

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

OCTOBER 6, 2016

V) PUBLIC HEARINGS & SUBDIVISIONS

Case No. 16-178

A request by Crockett Engineering Consultants (agent) on behalf of Tompkins Homes & Development, Inc. and Glen Smith Trust and Lillie Beatrice Smith (owners) to annex 90.8 acres into the City of Columbia, and to permanently zone the property R-1 (One-family Dwelling District). The subject site is located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard.

Case No. 16-179

A request by Crockett Engineering Consultants (agent) on behalf of Tompkins Homes & Development, Inc. (applicant) for approval of a 136-lot preliminary plat to be known as "Breckenridge Park", pending annexation, with an associated variance to Section 25-53 regarding single-family driveways on collector streets. The subject site is located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department.

Case No. 16-178: Staff recommends approval of the requested R-1 permanent zoning pending annexation.

Case No. 16-179: Staff recommends approval of the preliminary plat for "Breckenridge Park" and requested variance to Section 25-53, subject to technical corrections and the following conditions:

- (1) City Council approve the annexation and development agreement associated with the site;
- (2) Prior to City Council consideration, the applicant revise the plat to eliminate the cul-de-sacs for Angels Rest and Briar Rose Courts.

MS. LOE: Thank you, Mr. Smith. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: Yes. Planner Smith, just help me out on a couple things. How much undeveloped ground is on this 90-acre lot? We've got 133, something like that?

MR. SMITH: It's about half --

MR. MACMANN: About half?

MR. SMITH: -- would be placed in common lots. I think it was 47 acres approximately.

MR. MACMANN: So these are 10,000, 12,000 square foot average -- average lot size? That's right about --

MR. SMITH: I can't tell for certain. They are not required to provide specific lot --

MR. MACMANN: I'm just trying to get an idea.

MR. SMITH: But if you did the math, you could probably come up with an average, I'm sure. I'd

say that's accurate representation.

MR. MACMANN: Okay. Another thing, when this was originally approached, the Osage Nation was quite concerned and provided us with a lot of information. Have they been supplied any other feedback on the site?

MR. SMITH: They have not. Technically, since this is a separate application, they resubmitted it, so --

MR. MACMANN: And I appreciate that, yeah.

MR. SMITH: -- we have not received any additional correspondence. Except for the two letters that I placed at -- in front of your chairs today, we did receive correspondence from two neighboring homeowners associations --

MR. MACMANN: HOAs. Yeah.

MR. SMITH: -- in support of the request.

MR. MACMANN: Okay. But they didn't -- the Osage Nation has not addressed again in any other -- any way?

MR. SMITH: Correct.

MR. MACMANN: Can we go back to 128 and 129 where the variance is -- where the intersection is? And you had said these six lots will share common drives; is that correct?

MR. SMITH: There will be shared drives for each two lots.

MR. MACMANN: They'll be paired? They'll be paired?

MR. SMITH: Yes.

MR. MACMANN: And so, approximately, property line? I'll address some of that. Okay. And what's our slope here? Number, like, 128, 129, 130?

MR. SMITH: The grade is actually on the street. You can see directly north of 128, it's about a 3 percent slope.

MR. MACMANN: Okay. That's what I thought I was reading. I'm just having a difficult time. Okay. Those are my questions at this time. Thank you, Planner Smith.

MR. SMITH: Thank you.

MS. LOE: Thank you. Any other questions for staff? Mr. Stanton?

MR. STANTON: I might be jumping the gun, but are we having two separate actions? How are we going -- how are we going to vote on this? It seems like -- are we addressing both cases separately or can we ball it up in one?

MR. SMITH: You -- you could ball it up in one if you would like. I think it depends on if you feel like this preliminary plat needs to be separated out because of certain situations. It might be easier to vote on the zoning and get that done, and then address the preliminary plat, since there are additional conditions with it.

MR. STANTON: Okay.

MS. LOE: Any additional questions, Mr. Stanton?

MR. STANTON: No, ma'am.

MS. LOE: Ms. Burns?

MS. BURNS: I had a -- in our packet there was included a letter from Dean O'Brien, past dean of College of Arts & Sciences. Was that solicited by -- solicited by the applicant or by the City? I didn't know where that -- how we obtained that?

MR. SMITH: I obtained it from the applicant. I can't tell you if it was solicited by them, but they did submit it either on their behalf or somehow, but we did not solicit that, no.

MS. BURNS: Thank you.

MS. LOE: Any other questions? Mr. Smith, I had one or two. You mentioned under the urban service area that it's a boundary where we look at infrastructure perhaps a little bit more closely when we step beyond that. Does that include schools?

MR. SMITH: I can't remember if that's specifically addressed, but someone is telling me to my left that, no, that is not specifically addressed in one of the infrastructure issues. Generally, it's -- it's relegated to City services, municipal services that are provided -- street, parks, sewer, water, electric, those types of things.

MS. LOE: Also, we've looked at a request that came through recently that had some steep roads in it and that was one of the concerns in the application. Do you know what the steepest slope is on the roads? I'm seeing 7 percent. I was just wondering if -- yeah.

MR. SMITH: They should be reflected on the preliminary plat. I don't recall seeing anything that approached 10 percent, so anything 10 percent and below would be considered suitable or acceptable within the range. The 10 percent is the maximum that you can have, so -- and I think they -- if 7 percent, if that's what you saw, that sounds familiar, yeah.

MS. LOE: Thank you. Okay. Now, we would like to open the floor up to public comment. If anyone has comments they would like to make, please approach the podium and please state your name and give your address for the record.

PUBLIC HEARING OPENED

MS. LAMAR: Good evening. My name is Phebe LaMar; I have offices at 111 South Ninth Street. I'm here this evening on behalf of the applicant, and I'm going to try to address some things and also address some of the questions that were being asked, so it might be slightly disjointed, but hopefully it won't be too bad. My client is, as staff explained, seeking to develop the 90.8-acre tract that's located off of Smith Drive west of Scott Boulevard. In order to develop this tract, we're first requesting that the property be annexed into the City and be zoned R-1. That is actually the equivalent of the R-S zoning that is currently on the property in the county where it's -- where it's currently located. You also probably recall that we were here in front of you about six months ago with -- with a similar proposal, although it has changed substantially since then and is actually considered to be a new proposal. Since we withdrew that proposal, we've spent literally hours in meetings with -- and conversations exchanging e-mails, having all kinds of dealings with the neighbors who surround this property and the neighborhood

associations. As a result, we made numerous changes to the proposal in this -- that you're -- that you have in front of you this evening. We removed the PUD, which was one of the issues that the neighbors were -- were concerned about. We incorporated additional screening. We removed about 40 -- actually, I think in excess of 40 lots from what was originally proposed and, as a result, substantially reduced the density of the development. We incorporated traffic-calming devices into the -- into the -- into the plat, which is part of what you're seeing in front of you. And if you look at the plat, one of the issues that was raised by City staff was with regard to Angels Rest and Briar -- Briar Rose, and the connection of those two streets. That's down at the bottom, toward the bottom in what used to be the PUD section. And I'd just like to point out that the -- there's a really good reason for having -- for having those as cul-de-sacs there that has absolutely nothing to do with topography, but has a lot to do with the infrastructure that serves this particular subdivision. If you go to Whitefish Drive, that's actually a 28-foot street, whereas Smith Drive is currently a residential-width street, but is designed to be a collector road. As a result, the desire at this point and going into the future is to encourage traffic to use Smith Drive rather than to use Whitefish where there are people parked on both sides of a 28-foot street. The reason for putting cul-de-sacs in this area is to keep people -- is to encourage people to use Smith Drive. So if you've got a -- if you connect those two cul-de-sacs, you're potentially encouraging a substantial number of people to, instead of using Smith Drive, which is designed for the traffic, to instead use Whitefish Drive, which is not designed for the traffic. So, frankly, we were asked by City staff to connect those two cul-de-sacs and we've said we can't do it. This is part of what the discussions with the neighbors were, whereas where we need to discourage people from using Whitefish Drive. We need to control the traffic. There are other things that have been installed to calm the traffic and to slow it down on Whitefish, but, frankly, this is a pretty important traffic-calming device, using a cul-de-sac in this area rather than using -- rather than connecting those streets. So I would ask that you really think twice before you incorporate that comment as a -- as an exception from staff and think twice before you try and require that on this plat because honestly that's one of the things that the neighbors in this area have -- have really, really wanted, and it makes a lot of sense when you start looking at the sizes of the streets and those sorts of things. So just the reasoning behind the cul-de-sacs rather than connecting streets, I think it's an important reason. We also incorporated additional screening. There's screening between both of the neighbors -- neighborhoods that are on either side of this development that the neighborhood associations have reviewed and signed off on. We incorporated the traffic-calming devices. We agreed to construct sidewalks. There's actually a Louisville Park that's offsite and one of the requests from the neighbors was that we construct sidewalks to access that park from the existing neighborhoods, and we've agreed that we're willing to do that and will do that. That's part of the development agreement that we're signing with the City in order to provide access for not only our -- not only the people in this neighborhood, but also for the people in the other neighborhoods around it. We're also going to record conservation and trail easements on the property in order to show -- in order to preserve the common areas and make the neighbors and other people comfortable that they're actually going to be used for what they're designed

for on the preliminary plat. Following -- following the changes, I'm actually happy to report that we have support from all three of the neighborhood associations who are around this area. You should have received, I believe, copies of letters from two of those neighborhood associations, the Greystone Neighborhood Association and the -- and the Quail Creek West Neighborhood Association. And, actually, George Batek is here on behalf of Stoneridge Neighborhood Association and is going to tell you that he's in support of this proposal at this point. So the good news is the discussions that we had with the neighbors were productive and, as a result, the people who are immediately surrounding this area are actually in favor of the proposal that you've got in front of you this evening. With the included green space in this development, the average density of the site is actually at the low end of the density that would be permitted in R-1 zoning, which is the default for this property at annexation based on the current zoning. In addition, the green space being retained permits the addition of a trail and footpath that's shown on the proposed preliminary plat that will allow not only the residents of this neighborhood, but at the -- at the recording of the easements, also people from the surrounding areas to use this trail and potentially to use it at some point to access the Perche Creek Trail when it's constructed. The green space and trail are not being donated to the City, so the City won't incur any additional cost, but there will be the easement permitting other people to use it. Since the trail isn't -- I'll move on. Sorry. I'm starting to repeat myself. There will be restrictive covenants in the development that will require a minimum of 1,400 or more square feet of living space in the homes located in the development, which is comparable to the homes in Quail Creek West. It will also require that the homes in the entire neighborhood have pitched roofs, that they will not permit vinyl siding, that they will require stone, brick, drivet, or other similar products on the fronts, and that there will be other features that will make these nice homes on the outside. There are some topographical and other characteristics about this site that make it unique. There are some sinkholes on the site, which we've done a lot of testing to figure out where they are at this point, and which are required to be worked around before it can be developed. This has been done and there are safeguards in place at this point that are acceptable to both the neighbors and the City staff. Tim will provide you with a little more detailed information about the sinkholes because that is not my area of expertise. There is also an Indian burial mound on the site that was -- that was mentioned to you by City staff. There was consultation done with the Osage Nation both before and after the last City -- the last Planning and Zoning hearing. When we talked to them after this -- after the meeting six months ago, they asked us if they could come on the site. We told them yes. We were told that they were going to go on the site. We haven't heard a word from them since. I've left a couple of messages; I've never gotten any response. When we didn't get any response from the Osage Nation, we then went and talked to Mike O'Brien because he had done an original -- he had originally done a survey that had shown this Indian burial mound a long time ago, back in the '80s, I think. And so we called him and talked to him and said, okay, what do we need to do, and he kind of said, well, first of all, I don't think it's an Osage Nation burial mound. I think it's another tribe. And, secondly, the person you really need to talk to is me not them, because, you know, I actually deal with this stuff all over the state of Missouri. The University of Missouri

is charged with keeping track of the artifacts from the state of Missouri and that sort of thing, and has a museum in which they place artifacts at the point that they are found and turned over to them, that sort of thing. So when we talked to Mike O'Brien, he provided, as a result of those meetings, and, I mean, we went and walked the site with him. Actually, I think Mike went and walked the site with him. I met with him, Tim met with him, we had several discussions with him. He provided the letter that you have in your -- in your packet, and basically said I think what you're doing is really a great thing, I think it's exactly what needs to be done to preserve this site. And by the way, I'm really excited about the fact that we might get some -- some additional artifacts off of this particular property because, currently, nobody can really get to the Indian burial mound to even see it. So, I mean, I never knew it existed until -- until I started talking about this property. So you've got an -- you've got an opportunity for people to learn about something that they wouldn't necessarily otherwise have a reason to learn about. And we've already agreed that if there are artifacts that are found in the course of developing this property, that we'll provide them to the University of Missouri, and that, you know, we don't need them, but other people might benefit from them by being able to see them and being able to learn from them as a result. So that's basically the process that's -- that's taken place at this point. And, no, we haven't heard anything more from the Osage Nation. So the applicant has agreed to a development agreement with the City pursuant to which the City is receiving contributions to offsite infrastructure in the amount of \$125,000. In addition, there is going to be a payment of \$127,100 towards extension of Broadway if, at some point, it's extended, and right-of-way and additional pavement for a collector street on Smith Drive. The total amount of the infrastructure improvements, even beyond building the ordinary streets and sidewalks in this development is about -- is nearly \$300,000. So the fact is we're addressing -- to the extent that there are any infrastructure issues offsite, we are addressing those issues. One of the things that has been requested by the neighbors is the stop signs at Louisville and Smith Drive. We have agreed we're willing to put them up if the City will approve them. I guess they want the note taking off the plat. I guess we don't really care of that note is on the plat, but the reality is I can tell you that the neighbors in that area really want stop signs because they're very concerned that they won't be able to get out off of the streets in Stoneridge which are south on Smith Drive if they don't have some kind of stop signs so that there's a little bit of break in the traffic for them to -- for them to exit their streets. So whether it's a note on the plat or not, I know the neighbors are really wanting to have the stop signs install there. Tim Crockett is going to speak to you next to provide you with a few additional specifics on the proposal. Mike Tompkins, who is the developer of the property, is also here if you have questions, and any of us are happy to answer any questions you have. Mr. Stanton?

MR. STANTON: What is your response to the City's concern about through traffic? I mean --

MS. LAMAR: About through traffic with regard to the --

MR. STANTON: -- for the two cul-de-sacs connecting in your --

MS. LAMAR: Both of them have the ability to get out. They're relatively short cul-de-sacs.

They're well within the regulations for cul-de-sacs. And the fact is they all have the ability to get out.

Mostly, we need to point the traffic in the direction that it needs to go, which is towards Smith Drive rather than toward Whitefish.

MS. LOE: Actually, if I can piggyback on that, Ms. LaMar.

MS. LAMAR: Sure.

MS. LOE: Angels Rest Way already connects to Whitefish, so there's already a through connection through to Whitefish.

MS. LAMAR: There's -- there are through connections to Whitefish. The one -- whichever one is the northern one can get to Whitefish if that's the way that they want to go, but is more likely to go up to Smith Drive, and that's what the design is -- is based around is to try to encourage people to use the street that's bigger and more -- and better designed for the traffic.

MS. LOE: You're talking about the potential of 11 lots going in one direction versus another?

MS. LAMAR: Well, you're talking about the potential for more than because if that street connects, then you may have other people who are going to use that way and try -- in order to try and get out.

MS. LOE: But they could already go through on Angel's Rest Way?

MS. LAMAR: They can, yes.

MS. LOE: Okay. Thank you.

MS. LAMAR: Sure. And -- and when you talk about 11 lots, you're really probably talking about 22 cars, which is really talking about 44 trips a day, likely. So, I mean, you're talking about a pretty good number of people who are going to be potentially going a direction that isn't ideal for them to go.

MS. LOE: If they're headed north?

MS. LAMAR: Maybe.

MS. LOE: Any other questions for Ms. LaMar? Mr. MacMann?

MR. MACMANN: Thank you for providing me more detail with the Osage's -- your contact with the Osage.

MS. LAMAR: No problem.

MR. MACMANN: You said any artifacts found during development will be provided to the appropriate agencies. Just to be clear, there's no plans to dig on this site?

MS. LAMAR: There's no plans to do any type of archeological dig, no.

MR. MACMANN: That -- that common-site protection stays as is? I mean, if we can bump that back up, Mr. Smith? Can we put the mound up?

MS. LAMAR: Are you talking about any plans to dig -- to dig in the mound? No. There's no plans to dig in that.

MR. MACMANN: We're saying --

MS. LAMAR: That would be only the remainder of the site.

MR. MACMANN: Well, just to be clear. Anything that was found -- all right.

MS. LAMAR: Yeah. No. State regulations preclude you from disturbing what you think might be

human remains.

MR. MACMANN: That's why I was trying to be very, very clear.

MS. LAMAR: And we have no intention of violating that.

MR. MACMANN: By the way, I like your cul-de-sacs. I think they're fine. Thank you for clarifying that point.

MS. LAMAR: Sure.

MR. MACMANN: I have no questions -- any more questions at this time.

MS. LOE: Thank you. Thank you.

MS. LAMAR: Yeah. Thank you very much.

MR. CROCKETT: Madam Chairman, members of the Commission, Tim Crockett with Crockett Engineering, 2608 North Stadium. I'll be brief here. I'm going to go through my presentation. I believe the overview -- I won't waste your time. I believe all the items in the overview have already been covered. We have 1.5 units per acre, 90-plus acres. I would like to talk about a few of the items though that were presented in the staff report regarding the Columbia Imagined regarding basically open space and sensitive areas. I think that's a big topic here as well. The total area of the property, as mentioned before, is 90.8 acres. The total area of the proposed common lots is almost 48 acres, so over 50 percent of the entire piece of property is going to be preserved in open space and common ground and common ownership, not on individual lots, so that's substantial. There's not many other subdivisions that approach 50-plus percent of the property being preserved in -- in common ground. The steep slope, that's always a concern. I think that was a concern that was brought up last time. The revised layout, the revised proposal has pulled a lot of the development away from some of the steeper areas and here's the -- and I'm sorry. It's kind of hard to see, but you can kind of -- if you look close, you can see that our underlying lots, our underlying streets line in and around the -- the sensitive areas there, the sensitive areas being what's in red, what's in orange being more -- the more steeper of the steeper areas, if you will. So the idea there is that we're going to develop on the ridge tops, we're going to develop on the areas away from the extreme slopes on the piece of property and leave that portion as is. Again that area is going to lie within the 52-plus percent of common area. Storm-water management, that was a comment that was brought up at the last time six months ago. Again, this site is going to be in full conformance with the City of Columbia storm-water regulations both with regards to water quality and detention, so there should be no issue with that on the property. I believe Ms. LaMar talked about the trail network. Nearly two miles of private trails on this piece of property. If you know Mr. Smith -- or, excuse me -- know Mr. Tompkins, you know he is an avid hiker, an avid biker. He will be on any trail at any point in time, so if you're on any of the trails, you may run into him. He wants to put that into his developments as well. He believes it's a safe and healthy lifestyle. He wants to push that into the neighborhoods. He thinks the people want that and desire that, so he wants to put nearly two miles of private trail on the property at no cost to the City of Columbia. Again, the comment came up as, well, if you're going to put that in there, how come it's just for the residents? Well, it's not just for the residents. Anybody can use that in the public, so those private

walking trails will be on -- or, excuse me -- those privately maintained and paid for walking trails will be on property, but anybody in the neighborhoods surrounding this development can use it, as well as we're also going to have a trail network tie into the future Perche Trail. Site configuration traffic flow, I think Ms. LaMar hit on that pretty -- pretty good with regards to those two cul-de-sacs. We have worked tirelessly with the neighbors. We have been asked to go, work with the neighbors. We have been asked to get their input, and we worked with those folks with many meetings, many e-mails, many phone calls, and the layout that they provided was actually provided to us. We incorporated their layout into ours. And it's not exactly what they provided us, but it's -- it was a good representation. So we wanted to be agreeable to the neighbors as best as possible and do everything we could to address their concerns, and that was the reason for the cul-de-sacs that was shown. One item here, if you can look. We had the original PUD layout, the revised PUD layout, and now this is the current R-1 layout. So you can see what the intent and what the thought process was here. The original PUD layout had several connections that were close to Whitefish Drive, and I believe it had about 80 units south of Smith Drive in that little section there. The revised PUD layout had about 85 units in there, I believe -- 84 units in there. And then now the current R-1 layout has about 50 or 55 units in there. So the idea there is we're trying to minimize the -- minimize or reduce the density in that section to help minimize the traffic flow onto Whitefish. We have also put some other traffic calming in -- in there as well. We've put in some divided streets, we've put in some elevated speed tables, crosswalks, and the like to help mitigate and reduce traffic going onto Whitefish Drive. Again, I'll briefly talk about the edible landscaping concept. Mike is a big fan of this. He's working with the Columbia Center for Urban Agriculture. He wants all of his landscaping in his development to be edible. We're talking about fruit trees, plantings, strawberries, blueberries, all that. He's done that in other developments and it has turned out to be very -- very attractive and it's turned out to be a big hit. Neighbors love that when they can walk outside and pick their own snack. Other environmental and cultural impacts, we've talked about the Native American burial ground. Again, we have no desire to drill, dig, excavate anywhere close to the mound itself. We wanted to leave it in its native preservation. Mike actually wants to go in there and actually put a walking trail next to it, put a placard out there so the residents in the area can really understand what this mound in their neighborhood really is, and that they understand that they weren't first residents of this piece of property, but rather a couple hundred years ago, there were other residents as well. The sinkholes, that was a big concern at the last -- at the last Planning and Zoning meeting. We have done extensive drilling on the property. We've done extensive research on the property and testing of the material to identify the sinkholes on the piece of property. We feel that we've got them nailed down pretty good. They're not -- it doesn't go into a big, large underground cavernous system. It's basically small cracks in the rock that discharge the water. The layout was revised. If you -- you know, if you remember the original layout, we've taken some areas out and put in green space in which that water, we believe, traverses underground, so we're going to leave that area undeveloped so that we're not developing on top of it. If you look on the preliminary plat, we have a sinkhole protection zone listed. Now, that's not the edge of

the sinkholes. That's the area of the protection zone. That's where we don't want to put homes within that limit. The sinkhole itself is much further in, so I don't want you to look at that and say, well, this dot-dash line on here is the sinkhole itself because that's truly not the case. It's the protection zone, and really what it is is the highest close contour. The City of Columbia has no regulations regarding protection of sinkholes, so what we did is we looked at other communities. We looked at Springfield, Greene County, Taney County. We've talked to other counterparts in the southern part of the state where sinkholes are an everyday occurrence and said, hey, how do you -- how do you work around these? What are the protection zones that you use? And what's required by your city or your county? And so, we talked to those folks and incorporated that into our design. We worked with the folks at the City, so they looked at that and evaluated that, and they feel very comfortable with what we're proposing. We have done an extensive geotechnical report on this property, and then, as construction takes place, we will have engineers out there the entire time during excavation so that we can evaluate the site all the time. We expect that we're going to do more drilling and more testing just for verification purposes, and we're going to provide all that information to the City as well. So we believe that we have -- we have addressed the sinkhole situation, you know, pretty well. Again, staff conditions regarding the cul-de-sac connection, we ask that we -- your consideration will allow us to have that. The removal of the notes we're fine with. The sewer relocation, we're fine with that as well. That was actually an item that came up just this morning, and so we're certainly fine with that as well. So the -- the minor issues there on the staff comments we don't have any problem with. We do ask the -- respectfully ask for the cul-de-sac situation. And so with that, again, conclusion, I won't go into all of that. We've talked about that till we've beat a dead horse, but with that, I would be happy to answer any questions that the Commission may have.

MS. LOE: Any questions for Mr. Crockett? I see none at this time. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: Are there any other speakers on this case or these cases? We're hearing both.

MR. BATEK: Good evening. My name is George Batek; I'm the vice-president of Stoneridge Estates. That would be the subdivision directly to the east of this proposed development. I'm going to again reaffirm to all of you how much work this has taken between us, the developer, and the other folks I've gotten to know from the other two subdivisions, Greystone and Quail Creek. It -- we have put uncountable hours in trying to come up to an agreement on this and Phebe and Tim make it sound like it was always harmonious. It was not. There was quite a lot of contentious debate, I would say. There was a lot of give and take in this matter, and I have to admit I've been educated through this process as a result and how, if you really want to work and defend something on behalf of your own neighbors, that most subdivisions are woefully inadequately prepared to come up before you guys, City Council, and try to work out these matters. But as a result, we sat down with the help of some very good people and we have reached an agreement here that satisfied all parties. I am shocked that we actually have reached this agreement, but, like I said, it had a lot of give and take and a lot of good faith and I've come to know these folks now and I appreciate them. I would ask them for advice as to anything I need at this point.

The cul-de-sac situation there, again I have to reaffirm to you, that was done mainly for the concerns that the Greystone and Quail Creek folks had, and that's because Whitefish is a small road. If you've got two cars parked around there, you can barely get one -- one car coming down between the two cars -- two roads there. Kids play on the street. It's a winding street, it's not a straight street. It is really an exit that we were trying to discourage people to take. And I'm telling you this coming from Stoneridge, it doesn't bother me at all. I have Smith Drive to worry about. But we walked up that street and know it very well, and they have a problem. We cannot have too much traffic coming down that road. So what we wanted to do was to just encourage folks to come down Smith Drive and the cul-de-sac design was specifically designed for that. Furthermore, we all like cul-de-sacs. That's what it comes down to. We like cul-de-sacs. They're appealing, they're nice, they work well, and we think they will in this subdivision. As a counter to trying to divert traffic from Whitefish, what we asked from Stoneridge was to provide the stop signs both on -- one the exit from Breckenridge and at Louisville. What Planning and Zoning probably hasn't told you is that we've learned from this entire process is that originally Louisville was supposed to connect at Silver Thorne, which sits a little higher up, I want you to know, that shows on the map there. Yeah.

MR. SMITH: This is Louisville and this is Silver Thorne.

MR. BATEK: Silver Thorne. That's Silver Thorne. So logically you would have an intersection right there where you could have stop signs on both sides and folks could just come on in, but that's not what we have. We have a turn when we come off Silver Thorne where we look immediately to your right and not 20 to 25 feet away, there's the exit from Louisville which is somewhat busy at times because it gathers all the back traffic from Quail Creek, as well as Georgetown, which come down to take the light on Smith. Additionally, it's going to create additional traffic coming straight down from Breckenridge. So if everybody had a stop there, it would definitely help us in pulling out and hanging that left. The problem usually is not right in our faces until the -- until right at the rush-hour time, and that's when the problem hits because we've got everybody piling into Smith from every side and it's hard to take that turn sometimes. Another matter you need to be aware of is that as you come to that intersection, there is a hill on Smith. So when we're turning that left off Silver Thorne to get to the light on Scott, you're looking up a hill. So these cars come flying down Smith, which is naturally a rather big -- big road, which we do believe is the appropriate road to gather most of the traffic there, and we have trouble pulling out left. We're going to have a terrible wreck there at some point when somebody is going to pull out and somebody is going to be coming too fast over that ridge. What we would like to do with these sort of folks coming to our right to have to come to a stop, which most of them know at the current yield sign that we have at -- at Louisville, and if it come to a stop, we'd have that break where we get a chance to pull in. And again this was discussed with all the folks here. This is really not a problem except during that prime-time hour, somewhere between 7:30 to 9:00. And it's just everybody is going into town to work at that time. All right. So, again, the cul-de-sac assigned for Whitefish, I encourage you not -- I don't really want that there. I suspect it will be a deal breaker with -- with my neighbors from Quail Creek and

Greystone because they worked so hard to try to get traffic to be diverted toward Smith. I also am not in agreement, and I kind of wish Tim would have addressed this matter, as to again the City planner's insistence upon calling Smith a major collector. It was not designed to be a major collector. It's as neighborhood collector. It collects neighborhoods. It is not a major collector. Time and time again, we -- the last meeting we had here, they came in and say we want to call it a major collector with just a write of a pen. Well, what improvements are you going to do to make it a major collector? What defines it as a major collector? It was designed as a neighborhood collector. People bought their homes there because they thought it was a neighborhood collector. And now CATSO came up, as we start this whole negotiation here, we find out, oh, CATSO now wants to make us the new Gillespie Bridge Road. Well, we turned around and said no, that's a bad idea. So off we go, we wrote out numbers of letters off to CATSO, got our City Councilman involved in the matter. They went to CATSO and told CATSO this is a bad idea. It's not within Columbia Imagined. Broadway has always been the planned road to shoot over to UU. Why are you now all of sudden coming down to Smith? So, then they say, oh, we just won't vote on that at this point. And furthermore as our councilman pointed out, there is no money to do that anyhow. So, I again would object to the fact of labeling Smith a major collector and I would also ask that you consider it built to the specifications the developer came up with, not what City Planning is suggesting. Again, it is troublesome to me that my planners again are coming up with that same issue that we had the first time kind of as a fly in the ointment. So I strongly hope that you will support the planning as we've done it with -- with the developer at this point. I never imagined sitting on the board of a homeowners association that we'd develop giving so many pro bono hours to something like this. It has -- it has been troublesome, and the hours count into the hundreds. So it's been a lot of hard work to get this point. I would highly suggest that, again, give you my support of it. I know my other neighbors do. You can see their letters, and if you have any questions, I'm willing to answer them.

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

MR. MACMANN: As a former resident of Georgetown, I appreciate your desire for the stop signs coming on Smith because at those times it is a problem, and the concerns on Whitefish. I just -- but as far as the status of Smith, that's -- I'm not a traffic engineer, but I do know it's hard to make that left that you're -- you're describing right there. And Whitefish is -- Whitefish should have no more traffic on it. I appreciate that it has to connect, you know, for emergency services and --

MR. BATEK: Right. There is a safety issue there.

MR. MACMANN: That is a safety, but it's -- it's about at max as we -- as we speak.

MR. BATEK: That is correct.

MR. MACMANN: I just -- that's just a commentary, it's not really a question.

MR. BATEK: That's a fact.

MR. MACMANN: Thank you.

MS. LOE: Thank you. Any other questions for this speaker? I see none at this time. Thank you very much for your comments.

MR. BATEK: Thank you.

MS. LOE: Are there any other speakers that wish to approach the podium at this time? Seeing none, I'm going to close the public comment period.

PUBLIC HEARING CLOSED

MS. LOE: Comments of the Commission? Ms. Rushing?

MS. RUSHING: Well, since I was not happy with the previous proposal, I want to thank everybody for the hard work they put in on this. I like the creative approach to the substantial problems that exist in this particular piece of property, and I like the way that they have dealt with those problems, so thank you very much.

MR. HARDER: I feel the same way. I think it's an improvement over the previous plan, and I -- I like all the aspects of it as well. It seems like it has a lot of -- at least I'm seeing some evidence of support from the adjoining neighborhoods and stuff, so I plan to support it as well.

MS. LOE: Ms. Burns?

MS. BURNS: I also plan to support this. One thing I wanted to ask staff about is again the cul-de-sacs. It seems I heard the word deal breaker used as far as --

MR. SMITH: Uh-huh.

MS. BURNS: And I understand from both sides, but since this was a very hard-brokered deal, thoughts on that? Additional thoughts on that?

MR. SMITH: Sure. Yeah. I would -- I would absolutely acknowledge that I think there's two different objectives with that design. I think the objective for the design as shown is to address neighborhood concerns and we can appreciate that. I think that's understandable. I think from -- from a technical side, from our side, from a planning side, there's -- there's specific objective in -- in making the connectivity too that's -- that's kind of a larger-picture-type issue. Their objective is to try to facilitate traffic to the north to Smith which, you know, I think there are concerns with individuals that live on Whitefish with traffic, but I would say that it's designed exactly the same as all the other residential streets within the subdivision. It's not narrower than any other roadways. The more options we provide people, the better traffic flow is. It seems like a very small thing in the context of just this one cul-de-sac, but if you look at it as a bigger picture, that connection allows people the choice to -- for whatever reason to -- to go different directions, so it will facilitate better traffic flow. And also, like I said, better -- better service delivery. So there's practical, cost-saving things that account for that type of thing and -- but we definitely understand that this isn't being done to -- to really circumvent that, it's being done to address concerns with neighbors to kind of help that, I think, the public kind of accept what they are proposing out there as far annexing in that subdivision. So our recommendation is going to stay the same, but we understand where -- where that concern is coming from.

MS. BURNS: Thank you.

MS. LOE: Ms. Russell?

MS. RUSSELL: I'm going to echo how nice it is to see all of these parties get together and

approve this. And with respect to the City planners, I agree with the cul-de-sacs. If the neighborhoods decided that this is what they want, then I'm going to support that and support this recommendation.

MS. LOE: Thank you, Ms. Russell. Mr. Smith, I think I had a question on the variance that wasn't in our packet on notes 24 and 25 on the stop sign and Smith alignment.

MR. SMITH: Uh-huh.

MS. LOE: There's been talk around that. I understand those would be acceptable to the party proposing it. Just –

MR. SMITH: Correct. What –

MS. LOE: Were there any further comments or –

MR. SMITH: Yes.

MS. LOE: It sounds like it is a point of interest still.

MR. SMITH: I would say that we wouldn't necessarily preclude the installation of stop signs. I would defer to my traffic engineer colleague on that, but it's not appropriate to put them on the preliminary plat. We shouldn't be conditioning or putting the condition that the City has to install them without basically going through the proper evaluation of that site. So it's not something -- intersection control is not something you typically place on a preliminary plat. I think they're -- they're doing that as a -- an illustrative note in recognition, I think, of what they had agreed to propose to the City in -- in -- in that agreement with the neighborhood associations. But at this point, we don't think that's appropriate to put on there. So we understand again what they're doing, but it's something that needs to be evaluated separately by -- by our engineering and Public works.

MS. LOE: So, the City acknowledges there's some issues going on at those locations and it will be addressed?

MR. RAY: Yeah. I mean, on every subdivision, we always look at the situation and, you know, determine if there are stop signs needed at intersections or, you know, we go in after the fact and put in the street-name signs. And if there's a curve that needs to be signed or some other form of signage, we will do after the fact. And so it's just -- it's our opinion that it's not appropriate for the preliminary plat.

MS. LOE: Thank you. Ms. Russell?

MS. RUSSELL: I have another -- could you go back to the screen with the notes 24 and 25? Okay. Thank you.

MS. LOE: Any other comments?

MS. BURNS: I'll give it a shot. In the case -- and we can do these together. Correct?

MR. ZENNER: Please do them as two separate.

MS. LOE: Yes.

MS. BURNS: Two separate. Okay. In the case of 16-178, Breckenridge Park annexation -- where am I here?

MS. RUSSELL: The first one.

MS. BURNS: Okay. On behalf of Tompkins Development Incorporated, the subject site is

located at the -- oh, gosh. Now, I've messed it up. Okay. Recommend approval of the R-1 as permanent zoning upon annexation. And then we'll address the other issues in the second motion. Okay.

MR. STANTON: Second.

MS. LOE: Ms. Burns made the motion, Mr. Stanton seconded. Can we get a vote?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Russell, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Ms. Rushing. Motion carries 7-0.

MS. BURNS: That's seven in the affirmative, zero denying. Motion carries.

MS. LOE: Thank you, Ms. Burns. So, recommendation for approval for annexation will be forwarded to City Council. Now we need a vote on Case 16 -- or a motion on Case 16-179, which is the approval of the preliminary plat. Would anyone care to take a stab at that?

MS. RUSSELL: I'll take a stab at that one.

MS. LOE: Thank you, Ms. Russell.

MS. RUSSELL: In the case of 16-179, I motion to approve the preliminary plat for Breckenridge Park subject to the technical corrections and the following conditions: That City Council approves the annexation and development of the agreement associated with the site, and prior to City Council consideration, sanitary sewer location is approved by the staff. I am intentionally leaving out the --

MS. LOE: Notes 24 and 25?

MS. RUSSELL: -- notes 24 and 25, and I think the cul-de-sacs need to remain the same, so --

MR. MACMANN: I'll second that motion.

MS. LOE: Just point of clarification. So notes 24 and 25 are being removed?

MS. RUSSELL: Are not removed.

MS. LOE: Are not removed.

MS. RUSSELL: No. They get their stop sign.

MR. ZENNER: I would advise the Commission that an application of an engineered standard that requires traffic control devices to be determined based on the need is appropriate to have that removed. It is a traffic-control device and manual related issue. To put traffic signs in locations where they are not appropriate is actually a disservice to the public and may create a greater safety hazard. That is why it is being requested to be determined by our engineering staff at the time of evaluating the impacts of the project. If your motion, however, is consistent with what you would like to do, we'll have to deal with that. But that is the reason why those notes are being asked to be removed, as well as if the note, as it relates to the design of the street is not removed, you are by default granting a variance to our standard specifications for street design, and we would prefer to not have that stated on the plat.

MS. RUSSELL: All right. Then I will add the notes number 24 and 25 are removed pending the street study.

MS. LOE: And we had a second by Mr. MacMann.

MR. MACMANN: My second stands. My second is all right, add it again.

MS. RUSSELL: Get that?

MS. LOE: May we have a vote, please?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Russell, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Ms. Rushing. Motion carries 7-0.

MS. BURNS: That's seven in the affirmative, zero to deny. Motion carries.

MS. LOE: Thank you, Ms. Burns. Recommendation for approval of the preliminary plat with the modifications as noted will be forwarded to City Council.

MS. LOE: Moving on to -- so we're going to bundle the last two cases as well, I'm assuming.