

**EXCERPTS**

**PLANNING AND ZONING COMMISSION MEETING**

**COLUMBIA CITY HALL COUNCIL CHAMBER**

**701 EAST BROADWAY, COLUMBIA, MO**

**MAY 21, 2020**

**Case Number 86-2020**

**A request by Crockett Engineering (agent), on behalf of SBSR Properties, LLC (owners), for approval of a 39-lot preliminary plat to be known as the "Cottages at Evergreen Place". The 7.27-acre property is proposed to be platted into 33 single-family lots and six common lots. The subject property is located on the west side of Ballenger Lane just north of Dehaven Drive. On February 11, 2020, the Board of Adjustment approved use of the cottage dimensional standards for this project.**

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the preliminary plat for the Cottages of Evergreen Place.

MS. LOE: Thank you, Mr. Zenner. Before we move to questions for staff, I would like to ask Commissioners if anyone has had any ex parte prior to this meeting related to this case to please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. I see none. Any questions for staff? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Zenner, could we return to the slide that -- I think it's the one previous to this one that showed that barrier up to the north, that orange area. That's a common lot, storm water?

MR. ZENNER: The -- there's a common lot on both ends, on the east and the west end of the property --

MR. MACMANN: Uh-huh.

MR. ZENNER: -- where you see this hatching. These are the -- those are the detention areas that would be provided, and then there is a -- that common lot apparently ends right here on the back of the property and then it ends at this point right here on the front. So this area here, roughly five lots, is where, because the adjoining uses are residential, there would be no screening required.

MR. MACMANN: That -- could you repeat that last sentence again, please?

MR. ZENNER: Because it's residential, single-family to single-family, there would be no screening required.

MR. MACMANN: If I may, I would like to follow up on that. You have said that most of these homes would justify towards a street of approximately ten feet; is that what you said?

MR. ZENNER: There will be a minimum of 20, given what we understand, but there will be garages with each of them, so -- but they can be as little as ten feet away if they chose not to.

MR. MACMANN: All right. In those backyards, what's the distance to the -- to the back of the house to the next property line; do you know, roughly? Or is that a --

MR. ZENNER: That would be probably an engineer -- engineer question.

MR. MACMANN: Okay.

MR. ZENNER: We don't have floor plans or footprints yet, so I -- I really couldn't answer that for you at this juncture.

MR. MACMANN: All right. I was just trying to get to Mr. Kavanaugh's, and I'll wait for the engineer to come up.

MR. ZENNER: Thank you.

MS. LOE: Any additional questions for staff? I see none. So at this time, we will open up the floor for public comment.

### **PUBLIC COMMENT OPENED**

MS. LOE: Please give your name and address for the public record. If you are representing a group, you have six minutes; otherwise, we will limit you to three.

MR. CROCKETT: Thank you. Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Again, I believe this is one of the first, if not the first, cottage-style developments that have been approved in the City of Columbia, so it is a little bit different, the rules a bit abnormal to what you're used to seeing. However, it is in compliance with the UDO for this particular use. It is zoned R-2. It is zoned for duplexes and we would rather develop it in an R-1 style development. And so we could put more duplexes on there, but that's not the intent, you know. I think Mr. Zenner did a pretty good job of covering all the aspects of this -- of this proposal. And the majority of the lots themselves back up to green space and the green space backs up to the adjacent properties. To your point, Mr. MacMann, I believe there's only five, maybe six lots that actually abut the neighboring properties. Those lots that abut the neighboring properties are more the depth of a standard R-1 lot, so they're more of 110-, 115-, 120-foot in depth, not the shallow ones that you see internal to the development. So the -- they're more in tune, more in line with the depth of the adjacent residential lots. And so the shallow lots are internal, the deeper ones are on the exterior portion. So we feel that, you know, the setbacks are going to be somewhat similar to that of the R-1 development adjacent to this development. Again, it went through the Board of Adjustment. We had approval from -- you know, from that -- from that Board for the cottage style. Again, staff comes to you with -- with recommendation for approval, and I'm happy to answer any questions that you may have.

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, I would, first of all, like to thank you for doing -- you and your client for doing the cottage style. I'm looking forward to see how this plays out because price point is going to be a thing.

MR. CROCKETT: Absolutely.

MR. MACMANN: And you may not have one, but do you have a price range yet?

MR. CROCKETT: We're looking at \$150,000, \$160,000, if we can get there. There's a few design challenges that we have to overcome, so we always want to get to that low. We don't know if we can hit that or not, but we're certainly going to try.

MR. MACMANN: Okay. And if I may, would you be open -- I'm of two minds of this and could see from the lots that they're deep, especially if they're justifying to the south there. Would you or your client be open to some sort of screen to address Mr. Kavanaugh's -- and let me tell you why I'm saying that. I want this to succeed.

MR. CROCKETT: Sure. Mr. Kavanaugh, his property is actually bound by the detention structure itself, so the detention basin, which will also have bio-retention in it, so it will be heavily landscaped already. So by default, his -- his home and his structure, the duplex that he lives in, it will already be screened.

MR. MACMANN: I'm just -- I'm with you. I'm just -- his concern could be a concern of other neighbors and certainly could be a concern as we move forward because we don't have any screening standards in these things.

MR. CROCKETT: Correct. We don't have any screening -- I mean, I guess I would like to ask, Mr. MacMann, what kind of screening standards are you asking for.

MR. MACMANN: Minimal.

MR. CROCKETT: Minimal. I mean, I think we could do -- you know, we could do some additional landscaping. I think we could commit to doing minimal, but being R-1 to R-1, I don't want to put a barrier between residents.

MR. MACMANN: And I'm with you, and I don't want to raise the price, either, but I'd like

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MR. CROCKETT: Right.

MR. MACMANN: -- I'd really like to see something like this succeed --

MR. CROCKETT: Sure.

MR. MACMANN: -- because these are sort of -- they were needed three months ago and they're more needed now.

MR. CROCKETT: Right. I mean -- right. And I think if we're talking -- you know, we're - - it's not very wide. If we're talking an extra couple of trees, I think we can -- we can accommodate that.

MR. MACMANN: Six feet, opacity 85, something like that?

MR. CROCKETT: I'm sorry?

MR. MACMANN: Some vegetation.

MR. CROCKETT: Some vegetation.

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

MR. CROCKETT: Ask my client. Shan?

MR. RICH: Not at all.

MR. CROCKETT: What's that?

MR. RICH: Not at all.

MR. CROCKETT: Not at all? Okay.

MR. MACMANN: That's -- I just -- that's fine. I want this to succeed.

MR. CROCKETT: Absolutely. We want this -- we do, too. And, again, not that we're trying to be, you know, standoffish with it, but, again, we are trying to get our price point down as much as possible. And we also want to be residential to residential.

MS. LOE: Any additional questions for Mr. Crockett? Mr. Crockett, is the developer aware of the concerns of the neighbor to the west, about this stub?

MR. CROCKETT: Absolutely. Absolutely. I think -- I believe that's Mr. Tubbesing, and he -- he was present at the Board of Adjustment meeting, and he had some concerns over storm water, obviously, the stub street. And the stub street that's being -- that's being proposed is not -- we're not doing it because we want to. It's because it's a requirement of the City regulations, subdivision regulations for connectivity, and we're very aware of his -- of his concerns and we take them -- take them very seriously.

MS. LOE: Thank you.

MR. CROCKETT: Thank you.

MS. LOE: Thank you. Any additional speakers on this case? Seeing none, we will close public comment.

#### **PUBLIC COMMENT CLOSED**

MS. LOE: Commissioner discussion? Ms. Carroll?

MS. CARROLL: I have an additional question of staff. I wondered if you could elaborate on the rationale for the requirement of the stub street in this case.

MR. ZENNER: Looking from the aerial here, if we look at the oblique aerial, you will notice that the development that is to the rear or the land area, I should say, that is to the rear or west of this particular property, and I want to draw your attention to this particular stub street that is right here. As we prepare or we -- we look forward in the development of land that's undeveloped or underdeveloped, the Code has included within it since the re-adoption of our current Code, the UDC in 2017, but it preceded actually the adoption, our subdivision Code had the ability to stub or a requirement to stub to adjoining undeveloped tracts of land to create internal road fabric. So instead of having to come out of your main development and get on the main road and go into the next development, you had the ability for Johnny and Billy to play by riding around on the internal subdivision streets. The completion of the roadway, the stub street would be required as a part of the infrastructure installation of this development, but it would terminate at the property line. When the adjacent property develops, or if -- we always like to think of when -- we have the ability for the connection. That would be further supported by the fact that the roadway here that has not been completed, but which Mr. Tubbesing's property actually gains access off of, as that roadway were to continue north to this developed -- undeveloped pocket of land, we would have the ability to have an internal roadway connection useful for routing of solid waste, police, fire, all of the other services that we offer, as well as it provides an opportunity to potentially increase pedestrian activities between residential developments and reduce the need or the necessity for car trips.

MS. CARROLL: I see. So you're referring to the undeveloped land behind the two R-1 developed properties that are abutting the property in question?

MR. ZENNER: You've got this two -- yeah. You've got this two -- you've got this two-family property here, the R-2 that's here. You've got this that is an R-1, and I believe that you are correct. I believe that is two parcels. It's got a weird configuration to it.

MS. CARROLL: Yeah.

MR. ZENNER: But that is the property that ultimately could be developed. It may develop further. You know, again, if you look at the street stub that is here, what we're proposing or what's being required for the development in question is no different than what was required when this duplex development, duplex combination, the single-family development was actually installed.

MS. CARROLL: Except that the abutting -- the stub street on the duplex that appears to go to undeveloped land, whereas this one goes to a developed -- an already developed R-2.

MR. ZENNER: We come here to the aerial. This currently is an undeveloped. The immediately intervening tract is undeveloped. Now Mr. Tubbesing may own both parcels here, however -- and you'll notice that it appears the driveway comes directly up this common property line. This is an undeveloped tract of land and this is what we would consider, from a planner's perspective, as undeveloped and underutilized. At some point, these parcels may be carved out and this A property back here may develop in the future. And we're looking at ensuring that you have a road network that is a gridded road network much more so than just loop streets and dead ends with cul-de-sacs. It enhances and introduces other alternatives for connectivity, as well as for other traffic circulation and better management.

MS. CARROLL: That's understood. I did review the video from the Board of Adjustment, and it sounded as if the current owner of that property has no intention of selling his property. I grant that that may change in the future, but if both the developer and the abutting owner don't want a stub street there, I was curious about the requirement, if you follow.

MR. ZENNER: The requirement --

MS. CARROLL: I do understand the connection for utilities and for emergency services as areas across there may develop, and as future properties may be carved off or changes over time.

MS. LOE: Are there any additional questions? Mr. MacMann? Or did you have any additional questions, Ms. Carroll? I didn't mean to cut you off.

MR. MACMANN: I was going to get -- I don't have any questions for the staff. I had just a comment for us. Are we there?

MS. LOE: We are there.

MR. MACMANN: Okay. I would just like to say that, as I've stated before, I would like to see this succeed and I would love staff to give us an update in maybe a year and see how this succeeded because I think this model offers us another housing opportunity, and I think we should keep track of it.

MS. LOE: Any additional comments? Ms. Carroll?

MS. CARROLL: In echoing Michael's comment, I would like to see this succeed. I would also like to see it succeed in a way that is supportable by its neighbors so that other projects like it might succeed in the future. I want to see this succeed in the best possible scenario for the City.

MS. LOE: Any additional comments?

MR. STRODTMAN: I'll go ahead and make a motion.

MS. LOE: Mr. Strodman?

MR. STRODTMAN: I'll make a motion if it's okay.

MS. LOE: That would be just fine.

MR. STRODTMAN: I move for recommendation on the preliminary plat for the Cottages at Evergreen Place, Case 86-2020.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. I'm sorry. Mr. Strodman, you said move for recommendation?

MR. STRODTMAN: Yes. Approval. Approval.

MS. LOE: Approval. All right. Just clarification.

MR. STRODTMAN: It's been a while.

MS. LOE: It has been a little while. I'm a little rusty, too.

MR. STRODTMAN: And it continues.

MS. LOE: Sorry. Is there any discussion on that motion? Seeing none. Ms. Burns, may we have a roll call, please.

MS. BURNS: Yes.

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

**Mr. Stanton, Mr. Strodman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Carroll,**

**Ms. Loe. Motion carries 9-0.**

MS. BURNS: Nine to zero, motion carries.

MS. LOE: A recommendation for approval will be forwarded to City Council.