

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
March 6, 2025

Case Number 87-2025

A request by A Civil group on behalf of Adam Kopriva (owner), for approval of a 32-lot preliminary plat of County R-S zoned property, to be known as Wyatt Acres. Concurrent requests seeking approval of permanent zoning (Case Number 88-2025) and annexation of the property into the corporate limits under review. City Council approval of the permanent zoning and annexation, as well as Board of Adjustment approval to use "cottage" optional dimensional standards are required prior to final City Council approval of the preliminary plat. This matter is sought to be approved such that the future development of the site under the proposed R-2 designation has been illustrated. The approximately 5.05-acre subject site is located about 200 feet northeast of the intersection of Mule Deer Drive and North Wyatt Lane, and includes the address 4100 North Wyatt Lane.

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

Staff report was given by Mr. David Kunz of the Planning and Development Department. Staff recommends approval of the preliminary plat of Wyatt Acres subject to:

- (1) Approval of permanent zoning to R-2 and annexation of the 5.05 acres into the City, and
- (2) Board of Adjustment approval of the "cottage" optional dimensional standards.

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

MS. LOE: Question on the plat. The one that's attached to the documents we have does not show the 20-foot building setback. Were there any other differences between the material you're presenting and what we were provided with for review?

MR. KUNZ: I believe the building lines being marked as 20 feet is a difference. The three notes that I referenced at the beginning may also be a difference, notes 12, 13, 14, those are all the same. And it may not stub up exactly to the north right to the property line. There might be a nine-foot buffer of right-of-way. We discussed with Public Works and Building and Site Development, and it definitely is considered something that could be a feasible connection in the future; therefore, it needs to stub up to the property line.

MS. LOE: Thank you.

MR. KUNZ: Yeah.

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

MS. PLACIER: Yeah. This particular case brought up the issue of the parking, of not having any parking on either side of the streets and having to accommodate cars for each house within the driveway or garage -- and/or garage. It may not happen very often, but I can see this -- and I understand the necessity because of the fire access, but -- and it may not happen very often, but in this case, there is a personal connection because my brother lives in a development very like this, and on holidays, he cannot have company come and park. And so in some of these proposals, we have seen that there have been extra lots or extra space for guest parking, but this one does not have that. Again, I understand exactly why, but I'm just saying that will have to be a consequence explained to the buyers, and I don't know if the applicants considered any other solutions.

MR. KUNZ: Sorry. Is the question what the applicant intends to provide for parking on the site, or was it a comment of how it could be a problem, I suppose?

MS. PLACIER: Well, how it could be a problem, and if any solution to the problem had been considered?]

MR. KUNZ: I can't say we discussed the idea of dedicating a particular lot or something along those lines for the sake of guest parking. My understanding is that if a garage is to be supplied for the site and they're building a driveway to the garage and tandem parking is permitted, it would be reasonable for all four cars to be parked within this site, and that's if they're building a garage and that's what is implied, the intent is, with the building line. But that -- yeah. If they're only required to provide two parking spots, and guest parking isn't considered in the cottage standards, then perhaps that's a, you know, a shortcoming of those more than anything else.

MS. PLACIER: Maybe that's just life.

MR. KUNZ: Maybe.

MS. GEUEA JONES: I have a quick question and then I know Commissioner Williams does. Who controls Wyatt? Is that City or County?

MR. KUNZ: County maintained, I believe.

MS. GEUEA JONES: Okay.

MR. KUNZ: Yeah.

MS. GEUEA JONES: Thank you. Yes. Maintained is the word I was looking for, not control.

MR. KUNZ: Glad I could help.

MS. GEUEA JONES: Commissioner Williams?

MR. WILLIAMS: What is -- just help me out, please. What's the minimum, practically speaking, from math, the smallest R-1 lot size, what is the minimum depth that that property could have?

MR. KUNZ: I mean, it needs to be 7,000 square feet, if it has 60 feet of width, I think that's like 115 or so feet of depth.

MR. WILLIAMS: But it could be wider, so it could have less --

MR. KUNZ: It could. Oh, what's the minimum depth?

MR. WILLIAMS: The minimum depth?

MR. KUNZ: Not to be too esoteric, but, like, zero, if you had 7,000.

MR. WILLIAMS: Okay.

MR. KUNZ: But, yeah. I don't really know. Sorry.

MR. ZENNER: In order to create a buildable lot in the R-1 zoning district, you have to take a 25-foot front yard setback, 25-foot rear yard setback, so that's going to take 50 feet out of a dimensional lot, and then 12 feet combined for your side yards. So let's just for instance say you're dealing with a 40 -- a 90-foot-deep lot, 50 feet out of that gives you a 40 by -- and it's 60 feet, take 12 off of that, a 40 by 42 building envelope at that point. That's a sizable building envelope for a footprint, but that would be a 90 -- and that would probably be under 7,000 square feet, though. So your lot width is going to grow significantly.

MR. KUNZ: You would need at least more than 50 feet of depth to have any sort of structure at all.

MR. WILLIAMS: Right. Well, the rear yard setback is the lesser of 25 percent of the lot, or 25 feet, so you could have a lesser. So it could be smaller than 25 feet, which was -- these are my follow-up question, which is practically speaking, how many R-1 lots have -- and I understand that this probably seems unrelated, but it does -- it's related in my mind. The -- as-built, to your knowledge, how frequent is it that you have less than 25 feet of a setback behind a house to the lot edge?

MR. ZENNER: In 16 years of reviewing development plans with the City of Columbia, it is very, very uncommon. The ability for one to be able to grade from the foundation back to the rear property line to a rear yard swale normally necessitates a lot that's probably no less than 100 feet deep, and I think that that will be illustrated as we request our design consultants to evaluate the cottage standards, and that is one reason why we have based all of our dimensional requirements for those that we are presenting discussing on a 100-foot deep lot, generally, as the optimal. I have also heard that tangentially as we have discussed the cottage lot standard amendment that we are working on as being a necessity. A 90-foot-deep lot, depending on the conditions, may not work, or shallower. And so I think what you will see is a -- is a more traditional 70 by 100 if you're going to go with a 7,000 square foot lot, so 70 feet width by 100 feet deep.

MR. WILLIAMS: So then you would end up with a 25-foot minimum?

MR. ZENNER: Yes.

MR. WILLIAMS: Okay.

MR. ZENNER: And again, in 16 years of reviewing plans with the City, I have not seen, with the exception of probably planned districts, lot depths that are much less.

MR. WILLIAMS: Okay. And the -- what we're talking about here is a ten-foot setoff in the rear. Correct?

MR. ZENNER: On the -- for a cottage lot, if approved by the Board with the optional dimensional standards, yes. It would be a ten-foot rear yard, but even with that, you're not seeing cottage lots that are

going to the Board of Adjustment that are much less than 100 feet in depth.

MR. WILLIAMS: I'm just looking -- based on the proposal here, isn't it proposing ten feet, or is that just outlining what the --

MR. KUNZ: That's the utility easement. The building line is at 20 feet, or are you saying for the rear setback?

MR. WILLIAMS: The rear setback?

MR. KUNZ: Yeah. That would be ten, yeah.

MR. ZENNER: It follows --

MR. WILLIAMS: The proposal for the plot is that these homes would be -- I mean, I know the homes aren't on the plot, but it will at least be allowed to put it within ten feet of the rear.

MR. KUNZ: Yes.

MR. WILLIAMS: Okay. Thank you.

MR. ZENNER: And the Board of Adjustment, just for purposes of clarification again, being the liaison to the Board and taking every cottage standard proposal that has gone through, the Board of Adjustment is a public hearing process. So the residents that are here that surround this development that would like to come to the Board of Adjustment, they will get public notice just like they did for this. The Board of Adjustment members are very attuned, like this body, to the impacts associated with something that is being introduced in a built environment. And I can tell you from my own personal experience in dealing with about a half of dozen of these, the Board has assessed particular enhanced rear-yard setbacks in order to mitigate the potential impact. I cannot guarantee that they would do that in this instance, and I cannot guarantee that it would go to a standard 25-foot rear yard, but I can probably speak to the fact that that will be something that will be considered by them.

MR. WILLIAMS: Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. Thank you. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: If any members of the public would like to come and speak on this case, please step forward. State your name and address for the record. We do six minutes for the applicant and groups, and three minutes for individuals.

MR. GEBHARDT: Good evening. Jay Gebhardt with A Civil Group, 3401 Broadway Business Park Court. And if I could get the PowerPoint back up, I would appreciate it, because I don't know how to do it. So I'm just going to assume you're going to ask questions of things that you have for me, but things that I've been hearing is -- is there was a question about sidewalks. Yes, they will be built with the development, even across the common area lot along Wyatt Lane and connect to the existing sidewalk on the south end of this property. So there will be a continuous sidewalk on Wyatt to Mule -- Mule Drive -- Mule -- whatever the name of that street is just to the south of us. And the, you know, there is a fundamental conflict between the UDC and the IFC, and that is if you take a 50-foot right-of-way street,

you know, a normal residential street 28 feet wide that allows parking on both sides, you don't have the 20-foot clear lane that's required. In this case, we're asking to use the access street standards in, you know, not having parking on -- on either side of the street. I knew that would be a concern, so part of the reason is I put this little -- Adam put this little drawing together is to illustrate how cars could park. So the bottom area is a 1,200-square-foot home with a two-car garage, and showing four cars parked. And the one-car garage option on the north side, I've gone ahead and made the driveway wide enough so that you could have three, and we've done several of these out in the county for C&C Construction, and it's very popular to have that extra-wide driveway for cars just so you don't have to park behind your wife's car and have to move it in a tandem situation all the time. And so the question, you know, can we -- we can't park on the street, so where are the people going to park? They're going to have to park in the -- in the driveways. And even if the fire department hadn't required this 20-foot clear lane, I want to illustrate in this drawing that by the time you put -- on a 40-foot lot, you put two houses, two driveways, there is not 23 feet of curb left to parallel park between. So fundamentally, cottage lots can't have on-street parking. Now in our case, on our layout, we have one street on the south that has the -- has the detention pond on it with no home, so theoretically, we could have had parking there, but with the fire department asking for that 20-foot clear lane, we've -- we've just agreed, okay, there won't be any parking. But as you guys move forward with looking at the standards of these things, parking is something you're going to need to address because even if this was a 28-foot street, or a 32-foot-wide street, we wouldn't be able to put parking because of the driveways. So I just wanted to bring that up and talk about the sidewalks, but if you guys have any other specific questions, you've seen the PowerPoint, I can show other things or answer questions for you guys.

MS. GEUEA JONES: Commissioner Williams?

MR. WILLIAMS: Could -- oh, good, the plot is up, although it's a little hard to see from this vantage point. But on Lots 9 through 14, which I believe would -- which are at the end of the street on the north on the --

MR. GEBHARDT: Yeah. It's on the T.

MR. WILLIAMS: Yeah. It's hard to tell, but it looks to me like those would be abutting directly the properties on Cottonwood -- the existing properties on Cottonwood Drive.

MR. GEBHARDT: They would.

MR. WILLIAMS: And I will tell you that I have a lot of concern about permitting a house to be built with a ten-foot setoff to an existing R-1 property.

MR. GEBHARDT: Why is that different than the ten-foot setoff for an internal lot in this subdivision?

MR. WILLIAMS: Because those people are choosing to buy a house that's a cottage lot and be neighboring a cottage lot, but people who have purchased an R-1 lot presumably would have anticipated that they would have at least on the other side of them a setoff that would be equivalent to an R-1 lot.

MR. GEBHARDT: Okay. Mr. Williams, I -- if the Board of Adjustment, as Pat indicated, decides

that that needs to be a larger setback, that, you know, the negative of that is is the house will get smaller. It probably would be a two-story home instead of a single-story home just because the footprint is going to get smaller. So, you know, we've heard tonight a lot of concern about the size of these homes, the cost of these homes, living next to these homes. I mean, having a two-story house behind you may be -- that's 25 feet away -- may be as imposing as having a single-story home that's 15. And in my drawings, you know, I show -- I show the ten-foot rear yard, and that back part of that -- I probably should have made that gray, but that's just showing a patio. So the house itself is actually, you know, not right up to that, and that's a 1,200-square-foot home. And I -- that's like 1,200-square-foot footprint for a single family -- or a single-story home. So if it's a two-story, it's going to be smaller and be further away, more than likely from the rear yard. But I understand your -- your concern, but that is the standard, so that's what we were --

MR. WILLIAMS: Well, right. But there's a way of redesigning this that would not require putting lots. You could expand Bush Drive instead of -- you would lose some lots, but you wouldn't be proposing putting -- and you're probably more than ten feet away from me right now. So I do have a lot of concern about that level of encroachment on an existing R-1 property, and I'm probably, unless you can convince me otherwise, not going to vote in favor of this unless -- if I'm -- I'm not going to rely on the Board of Adjustment for that. So unless you can give me some comfort, otherwise that -- because again, you're not developing it --

MR. GEBHARDT: Right.

MR. WILLIAMS: -- so once it's handed off, it could be -- I mean, without any other restrictions listed on here, you know, on the plot, or an adjustment to the plot design, there is nothing preventing a future developer from putting a house that close to the edge of an existing R-1.

MR. GEBHARDT: Yes. I can't argue with that, and I can't provide you any comfort and be able to vote yes for this, but, you know, Mr. Williams, it is the standard that is adopted. And if the standard isn't satisfactory, then I suggest you guys look at changing that standard when you have a cottage that abuts an R-1. But as Pat Zenner was indicating, you know, these lots are 100 feet deep. They have a 20-foot setback in the front because of the garage. I just don't believe that you're going to see these homes being built from front building line to rear building line. They're just not going to be that deep. And we are trying to provide some outdoor space for people to have some yard, some patio area, things of that nature, so --

MR. WILLIAMS: And then the other property is that the Lot 27, since it's going to be a side yard, that would only require -- and that -- that would be true, I will grant you, whether it was R-1, R-2, in a normal context, the side yard setoff is still six feet. But again, the way the plot is designed, they still have to give some consideration to the property owner that's abutting it, and I recognize that property is sort of facing at an angle to there, but, again, I find that concerning. And the last one -- point I'll raise, which is probably moot given my other points, is on Lot 30, the lagoon -- I assume that that was -- is no longer an active lagoon, or is it?

MR. GEBHARDT: The existing house is on that lagoon. It's not connected to City sewer. And when this gets developed, that -- the City sewer will be extended and the house will be put on City sewer and the lagoon will be removed.

MR. WILLIAMS: Is it typical to build real estate on top of a lot that had a lagoon on it?

MR. GEBHARDT: It's -- so what will happen is that lagoon will be excavated and any unsuitable fill or material there will be excavated and removed, and then adequate fill clay, whatever, will be put in and compacted, tested, and then the home will be built on it, so it's more frequent -- that happens more frequently than you would think. And even we take out farm ponds quite a bit when we are doing development and it's the same -- same situation.

MR. WILLIAMS: Okay. Thank you.

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

MS. LOE: Mr. Gebhardt, thank you for sharing the diagrams of parking. That is one of my questions after reading the report. As I stated earlier, the plan we received did not have the 20-foot building line setback indicated, so my understanding was buildings could still be set up to the ten-foot setback, which would -- provided very little possibility for parking. Understanding the 20-foot setback will be included in the plan definitely alleviates some concern about parking provided for the homes. However, I did still wonder about the question Commissioner Placier raised regarding guest parking, and I'm also wondering about moving vans, that type of parking, especially since there's no parking on Wyatt and there's no access to through streets which do have parking on them. So what accommodation has been made for other vehicles that will just be necessary?

MR. GEBHARDT: You know, there's what's being said is there would be no parking on there, but if there's a Super Bowl party at one of these homes, there's going to be people parked on the street. That's just going to happen. There is not going to enforcement of this thing. I've already pointed out that you can't park between the driveways, so the only street that you could do that on would be, you know, the south street that abuts the detention pond. So no -- could we widen that street out four feet and put some additional parking on that? Yeah. But part of the -- I thought part of the goal of this was to keep costs down, and to lose a lot to create a parking lot or widen streets beyond what's required by the Code just seems wrong, especially when it's all being generated by the fire department wanting this 20-foot clear lane, which they don't have on any residential street in any neighborhood, because you can park on both sides. If you take the existing neighborhood to the east, it's a 28-foot street. You've got parking on both sides. You take 16 feet out of that, you don't have 20 feet left, so it's -- they don't have their clear lane on any public street. And then I said that it's a fundamental problem with the Code, the two codes not aligning. So it's come to light on this one because they're using the access street, but I just want to point out that we're not -- we're not trying to accommodate additional parking on this. I mean, I would assume that most of these people will have two cars parked in the garage, and if they have guests, they'll park in the -- in the driveway. If they have more than two guests, they may have to arrange with the neighbor to park in their driveway or take the risk of getting a ticket and park on the street, but that's --

that's what we're proposing, Sara.

MS. LOE: So what about delivery trucks or vans that are longer than 20 feet? They can't do deliveries to this neighborhood?

MR. GEBHARDT: They don't -- on my experience, it's UPS doesn't park in the parking --

MS. LOE: Longer than a UPS delivery. It usually takes a couple of hours to unpack a van.

MR. GEBHARDT: Okay. You're talking about moving vans?

MS. LOE: A moving van, yeah.

MR. GEBHARDT: All right. I mean, isn't that a problem in every residential neighborhood?

MS. LOE: I had a semi-trailer. My street is wide enough that they left it for a couple of days, and it wasn't a problem, but that could not happen here.

MR. GEBHARDT: Right.

MS. LOE: Yeah.

MR. GEBHARDT: It couldn't happen on any access street. Right? You've got 24 feet. Even with parking on one side, you wouldn't be able to accommodate a semi-truck parked there in 24 feet. It needs to be a one-way traffic for sure.

MS. LOE: So maybe this is not the best application of an access street. I mean, was that an exception that was asked for due to the length of the street?

MR. ZENNER: It's a permissible option given the ADTs that are being generated in the development. It is -- as Mr. Gebhardt has pointed out, that is how the Code is written.

MS. LOE: I understand.

MR. ZENNER: And I believe the concerns that you are expressing, Ms. Loe, are ones that are accepted exceptions under circumstances that result in temporary inconvenience in our subdivisions as a part of daily living. I think it becomes an issue if it is parked there for extended periods of time, blocking the ability of the fire service which then would have to be the ones to act upon that. The Code is what the Code says, and therefore what Mr. Gebhardt is presenting here is Code compliant. And we have asked that the note be placed on the plat, because that is what the fire service needs. The project will be signed accordingly that there is no parking on either side of the street. But in any instance, if you have to access your own personal property to offload a moving van to move in, that's a temporary action that I think is acceptable even though it is not in direct conformance with how the Code is written because it is a reality.

MS. LOE: So, I mean, I do understand there's Code compliance, but I -- I do take exception to being backed into some issues, such as not being able to park between driveways because it's been designed to minimum standards. Whereas I think if you sharpened your pencil, and did some adjustments, it could be modified to create some opportunities to better accommodate daily living. And those are what I'm trying to get to with this discussion.

MR. ZENNER: The widening of the -- the widening of the street, however, is --

MS. LOE: I'm talking about turning some of the lots so we have more than 18 feet between driveways in some locations, widening the street, perhaps, but one point that Mr. Gebhardt raised was

simply the distance between driveways, and that's due to how they have laid out the lots. Thank you.

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

MR. BRODSKY: Not necessarily to your development here, but we are going through this process to look at the small-lot developments. And, currently, the way that's written, if you have a garage, you have to be, you know, 20-foot building setback in the front. If you don't have a garage, then only ten feet, but that doesn't really leave room for parking if it's just ten feet. Does that -- does the ten -- allowing ten-foot building lines, lot lines in the front without a garage, is that something we're even ever going to see?

MR. GEBHARDT: Not until you allow the two required parking spaces to be on the street.

MR. BRODSKY: Yeah. Okay.

MS. GEUEA JONES: Yeah. Let's do our best to keep it to this case. I know that's what's on our mind.

MR. GEBHARDT: One thing I would like just to point out, you know, it -- yes, we chose 42-foot-wide lots, but in the cottage standard, it could be a 30-foot lot. We're choosing to do basically a two-car wide driveway to accommodate this parking issue. And, you know, no builder is going to build something in here that he can't sell. And if he -- if this is obvious if -- if there's a house without a garage or a house without parking, the people are going to ask where am I supposed to park, and they're not going to buy the house. So, I mean, these things, I think can be -- they're more common sense, and I don't think we have to necessarily knock down the weeds on these things like this.

MS. GEUEA JONES: Anyone else? Thank you very much.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Next speaker on this case, please come forward. And I know you all probably just did this, but could you say your name and address again?

MR. CROW: That's fine. Emery Crow; I live at 4250 North Wyatt Lane there. And I was just noticing, you know, he said how wide was the lots?

MS. GEUEA JONES: Forty-five feet.

MR. CROW: Thirty-five feet?

MS. GEUEA JONES: Forty-five. Four, five.

MR. CROW: Forty-five feet?

MS. GEUEA JONES: Yeah.

MR. KUNZ: Forty-two. Excuse me.

MS. GEUEA JONES: Forty-two to -- yeah.

MR. KUNZ: Forty-two was what most of them are going to be in with.

MR. CROW: That's not even as wide as my trailer lot, and how far apart are the buildings going to be?

MR. KUNZ: The side yard setback for cottage standards is five feet --

MR. ZENNER: Six feet.

MR. KUNZ: -- so they be -- or six, excuse me. Thank you, Pat. So 12 feet between.

MR. CROW: Between.

MR. KUNZ: Yeah.

MR. CROW: And I know for our trailers, and my son's trailer burnt not all that long ago, because of substandard wiring from a previous owner, but anyway, it burnt. And his trailer was over, you know, what, 35 to 37 feet away from my back door, and I already know it was so hot, it scorched the whole side of my trailer. To me, being that close is extremely dangerous for any dwelling. And that -- and that lot is smaller than the one I live on, and that I -- I can't see fire standard-wise and that, how they can even be that close, especially with a garage right there. And with today's vehicles, if they've got an electric vehicle, there's a pretty good chance. I know not everybody likes them. I don't, but some people do. The -- what does the backyard, you said was how far from the rear -- from the rear property line on that far side -- the far north side?

MR. WILLIAMS: It's ten feet is what's permissible.

MR. CROW: Ten feet.

MR. WILLIAMS: We don't have a diagram of what the house would actually look like.

MR. CROW: Okay. So, yeah. And this part is on, like, the annexation, also? Was that this part?

MS. GEUEA JONES: No. We don't actually get to vote on the annexation. That's City Council.

MR. CROW: Well, it said in here, so I --

MS. GEUEA JONES: I know. It's -- it's confusing. City Council does annexation, we do everything else.

MR. CROW: Because you brought up about, you know, certain parts being absorbed into that, you know, and we don't want to be absorbed in there. I know Suzanne that lives directly on that property line has that -- that property just north of that. She's got enough health problems and with her family and everything else, she don't need that hassle and that, but, you know, I think you said you don't deal with that here. But as far as, you know, people say trailers are dangerous, you know, and because we're so close. Well, where I live out there on Leisure Drive, it used to be that you had everything was close like that. Well, they were sold off. Everything is private lots now, they are double lots. So my nearest neighbor from where -- (inaudible) --

MS. ORTIZ: You need to be in the microphone.

MR. CROW: Okay. Well, I'm sorry. I'm just trying -- but from where this gentleman over here with the nice haircut, you know, to the other side of the lady over here, you know it's pretty good ways, you know, in between and that. Well, I'm sorry. I didn't have any other way to explain. But, you know, to me, you know, having 12 feet in between, you know, and then between the issues of no space on the main street, you know, trying to get, like you said, a U-Haul or something up in there to move stuff in, that is quite a hassle. Well, what if you get all the kids out there and they end up playing in the street and everything else and all this, we don't know who's going to move in there. You know, like you said, we have no idea. So, I mean, it doesn't make sense with as many as they're wanting to put on that property.

And if there was way less or a possibility, but does it mean I still want them there? No. But, to me, it looks like a fire hazard at 12 feet apart knowing that even with the trailers, you know, being over 30 feet apart still scorched my trees and everything on the backside of my lot and all my siding on the backside, and we had to sit there with a hose and wet the whole backside of my property to keep it from burning while they were putting the other one out. You know, so I would like for you all to keep that in consideration, you know. These small homes, they may be able to put a lot of them in there, but is it really safe?

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing -- oh. Commissioner Loe?

MS. LOE: Thank you for the comments. I would just like to note that that distance meets the adopted building code and fire code for separation, so --

MR. CROW: Oh, I'm surprised that that's even --

MS. LOE: I understand your concern, but it does meet the accepted standard.

MR. CROW: I just don't understand, you know. I watch the house burn, and the flames that any house can put off, and them being this close, even though, you know, you think it's safe, but what they say, it is not. And I feel sorry for the next-door neighbors got to deal with their house burning because of the other one. That's where -- you know, what my meaning is.

MS. GEUEA JONES: Thank you. Any other questions? Thank you very much for being here tonight. Next person to speak on this case, please come forward.

MR. MURPHY: Good evening, again. Kevin Murphy, A Civil Group, 3401 Broadway Business Park Court. I'm just going to go over some notes here. Mr. Williams was speaking of the setbacks some of those lots that about the existing -- once again, it's been brought up by Jay, these are the standards -- the cottage standards that we're working within. These lots could be 30-foot-wide lots, we're doing 42-foot-wide lots, so this could be more dense. The -- the purpose of the cottage standards is to allow density. The -- some of the previously approved cottage lots are very similar or even smaller lots than these. The tried-and-true model of these, what is working here, what has worked elsewhere, these size homes with this amount of yard for these price points is what happens. I don't -- these houses aren't going to be built to that ten-foot setback. Again, this picture that's showing up here now, even the back porch doesn't quite reach. That's probably 12 feet off the line. The house is 20 feet off the property line. Now given the fact that the existing R-1 is behind them, they're built 25 foot plus from the property line, that same common property line, so we're talking 35 feet or more between these houses. We're not talking from -- from you and I. But I would just like to say that again. Ms. Loe brought up the side-yard setbacks, a ten foot, a five foot from the property line is what the IRC would say. The City of Columbia requires six foot, so you're getting two more foot there. As far as the parking, this was a one-way street, and there's many one-way streets in town, no parking, or two-way streets that have no parking on one side of the street, but there's still houses on that side. Folks temporarily park there. I know we see on Walnut or on Campus when, you know, kids come to town or are going home, it is a temporary allowance.

I think a point that Jay needs to point out, and I'm not sure why the fire department insisted that on this on this case where they haven't done it on other ones, these cottage standards, but on a 32-foot wide street, if you take in eight feet in Deer Ridge, anyone of those streets, are 32-foot wide, for parking on both sides, eight feet, that leaves you a 16-foot driving lane. What the -- what the fire department is requiring of us here is a 20-foot driving lane. If we could park on one side of the street, on a 24-foot-wide street, we'd have that same 16 foot. So I just don't understand that, but that's what we're dealt with.

MS. GEUEA JONES: Thank you, Mr. Murphy. That's three minutes and --

MR. MURPHY: Thanks so much.

MS. GEUEA JONES: Thank you very much. Any questions for Mr. Murphy? Commissioner Ortiz?

MS. ORTIZ: I guess this is more of a comment, but I live in East Campus, and I'm very familiar with move in and move out. And it is something -- well, and I would want a no outlet, as well. So -- with a lot of smaller I guess like apartments, I guess, they are, or houses that are converted into apartments, and it's something that you deal with for move in and move out, and then you go on with your lives. So I - I imagine moving into a cottage home, it's similar to moving into a campus or and East Campus dwelling, so you live with it, yeah.

MR. MURPHY: And not everyone here is going to be moving on the same day.

MS. ORTIZ: Yeah. But on campus, they do, and we deal with it, and we move on, so --

MS. GEUEA JONES: Thank you. Any other questions? Thank you very much. Next speaker on this case?

MS. FERGUSON: Denise Ferguson, 5 -- I'm getting so tired, I can hardly speak, but 5401 Axis Court. I would like to point out, I wish that the picture was up there with the streets so you could see where my house is a little bit. Like I said, I have a very small, narrow backyard. You can -- you can barely -- we did that on purpose. You know, we like that. We like to have a small space for ourselves. So, of course, them being close to us does concern us, but I'm going to tell you the Lagoon -- I see the lagoon out of my backyard, and maybe that one with the streets would help me. So I see the lagoon, and I -- I kind of question why a person would build something on a lagoon, but I'm not a builder, so I didn't question that so much. But what I do kind of question a little bit there is -- and I didn't get a clear answer from multiple people. I tried to ask this. The stormwater drain off of Axis Court which, by the way, is a cul-de-sac, and, yes, we have had to call the fire department and, oh, my goodness, I'm sure glad there was never a party on that street when we had to call the fire department and ambulance for my husband's stroke because we couldn't have gotten him in and out of there. So that's certainly something to look at with the streets. And also for our home with the stormwater drainage right now off of Axis Court, it goes into -- it drains off of our property out into that property to the lagoon. When it rains and it pours, there is on that whole corner, and thank you for bringing that -- that picture up, that whole corner, I don't know what property numbers those are, but those two will be flooded with water unless -- I'm not an engineer -- unless an engineer can figure out how to drain that. I understand there's going to be some kind of

drainage at that little pond or something, but I don't know really how the water will move. I'm a little concerned, to be quite honest, that those people that might live there, what might happen for them, and I'm not thinking of myself there. I'm just wondering, and I did, I tried to call and I'm sorry, you and I tried to connect today, and I was extremely busy. But I don't know what we're going to do about -- again, it's a density issue. What -- where does the water go? It goes to the lagoon right now, you know, it kind of drains naturally, I guess. So that's my comment, and it's really kind of a question that I have still not heard an answer about.

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

MR. WALTERS: Well, I was going to comment. I'm looking here at the plat and it does show a culvert that will be extended, if I'm reading this right, along lots 30 and 31, which is behind you.

MS. FERGUSON: Okay.

MR. WALTERS: And it looks like there is a box culvert perhaps that is at the end of that drainage easement that you're speaking of, and that routes northward under the street and it ties in. So, anyway, I think there's -- there's been an attempt to deal with it.

MS. FERGUSON: Okay. And let's just hope so.

MR. WALTERS: Yeah.

MS. FERGUSON: Because, right now, all I'm seeing is really cute houses. Actually, we did look at some of those houses when we started to think about where we were going to go, and I just -- I just worry about the folks that are going to move in. But maybe if they're going to put something in there that works for it, that's wonderful. But, yeah, I'm telling you on the cul-de-sac, there's not a lot of space for the emergency vehicles.

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

MS. FERGUSON: Thank you.

MS. GEUEA JONES: Next speaker on this case? Going once, twice. Okay. Thank you. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Any Commissioner comments on the platting action? Sorry. Commissioner Williams, go ahead.

MR. WILLIAMS: I appreciate, Mr. Gebhardt, your frankness as -- just with respect to my concerns and acknowledging that there are some things you just can't give me the comfort that I'm -- I'm looking for. I do appreciate that some of the -- my concerns about the setoff are a product of what exists for the cottage standards currently, and I am a supporter of the cottage work that we're doing -- the work on the cottage standards that we're doing, but this -- this particular case does raise some issues for me about how that's going to be implemented. Now this is -- this is green field, but there might be some different ways this applies infill, but here, I do think it's important that we consider what expectation

people would have reasonably had when they purchased their property in an R-1 about how much setoff they would have behind them. And so for that reason, I wouldn't -- I can't support it with the current plot. I think there are ways that this could be redone that would eliminate on the buffer where it backs up against an existing R-1 property. The other thing I'll note just for our own -- based on our conversation this -- earlier this evening is because the current owner intends to leave the residents that exist in the new development, our design standards would not apply -- architectural design standards and each one of these -- because we voted for -- not voted. We collectively decided 100 percent might be the best approach. It would not apply in this case, and so there wouldn't be any architectural deviation requirements. Because didn't we say 100 percent of --

MS. LOE: Thirty-two.

MR. WILLIAMS: I thought it would be 100 percent. Thirty-two and 100 percent. But there's -- one of these is not a cottage lot.

MS. LOE: Right. Of 31 that are.

MS. GEUEA JONES: It actually is a cottage lot.

MS. LOE: I believe this does meet the minimum standard that we were --

MR. WILLIAMS: Well, this is not really germane for that. I just wanted to throw it out there as -- so that it's in our memories as we discuss these things further.

MS. GEUEA JONES: Yeah.

MR. WILLIAMS: But those are my comments.

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

MR. BRODSKY: I just want to -- want to acknowledge your comment, Commissioner Williams, about the -- the rear setbacks. I think that is something that I -- we can't apply it here tonight, and I do intend to support this, but something for us to consider in the future when we are putting cottages next to existing R-1 homes. I think you're right to point that out. I'm okay with the no parking on the road situation. I think the road is plenty wide to accommodate moving trucks on the occasion that they do happen. One thing I do want to point out, could you bring the plat up, perhaps? That'll work fine. So the -- the T or hammerhead intersection in the northeast there, you know, we have -- we have a -- there's a lot of sidewalk. I'm always -- you know, I like sidewalks. Sidewalks are great, but sometimes with these small developments, it's, like, man, that's a lot of sidewalk. So if -- if parking is a concern, you know, there is opportunity to eliminate sidewalks on that -- on that T of that intersection, and then also along the curved section with the lagoon, if we did want to eliminate that sidewalk, there would be space for off-street parking.

MS. GEUEA JONES: Any other Commissioner comments? I think Commissioner Loe. Commissioner Loe, did you have something?

MS. LOE: Oh, I do, yeah.

MS. GEUEA JONES: Please?

MS. LOE: So typically when making a decision, I point to the regulations, but first, the plan needs

to make sense to me. And we just spent a work session debating at what level minimum standards need to be identified, with -- with some Commissioners leaning towards relying on the common sense of the developer. And in this case, I feel like there's not a level of common sense, and if it -- I understand it may meet regulations that are identified, but in that case, I think we need a few more because I feel it's missing. So -- and to that point, I'm just going to say that my decision is based on being an architect trained in life safety code, and I understand those code regulations may -- they're written for worst--case scenarios, and may seem overzealous at times. However, as an architect, I'm also familiar with some of the case history that shaped those code requirements in the first place, and, as such, I can't accept a plan that requires those life safety requirements to be compromised in order to work, so I can't support the plan as proposed. Thanks.

MS. GEUEA JONES: Commissioner Williams?

MR. WILLIAMS: I just had a clarifying question. Commissioner Brodsky, you said that we can't -- you noted that -- about the concerns of the ten foot, that we can't apply that tonight, and I guess I -- I'm confused by that comment, because I think we can apply it tonight. The way we apply it is we vote against it. So I was just confused if there was something else that you were intending by that?

MR. BRODSKY: No. I think I was more just alluding to, you know, we couldn't say we approve this, but with 25-yard setbacks for those lots.

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

MS. PLACIER: Yes. I just wanted to ask Commissioner Loe to expand on what she meant by life safety so I can understand it better.

MS. LOE: We've been informed by staff and there's some general feeling that it's appropriate for cars to park in the streets for various occasions, not overnight perhaps, but on various occasions. But as we've heard from some testimony from the public, that this -- this would impact the ability of emergency vehicles to access. And I said, codes are written for worst case scenarios, and I can't in good judgment support a plan that relies on compromising the minimum life safety code.

MS. GEUEA JONES: Any further -- Commissioner Walters?

MR. WALTERS: I've only been on the Commission seven months, and I was not part of the Commission when quite a bit of time was spent on the cottage standards. But it seems as if you published standards, and an applicant meets those standards, we should be judging it by the standards that are in effect, not by the standards that we would wish them to be. If we seek corrections that need to be made, which I do see some. I agree with the setback thing you mentioned. I agree with the parking considerations, but that's not on the books. And so they've submitted a plan that meets the specifications, the staff supports it. We also on Bristol Lake, remember in January, we approved a subdivision with 40-foot-wide lots, and the only difference I can see here -- I pulled it up -- is about a dozen lots were 50 feet wide, but the majority were 40 feet wide, and the only other noticeable difference was the streets were 28 feet instead of 24 feet, so that did benefit the fire things. But, nevertheless, like I say, the standards are published, the applicant made the submittal. It meets the requirements. The staff

approves it, so I plan to -- I plan to support it.

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

MR. STANTON: I agree with my colleagues -- (inaudible).

MS. GEUEA JONES: Oh, could you -- sorry.

MR. STANTON: We see things we need to fix, we need to take note, take that the work session. But, Madam Chair, I would like to entertain a motion if my colleagues have no other questions.

MS. GEUEA JONES: I believe we're ready.

MR. STANTON: As it relates to Case 87-2025, 4100 North Wyatt Lane, preliminary plat. Staff, can you roll up the -- there we go. Thank you. Approval of the preliminary plat contingent upon approval of R-2 permanent zoning and annexation and Board of Adjustment approval of cottage development standards.

MS. ORTIZ: I second.

MS. GEUEA JONES: Thank you. Approval moved by Commissioner Stanton, seconded by Commissioner Ortiz. Is there any discussion on the motion? Seeing none. Commissioner Williams, when you're ready.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Wilson, Mr. Walters, Mr. Brodsky, Ms. Ortiz, Ms. Placier, Mr. Stanton, Ms. Geuea Jones. Voting No: Mr. Williams, Ms. Loe. Motion carries 7-2.

MR. WILLIAMS: Seven yeses and two nos.

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