

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**March 23, 2023**

**Case Number 107-2023**

**A request by Crockett Engineering (agent), on behalf of The John E. Gerau Trust (owner) for approval of a one-lot final plat to be known as "Gerau Farms Plat No. 1". The subject 9.83-acre tract is located at 5600 Mexico Gravel Road and was recently annexed into the City and assigned R-1 (One-Family Dwelling) zoning.**

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of "Gerau Farms, Plat No. 1," pursuant to minor technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of the members of the Commission have had any contact with outside parties or outside contact with parties related to this case, we would ask you to disclose it now. Seeing none. Are there any questions for staff?  
Commissioner Loe?

MS. LOE: Thank you for the report, Mr. Palmer. Sidewalks, your report notes that a sidewalk will be required when the site is developed.

MR. PALMER: Yes.

MS. LOE: No issues with getting --

MR. PALMER: No. They submit performance contracts for the sidewalks, which will be forwarded with the plat to Council, so that that's something that Council agrees. It's a standard form they sign, and it is approved with the plat by City Council.

MS. LOE: Performance contract?

MR. ZENNER: Yeah. It's -- the performance contracts that we have are specific to all public related infrastructure that is required to be -- to support the property. So, it would be water, sewer, public sidewalks. If we add streets that needed to be constructed, they would also be covered by the performance contract. The performance contract requires as a condition of the CO of the property, which would be the Certificate of Occupancy, within three years, those public improvements must be installed. And that is the standard practice. So because this is an arterial roadway, it is required as a part of the building permitting process, and they do have to be shown on the -- there has to be a construction plan submitted along with that in order to allow the staff to be able to analyze the sidewalk as being properly designed to meet City standards. Hence, the reason for the performance contract. They're tied together.

The construction plan plus the actual performance contract are what is a binding arrangement between the property owner and any subsequent heirs -- heirs or assigns. So if this property were sold to someone else, they would be subject to the same conditions.

MS. LOE: And looking at the sidewalks to the west, closer to Wyatt Lane, Lost Tree Terrace, it looks like they have been set back to accommodate for the additional right-of-way?

MR. ZENNER: That would be correct. Our standard sidewalk location is generally one foot off the back of the future right-of-way.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. I will now open public comment.

### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Is there anyone here from the public to comment on this case? Please come forward. State your name and address for the record. Speak clearly into the mic, if you would. We do six minutes for groups and three for individuals.

MR. BUTCHER: David Butcher, Crockett Engineering, 1000 West Nifong. I'm here to represent the client. You guys approved this in December, I think. This is just a matter of buttoning up any loose ends, but I thought I had better make myself present in case you had any questions.

MS. GEUEA JONES: I'm sorry to do this to you. Would you speak into the microphone so we can get you on the minutes.

MR. BUTCHER: David Butcher, Crockett Engineering, 1000 West Nifong.

MS. GEUEA JONES: Thank you.

MR. BUTCHER: You're welcome.

MS. GEUEA JONES: You've just made our court reporter go deaf, but that's okay.

MR. BUTCHER: Sorry.

MS. GEUEA JONES: Are there any questions for this speaker? Seeing none. Thank you very much. Any other public comment. In which case, we'll close public comment.

### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Any Commissioner comment? Commissioner MacMann?

MR. MACMANN: If my fellow Commissioners have no questions or concerns, I have a motion. In the matter of Gerau Farms, Plat Number 1, Case Number 107-2023, with minor technical corrections, I move to approve the final minor plat.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann; seconded by Commissioner Loe. Is there any discussion on the motion? Seeing no discussion. Commissioner Carroll, may we please have a roll call.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Mr. MacMann, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Ms. Wilson, Ms. Loe, Mr. Stanton. Motion**

**carries 8-0.**

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

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