MR. ZENNER: Quarter of a mile, if I recall correctly -- 1,320 feet.

MS. LOE: All right. And, ostensibly, what we're doing is densifying, as we just said. This is an urban area. And we're not building a multi-family property that -- and they were saying, we're not going to have parking adjacent to it. And we do allow currently in some of our more dense areas parking to be located remotely. So I'm not adverse to going by a guideline we've established for a more commercial mixed-use area. While I agree I would be a proponent of mixed-use, I also agree with Mr. Stanton that I don't think it's our place to necessarily dictate the market forces and, you know, office space isn't necessarily a high turnover right now. So this -- the height of this building albeit is three stories is only one foot higher than what was originally approved in 2013. It's 41 feet max, versus 40 feet. So -- and they're doing that, going back to the residential has a lower floor-to-floor height than retail, plus residential. So I understand this is a change. I understand the vision -- original vision was different, but I think some of the moves being made are actually in keeping and are potentially taking that next step, so I think I will actually support this. Thank you.

MS. GEUEA JONES: Thank you. Anyone else? I have a brief comment. I understand the concern that Commissioner Stanton expressed that retail space on the first floor of this building may sit vacant for an extended period of time. I think we are actually starting to see people want things closer to their homes. And I do think that Cherry Hill is a visionary space within our City that people look to for that exact setup of retail on the first floor and apartment building -- or apartments on the second floor. So I don't think I can be party to, if I can use that term, moving away from that, especially when the homeowners in that community were not part of the decision-making. If both associations had come together and said we want our area to be vibrant and the way we do that, given the current market forces, is this, then I would say cool. If they had said we want first-floor retail and two floors of apartments instead of one, I would say fine. But the fact that this is a massive change, and the fact that the elevations they brought to us, they didn't even have the forethought to make it look like the apartment building it's

backing up to, makes me think that this is not being done as a thoughtful neighbor. And the combination of moving away from the original vision of the area, and not showing me anything that says they're being a good neighbor, makes me not inclined to support it at this time. That doesn't mean if it comes back around again, or, you know, between now and Council, they can't fix some of that, and it may be that when they get together with the other homeowners' association, they can come to something that everyone agrees to. But the way it sits now, it's either not ready, or it's a bad idea, but I -- I don't feel good about voting yes tonight on it. Commissioner Stanton? Or I'm sorry -- can I -- Commissioner Placier, go ahead.

MS. PLACIER: Oh, yeah. Well, I think that if at least part of the first floor could be devoted to -- to retail, or something, because these one- and two-bedroom apartments are going to attract younger people. And younger people want a happening environment. They want something, you know, going on that they walk to, and I think maybe it could provide a market for whatever retail could be located on part of the first floor to keep with the concept. But that's just my idea of a win-win. It might not be feasible.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Okay. The question we should be asking is, why are there two associations, and that is where we need to figure that out, because I think we're beating the owner and the developer over the head with something that is, number one, out of their control, and, number two, there must be a reason why there's two. And I'm not going to go -- I'm going to stay in my hood, and I'm going to be talking to people that it's relevant. If I'm in a certain association, I'm in the Douglass Park Association. I'm not going to go talk to Benton-Stephens. I don't care what they think. They have nothing to do with my neighborhood; you know what I'm saying? I know this is physically connected, but why are there two associations, and that needs to be addressed as we make our judgments.

MR. MACMANN: Madam Chair?

MS. GEUEA JONES: I believe Commissioner MacMann would now like to give us a history lesson.

MR. MACMANN: Just -- just --

MS. GEUEA JONES: Please.

MR. MACMANN: I talked to these guys. They were different from each other.

MS. GEUEA JONES: Would you do the microphone thing.

MR. MACMANN: I'm sorry.

MS. GEUEA JONES: Thank you.

MR. MACMANN: I have a wire in my way here. The three guys originally were

different people, and the guy who did most of the houses is very different from the guy who did most of the commercial buildings, and they are kind of night and day different. And the guy who did most of the houses, I'm assuming the HOA flowed from the developer there, which is quite common. And the guy who did most, but not all of those commercial buildings downtown -- downtown, flowed from him, very different human being. And one being commercial, and one being residential, that would make some sense, also. But very different value sets, very different visions. So that would -- that's why there are two. Same big deep plan because there's lots of money on the table, and they made lots of money and it didn't always work out, and that happens. I mean, you talk about Discovery Ridge, that changed because it changed hands, you know, because it wasn't happening where it was supposed to be. Thank you.

MS. GEUEA JONES: Anyone else? I'm sorry. No.

MR. KREIDE: I just wanted to add a statement to that --

MS. GEUEA JONES: I can't. I'm sorry. It's okay.

MR. STANTON: We've closed public hearing.

MS. GEUEA JONES: We've closed public comment and -- yeah. Anyone else? If not, Commissioner MacMann?

MR. MACMANN: If no one else has any questions or comments, I have a motion. In the matter of Village of Cherry Hill PD Plan major revision, Case Number 260-2023, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann; seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Carroll, when you are ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Ford, Ms. Loe, Mr. Stanton. Voting No: Mr. Dunn, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier. Motion fails 5-3.

MS. CARROLL: We have three yes, and five no. The motion is defeated.

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

MR. ZENNER: And as a result of a defeated motion, this automatically goes on old business.

MS. GEUEA JONES: That was our last case for the night.

In the matter of Village of Cherry Hill PD Plan major revision, Case Number 260-2023, move to approve.

Yes: 3 - Loe, Stanton and Ford

No: 5 - MacMann, Carroll, Geuea Jones, Placier and Dunn

Excused: 1 - Wilson

VII. PUBLIC COMMENTS

MS. GEUEA JONES: Are there any additional public comments that anyone would like to make? Seeing none.

VIII. STAFF COMMENTS

MS. GEUEA JONES: Are there any staff comments?

MR. ZENNER: Well, we couldn't end a meeting without them, could we? So we do have a meeting coming up. It will be on the 9th of November. It is your only meeting in November. It does have two items on it, and those two items are a permanent zoning request. Again, we seem to be the season of permanent zoning and subsequent annexations. This one will be a little bit easier than most. We're actually returning the property back to what it was originally zoned in the County through the City's permanent zoning request, and we're connecting the property to public sewer, which is the purpose behind the rezoning -- the request to be annexed. Second request is another major amendment, and this is actually dealing with the Center Pointe Hospital up off of International Drive and Highway 763 North. They are adding an addition onto the actual facility. This was done at a period in time. The original plan was approved prior to the adoption of our current Code, was classified as a hospital at that time, and so some of the changes that are associated with this plan are reflective of what the current Code's definitions for how that facility operates. It is actually a residential care facility with counseling services that are offered. That has a significant impact to the parking that was originally required due to the designation as a hospital. So there is an overabundance of parking on this site, and that will be unpacked as a part of the discussion of the amendment. Otherwise, it is a really relatively minor expansion of the facility to add 24 beds in a wing on the very northwest -- the northeast side of the building. Those are the cases for our upcoming meeting, November 9th. We will have a work session at 5:30. We will be continuing the discussion that we had this evening with some information as it relates to the proposed R-C zoning district to start laying out some of the topics that we discussed this evening in order to try to simplify the ability to bring small footprint -- small lot and small footprint housing more readily to the community. You probably all noticed in work session this evening that there was another new face. And as I have forecast and projected, we'd have a new individual, I would like to ask David to come on up. David Kunz is our newest member that has joined our staff, started on the 9th of October, comes from Colorado, master's degree in planning from the

University of North Carolina-Chapel Hill. David brings a set of skills when we interviewed him that we have not had in the tenure that I have been here, and so some of those skills come with statistical research and other capabilities, which help to fill a little bit of a gap that we have had, as we all have discussed in other settings. So David will be working on that angle. David also is filling Brad Kelley's former position, which was a split position, involved not only dealing with current planning related activities, such as this evening, but he also works with Mitch Skov, who is our senior transportation planner, and will be working with the CATSO and transportation related and Bicycle and Pedestrian Commission functions of the office on the transportation side. So we'll let David say anything else or introduce himself to you all as I've given the overview, but I'm welcoming him aboard.

MR. KUNZ: Yeah. Thank you, everybody. Pat pretty much covered everything. I also want to add that I went undergraduate here, so I think that that's a big, you know, reason why I wanted to be here, and I also think it contributes to my, you know, ability to do this job well, hopefully, you know. It's too early to say maybe, but we'll hope.

MS. GEUEA JONES: Well, welcome and we're glad to have you.'

MR. KUNZ: Thank you.

MR. ZENNER: That's all we have for this evening, so thank you very much for your time tonight.

MS. GEUEA JONES: Okay. Very good.

IX. COMMISSIONER COMMENTS

MS. GEUEA JONES: In that case, are there any Commissioner comments?

X. NEXT MEETING DATE - November 9, 2023 @ 7 pm (tentative)

XI. ADJOURNMENT

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Move to adjourn.

MS. LOE: Second.

MS. GEUEA JONES: A motion to adjourn was made by Commissioner MacMann, seconded by Commissioner Loe. Without objection, we stand adjourned.

(The meeting was adjourned at 10:23 p.m.)

(Off the record)

Move to adjourn