

**MINUTES**

**PLANNING AND ZONING COMMISSION MEETING**

**MAY 4, 2017**

**COMMISSIONERS PRESENT**

**Mr. Rusty Strodtman  
Ms. Tootie Burns  
Ms. Sara Loe  
Ms. Joy Rushing  
Ms. Lee Russell  
Mr. Brian Toohey  
Mr. Dan Harder  
Mr. Michael MacMann**

**COMMISSIONERS ABSENT**

**Mr. Anthony Stanton**

**I) CALL TO ORDER**

MR. STRODTMAN: Good evening, everyone. We'll go ahead and call the May 4th City of Columbia Planning and Zoning Commission to order.

**II) APPROVAL OF AGENDA**

MR. STRODTMAN: Any changes to our agenda this evening?

MR. ZENNER: No, there are not, sir.

MR. STRODTMAN: Thank you.

**III) APPROVAL OF MINUTES**

MR. STRODTMAN: Minutes. Commissioners, everyone had a chance to review the April 6 minutes, and if there's any corrections or changes needed to those minutes, if you'll let me know at this time. As I see none, we'll just go ahead a thumbs up for approval of those April 6 minutes. And everything -- everybody, thumbs up.

(Unanimous vote for approval.)

MR. STRODTMAN: Thank you.

**IV) TABLING REQUEST**

MR. STRODTMAN: Move on. We have a tabling request. Before we get started, though, at this time I would ask any Commissioner who has had any ex parte communications prior to this meeting related to any of the cases in front of us tonight, please disclose that now so all Commissioners have the same information to consider on behalf of these cases in front of us this evening. As I see none. Sorry. I skipped over roll call. Can we go ahead and have a roll call, please?

MS. BURNS: Certainly. We have eight, we have a quorum.

MR. STRODTMAN: Thank you for doing that. We have a tabling request in front of us.

**Case Number 17-107**

**A request by Crockett Engineering Consultants (agent) on behalf of Bristol Lake Home Owners Association Number 1, Inc. (owner) to annex 0.79 acres into the City of Columbia and**

**apply R-1 (One-family Dwelling District) as permanent zoning. The subject site is located approximately 500 feet east of Bearfield Road, 1,300 feet north of Gans Road and north of Lot C4 of Bristol Lake Plat 1 subdivision.**

MR. STRODTMAN: May we have a staff report, please.

MR. SMITH: Thank you, Mr. Chairman. As you had stated, this is a tabling request to table to May 18th. However, I do know that there is a representative from the applicant here in the meeting, and my understanding is they may be requesting to amend that request. So I would defer to the applicant for the time being.

MR. STRODTMAN: Thank you, staff. Let's see. We'll just go ahead and as we would open to the floor to the participant that's potentially here tonight to come forward and speak to us. Just give us your name and your address, and then go ahead and give us what you like.

MR. STEPHENS: I'm Jesse Stephens with Crockett Engineering, 1000 West Nifong, Building 1. So we are requesting to actually amend it from May 18th meeting to table it to the June 8th meeting to give a little bit more time -- miscommunication in the date, so that's the request.

MR. STRODTMAN: So you're just requesting a different date and still a table request, just pushing it back a little farther?

MR. STEPHENS: Yes. That's correct.

MR. STRODTMAN: Thank you. Commissioners, any questions of this speaker? Thank you, sir. Any additional speakers like to come forward? I see none. Commissioners, as it is a past practice -- yes, Ms. Russell?

MS. RUSSELL: I'm just going to ahead and make a motion.

MR. STRODTMAN: We'll take it.

MS. RUSSELL: Case 17-107, I move that we table it to the June 8th, 2017 P & Z meeting.

MR. MACMANN: Second.

MR. STRODTMAN: Thank you, Ms. Russell and Mr. MacMann for that second. Any discussion needed on that motion? I see none. Ms. Burns, when you're ready.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Strodman. Motion carries 8-0.**

MS. BURNS: Motion carries 8-0.

MR. STRODTMAN: Thank you. Our recommendation for approval of tabling that request to June 8th has been approved.

## **V) SUBDIVISIONS**

MR. STRODTMAN: Moving on to our first subdivision case.

### **Case Number 17-93**

**A request by McGrath Marjorie Revocable Intervivos Trust, Chong, Lisenby, Jesse,**

**Gianino, Hristov & Misirova (owners) for a revised preliminary plat to be known as Creeks Edge, Plate 1-B. The 5.3-acre subject site is located at the northeast corner of Sawgrass Drive and Valhalla Court.**

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the revised preliminary plat for "Creeks Edge, Plat 1-B."

MR. STRODTMAN: Thank you. Commissioners, any questions for staff? Ms. Burns?

MS. BURNS: Mr. MacIntyre, on one of your photos I saw a fence -- I'm sorry -- Mr. Smith. Sorry. I miss Steve. In one of your photos there was a black fence -- yeah -- bordering the backs of these properties to the west.

MR. SMITH: Uh-huh.

MS. BURNS: Is that a fence -- a common fence or is that something that's maintained by individual property owners or do you know that?

MR. SMITH: I don't -- I don't know if I can answer that. I do not know that.

MS. BURNS: Okay. Thank you.

MR. STRODTMAN: Commissioners, any additional questions for staff? I see none. As is in past practices with our subdivisions, if there is anyone in the audience who would like to come forward and give us any relevant information to this case, we would welcome that at this time. We just ask for your name and address.

MR. GIANINO: Hi, everyone. I'm Mario Gianino; I live in Lot 104. I'm here with other interested parties, being Lot 101 and 102. With regard to the fence that you see there, that's actually Lot 101, so I think it's relevant to tell you all that there's actually been an ongoing developmental contract that we intend to execute upon approval and hopefully approval of this land that's going to include berms tied into irrigation. It's intended to be privately maintained in an area that is going to be much different than what you see on these pictures here. So, you know, as of right now, we intend for berms as has been mentioned to be built not only to obstruct that area, but to create something that is a little bit more pleasurable than what you're seeing there. And everybody is in agreement on that and I think that's it. So thank you.

MR. STRODTMAN: Thank you, sir. Commissioners, any questions of this speaker? Ms. Loe?

MS. LOE: Mr. Gianino, I believe we got a letter from you included in our packet?

MR. GIANINO: Yes.

MS. LOE: So when you said that this will be more enjoyable for everyone, can you clarify? Will this area remain unfenced?

MR. GIANINO: As far as the fencing goes, I can't say that for certain it's not going to be fenced. I can't say we've had any specific discussions regarding the fencing. As of right now, I don't think when the fences went up that was really a point of discussion until this recently developed. I can tell you that with the system being tied into our irrigation systems that we're going maintain that. It's going to be sodded. There

are very specific specifications that have been laid out. So with that, I can't speak specifically to the fence, but that area will be well maintained and I think that's the intention of all of the interested homeowners.

MS. LOE: In your letter, you state that this is also to the benefit of the neighborhood association which will have its liability and the maintenance costs reduced by the replat.

MR. GIANINO: Right.

MS. LOE: Can you describe or explain what that means?

MR. GIANINO: Sure. So I'll take that twofold, if you don't mind. The liability portion being -- say that any additional public -- I guess it would still be private. But say the neighborhood decided to develop that area at a later portion, or people are cutting through that area to get to the pool, for example. The neighborhood association is going to incur less premiums with regard to insurance costs as a result of not having as much land to cover. That being said, there are -- and I say this in response to the opposition that was mentioned earlier. As of right now, the development is slated to be over -- approximately 50 percent green space. In terms of how that is actually apportioned among the neighborhood, that's about 80 acres. So any type of community activities or developments that want to be had by the Creeks Edge people or, you know, neighbors can be had directly north of this area that's in question, east, or virtually anywhere else in the -- in the neighborhood. So it's not like we're taking this land solely to deprive anybody of it. I think we find a mutual benefit in all of the landowners maintaining an areas that's -- that looks good for people that are at the pool, us, as well, and then also leaving open other areas that we've got plenty of for other developments.

MS. LOE: Do you have anything from the neighborhood association showing that they're in approval of this?

MR. GIANINO: No, I do not.

MS. LOE: Thank you.

MR. GIANINO: But -- sure. And if I -- I would also like to add that if that were the case and nothing has come up as -- with regard to covenants, restrictions, nothing of that nature has arisen. So as far as I know and I've reviewed them myself, that this isn't an issue that has really been addressed and I don't think it needs to be addressed given the -- the ownership of the land as is. I just want to make sure that everybody understands that the land, as -- as of now, does have an intention to be, like I said, well developed.

MR. STRODTMAN: Commissioners, additional questions? I see none. Thank you, Mr. Gianino.

MR. GIANINO: Sure. Thank you.

MR. STRODTMAN: Appreciate it. Thank you. Any additional speakers who would like to come forward related to this case? I see none. Commissioners, discussion needed? Additional comments, information needed from staff? Ms. Loe?

MS. LOE: I have to admit I'm a bit confused by this one because even though staff has told us that -- that the site identified is not -- or is not identified as not for typical development, the legal description or -- of the site is Creeks Edge Clubhouse --

MR. STRODTMAN: Uh-huh.

MS. LOE: -- which seems to me to be a site that's not identified for typical development. That seems to convey a community-oriented development. So even though it's not identified in a plan as common use, there seems to be a greater -- I mean, I understand it's privately owned, but there seems to be a greater amount of land owned by this owner and that this clubhouse may be intended for use by multiple streets -- developments in the area, so I'm confused as to the real intent of this property.

MR. STRODTMAN: Mr. Smith, would you like to maybe go into a little more details as to why the intent and --

MR. SMITH: Sure. Well, I can -- I can provide a little more information. I'd say as far as the -- the naming of the plat, the clubhouse plat, you can name a plat anything you would like. The name of the plat does not confer any specific restrictions on it. What we look for as far as developmental restrictions is when you identify a common lot on a plat. A common lot has specific definition that restricts certain types of activities on it. We're also not suggesting, which I touched on in the staff report, that there could not be detrimental impacts to certain residents out here, but as far as staff investigating what the HOA implications are here, we're not equipped or responsible at this stage to verify if the HOA is going to feel that they are -- or this request would be a detriment to the community. So part of the revision of the preliminary is sending out notices that this -- this request was made in the hopes of making sure interested parties are aware of that. Notices anyway to the PI meeting -- the public information meeting. So in that case we look to make sure that possible interested parties that may consider this to be detrimental could have the chance to voice their opinion at this stage. So we did receive the one letter. I don't think we received any other comment at the PI meeting, as well. So staff's view as far as not being a detriment has a very limited scope. It's really about like it says in there, basically, the removal of restrictions that maybe the City had relied on, the common lot issue. If there was a clear, I think, connection you could make to removal of certain common lot restrictions that the community as a whole might consider a detriment, I think that could be looked as a detriment, but, from our standpoint, what we look at a lot is the character of the neighborhood going to be disrupted? Are we taking lots and combining them into much larger lots where the development of that lot now could, basically, cause something to be built that would be out of character with the neighborhood? So there's things that we look at that I think we could use to determine if there's a detriment, but there are other things we cannot look at or at least we did not look at in this case. And I think HOA implications or legal ownership of this lot implications and who is a party to it and who has an expectation of having access to this lot is not something we considered.

MS. LOE: I guess I just don't want to be party to some decision that -- I mean, if there's an understanding in this neighborhood that this is a common -- if they've been led to believe that this a common area and would be landscaped for common use, and somehow a decision by this group has taken and construed or built on to be -- then give part of that to private owners is -- are we getting ourselves in trouble?

MR. SMITH: I don't know if I can answer that for you 100 percent.

MS. LOE: Okay.

MR. SMITH: I can tell you what the letter of the Code says as far as what you can consider when

reviewing whether resubdivision can and should be approved. So it's not that specific as far as looking into the implications or the implied access to these type of lots from the HOA. But, I mean, that's generally why staff included that in there is that that is -- is likely to be a point of discussion. But I think our stance is we're not, I think, equipped to -- to fully answer those questions. So, I think in that case, it would be the responsibility of the HOA, which, in a lot of situations with newer subdivisions, is either not created or is controlled by the developer at that stage. So there's -- there's some limitations to that.

MR. STRODTMAN: Thank you, Mr. Smith. Mr. MacMann?

MR. MACMANN: To follow up on your last point, Mr. Smith, this HOA was developed by the owners; do we know that? Or is this a neighbor --

MR. SMITH: I -- we do not -- I did not review the HOA covenants, the HOA standing, or anything of that nature.

MR. STRODTMAN: Commissioners? Would you like to make a motion for discussion?

MS. RUSHING: I'll make a motion to approve the request by McGrath Marjorie Revocable Trust -- Intervivos Trust, Chong, Lisenby, Jesse, Gianino, Hristov and Misirova (owners) for a revised preliminary plat to be known as Creeks Edge Plat 1-B.

MR. STRODTMAN: Thank you, Ms. Rushing.

MS. BURNS: Second.

MR. STRODTMAN: Thank you, Ms. Burns, for that second. Commissioners, additional discussion on the motion that we have in front of us for approval? If I -- I see no discussion. Ms. Burns, when you're ready for a roll call.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Ms. Russell, Ms. Burns, Mr. Harder, Mr. Strodman. Voting No: Mr. Toohey, Mr. MacMann Abstention: Ms. Loe. Motion carries 5-2 with one abstention.**

MS. BURNS: We have five in the affirmative. Motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval of Case 17-93 will be forwarded to City Council for their approval.

#### **Case Number 17-105**

**A request by TREKK Design Group (agent) on behalf of Columbia Housing Authority (owner) for approval of a one-lot final plat, constituting a resubdivision of existing lots, to be known as "Bryant Walkway Apartments II - East". The 0.42-acre R-MF (Multiple-Family Dwelling District) zoned property is located at the northeast corner of Park Avenue and Trinity Place.**

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the final plat for "Bryant Walkway Apartments II - East".

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, any questions for staff? I see none. As in past practices with subdivisions, if there's anyone within the audience that would like to come forward

to give us some information that's relevant to this case, we take it at this time. I see none.

Commissioners, any additional discussion needed? Ms. Loe?

MS. LOE: No additional discussion on the floor. I'll make a motion to approve Case 17-105, approval of Bryant Walkway Apartments II - East final plat.

MR. MACMANN: Second.

MR. STRODTMAN: We have a motion made by Ms. Loe and seconded by Mr. MacMann. Commissioners, any discussion on this motion that's been put forward on the table? I see none. Ms. Burns, when you're ready for a roll call.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Strodman. Motion carries 8-0.**

MS. BURNS: Motion carries 8-0.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval will be forwarded to City Council. Moving right along and in relation.

#### **Case 17-106**

**A request by TREKK Design Group (agent) on behalf of Columbia Housing Authority (owner) for approval of a three-lot final plat to be known as "Bryant Walkway Apartments II - North". The 3.07-acre R-MF (Multiple-Family Dwelling District) zoned property is located at the northwest corner of Trinity Place and Allen Street.**

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the final plat for "Bryant Walkway Apartments II - North".

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, questions of staff? I have a question. Why are we -- why are we doing this?

MR. SMITH: That's a very good question. The applicant has suggested that there are financing reasons behind the replat. They are seeking to acquire certain tax credits, and there is a lot of detail behind that that I don't think I could go into adequately, but I do think they have a representative here who might be able to explain that better.

MR. STRODTMAN: Not necessary, I was just curious.

MR. SMITH: But it was a good question, yes.

MR. STRODTMAN: It seemed a little weird, but I knew there had to be a reason. We just don't do things for no reason.

MR. SMITH: No. I think it's -- it's valid to have a reason for a replat request, so I apologize for not including that in my staff report for that.

MR. STRODTMAN: That's fine. Just curious. Commissioners, any additional questions of staff? I see none. As is our past practice, we'll open the floor -- even though this is a subdivision, we'll open the

floor to anybody that's here that would like to come forward and give us any relevant information to this case, please come forward. I see none, so we'll close that. Commissioners, additional discussion?

Mr. MacMann?

MR. MACMANN: I'd like to make a motion.

MR. STRODTMAN: We would like to hear it.

MR. MACMANN: In the matter of 17-106, Bryant Walkway Apartments -- North, a replat, I move that we accept this.

MR. STRODTMAN: Thank you. Do we have a second?

MS. RUSSELL: Second.

MR. STRODTMAN: Thank you, Ms. Russell. We have a motion that has been made by Mr. MacMann, seconded by Ms. Russell to approve Case 17-106. Commissioners, additional discussion needed on this motion? I see none. Ms. Burns, when you're ready.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Strodman. Motion carries 8-0.**

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Recommendation for approval of that case will be forwarded to City Council for their review. Moving on.

## **VI) PUBLIC HEARINGS**

### **Case Number 17-108**

**A request by Crockett Engineering (agent) on behalf of Welcome Home, Inc. and Mid-Missouri Veterans, LP (owners) for a major amendment to the C-P plan known as "Veterans Campus". The subject site is located at 2112 and 2120 Business Loop 70 East. The applicant is seeking an additional screening variance for Lot 2, and is updating the C-P plan to match the plat (Case #15-18) of the property.**

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the major amendment to the "Veterans Campus PD Plan".

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners, any questions? Ms. Rushing?

MS. RUSHING: I have question. Question. The ownership of the lot to the south, is it owned by one of the property owners to the north?

MR. PALMER: Yes.

MS. RUSHING: Okay. I mean, it seems unlikely that it's going to be residential. Do you –

MR. PALMER: It's -- it's zoned R-1, and as I said, the stipulation would remain that once that lot is developed, it would -- it would require that the screening be put in place at that time.

MR. STRODTMAN: Any additional questions, Commissioners? Mr. MacMann?



MR. MACMANN: Just as a clarification, those lots all around there are all R-1 currently? It's just -- it's woods.

MS. RUSHING: Right. I was -- that's why I was asking because the topography doesn't seem to be amenable to putting in a residential development, but you never know, I guess.

MR. STRODTMAN: Ms. Loe, do you have a question?

MS. LOE: I notice they added some parking. Did -- was there a reason?

MR. PALMER: I'm -- that would be because the larger building footprint. I think it's required.

MS. LOE: No. This is above and beyond what's required.

MR. PALMER: Is it?

MS. LOE: Uh-huh.

MR. PALMER: I'm not sure then.

MR. ZENNER: Mr. Stephens is here from Crockett Engineering, which is the design firm that's responsible for the C-P plan. I believe he may be able to shed some additional light on that for you.

MR. STRODTMAN: Commissioners, are there any additional questions for staff before we open up the floor? We see none. We'll go ahead. And this is public hearing, so we'll go ahead and open the floor to anyone who would like to come forward.

#### **PUBLIC HEARING OPENED**

MR. STRODTMAN: We will just ask that you give us your name and address and try to keep it to about three minutes.

MR. STEPHENS: Hello, there. Jesse Stephens again with Crockett Engineering, 1000 West Nifong. I think Rusty gave you a pretty accurate characterization of what we're trying to do with this. The main goal was to try to eliminate the screening variance and save -- the two lot owners are Patriot Place, which is with Columbia Housing Authority, and Welcome Home is the lot to the east. And so part of the idea of the R-1 lot to the south is that it's common green space that both of them use, and so the stipulation of the -- without the variance, Welcome Home will be required to place a screening fence that separates their property from that common green space, so it makes it more difficult for them to access. Down below, although it's zoned R-1, there's no intent by either of those property owners at this time to do anything with that property other than common shared green space. So it's just an inconvenience for Welcome Home to have an additional stipulation of screening that's not required, that their neighbor is not required to have. And in terms of the monument sign, we're just basically trying to -- we're still within compliance of all City requirements on that. We meet all requirements of the signage ordinance. And actually adding the sign lost a couple of parking stalls. I don't think we have added any additional parking from the original approved C-P plan.

MS. LOE: There's four more stalls than there were previously. There wasn't a need for extra parking?

MR. STEPHENS: There is a need for extra parking, but they felt that the -- having a sign was more important to them than the two stalls that they lost. So --

MS. LOE: Well, somehow you squeezed four extra stalls in, so --

MR. STEPHENS: Right. Well, I will say that the -- the plan for Welcome Home did evolve after the initial approval of the C-P plan. Patriot Place's plans were pretty well in place at the time of the approval of the C-P plan. Welcome Home evolved as they received money. There was a phase one part of the project. It -- it stalled because wanted to complete -- do phase one and phase two as one project. So the whole idea behind this is that we're trying to get the C-P plan consistent with what's being built and what's been final platted, so --

MR. STRODTMAN: Additional questions, Commissioners? Ms. Loe?

MS. LOE: So I'm just -- since parking is such an ongoing issue, so you're saying that they've -- I mean, you're providing parking beyond what's required and you're saying they actually require -- could use additional parking?

MR. STEPHENS: Well, Welcome Home particularly, there's shared parking between -- between Patriot Place and Welcome Home, but Welcome Home has far less parking than Patriot Place does. So, I mean, they -- they definitely have a need for as much parking as they can get.

MS. LOE: All right. Thank you.

MR. STEPHENS: Thanks.

MR. STRODTMAN: Any additional questions, Commissioners? Thank you, sir. Anyone else like to come forward? Come on up, sir. Just give us your name and address, please.

MR. CRANOR: My name is Lawrence Cranor; I live at 2106 Ammonette. On the plat map you saw before, it was in the lower left-hand corner. I have grave reservations about the screening in place. When I step out of my front door, I have a direct line of sight to the south side of the campus. The building of the apartments on the left are right there. The pavilion and flagpoles and the southwest quadrant of the building on the -- on the far east are all within my view. When loud conversations take place at the pavilion, they're audible within my living room. I have had construction going on outside my bedroom window for two years. The elevation difference you can't see here, but they're on top of the hill. The end of Ammonette is at the bottom of the hill. Speaking from the bottom of the hill, we get a lot of noise, we get a lot of light coming from that location. I had met with Steinhaus and the director of Welcome Home about two years ago before they began any construction, and the concern -- the grave concern that I had was that they would encroach on the waterway easements which take up and gobble up about half of that R-1 lot. Now, my backyard is at the same level as the creek there, so any obstruction, any encroachment on the waterway has a potential to cause flooding for me. This last weekend was a pretty dramatic illustration of that. I wasn't really aware that there was a variance on the screening as it stood. When I had met with them, I also got this assurance that, no, there's this military perspective that values a sort of sense of being on base, and it's very important to us to preserve a solid green buffer between us and the residential neighborhoods next door. In the meantime, it has been somehow decided that that R-1 lot to the south would actually make a great park, would make great gardening space. What is omitted from the plat map are the raised gardens that have been built and are being actively cultivated on the north part of the R-1 lot. That -- if you're gardening, you're definitely not going to value having lots of shade or screening between my front porch and the back of this lot. I can see the construction equipment. I can see what's going on.

It's been really noisy and they're going to be very busy. So any variance that opens that up to my front porch is an active detriment. It is to my neighbors, as well. The reason why that was broken into two lots long, long ago is very, very clear. They've got a hotel on the top of the hill and then the residential neighborhoods back behind it. They never did anything with it. They were quiet. We never had any beef or -- now it's become very, very, very noisy. I would mention that my parents moved onto to Ammonette in 1978. I grew up -- they're still there. I grew up on that street. I now live down the hill. My parents have retired but they're still there and still active. Marita is next door is a newcomer. She showed up in '79 or '80. Two other neighbors have been there 20 years. My best friend lives across the street. I also get to call him a newcomer because his family moved onto Ammonette when I was in sixth grade. This is a special little community. It's very, very quiet. It's a dead-end street that we've always really enjoyed being able to raise our kids on because there's no through traffic, there's no activity. When you posed some questions about lines of sight and what's here, I could answer any question on that, but, in the meantime, I am -- I regret that I didn't think or realize that I should have submitted information in writing in advance, but it's my contention that there is development going on in the southern lot already, so any variances that's condition on this lot not being developed have already been triggered, so --

MR. STRODTMAN: Commissioners, additional questions for this speaker? Mr. MacMann?

MR. MACMANN: I have a couple of questions just to clarify what Mr. Palmer said, and thank you for bringing this up, sir. You stated, Mr. Palmer, that the -- the existing -- the pre -- the variance is on Lot Number 1 of the north lot, and this would be -- this action would be to extend that to the east to cover Lot Number 2?

MR. PALMER: Correct.

MR. MACMANN: So as we speak, the lot next to this gentleman's property already has its variance; is that my understanding?

MR. PALMER: Right.

MR. MACMANN: All right. That's where I thought we were.

MR. PALMER: Yeah.

MR. MACMANN: Sir, who gardens this property, this --

MR. CRANOR: I assume residents of the property to the west.

MR. MACMANN: And you would still --

MR. CRANOR: Those have been occupied for most of a year now.

MR. MACMANN: The Patriot Place?

MR. CRANOR: Yes. Yes. Yes.

MR. MACMANN: If I can keep them straight in my head.

MR. CRANOR: It's difficult.

MR. MACMANN: Yeah.

MR. CRANOR: And, in fact, the -- our one lot to the south is, according to the deed, is registered to a separate legal entity entirely, but --

MR. MACMANN: That's -- some of that is funding, as far as I understand.

MR. CRANOR: But, functionally, it's treated -- they are interacting as an integrated unit.

MR. MACMANN: All right.

MR. CRANOR: And, in fact, spilling over into the third lot.

MR. MACMANN: Well, let me just clarify one thing. You said that there was development going on on the southern lot. Are you referring to the raised garden bed or are you referring to something else?

MR. CRANOR: Raised garden beds are what I've been able to observe from my front porch. I have also been aware of their participation in a number of contests to develop the area into a park -- paths, benches. I, again --

MR. MACMANN: Are these items present or are you --

MR. CRANOR: They are not yet. Again, construction is still ongoing, but it has been made clear that they consider this shared green space.

MR. MACMANN: I don't have any more questions at this exact moment.

MR. STRODTMAN: Thank you, Mr. MacMann. Commissioners, any additional questions? I see none. Thank you, sir. Anyone else in the audience who would like to come forward, we'd like -- come forward at this time, please. Come on up, ma'am. Would you please give us your name and address?

MS. PICKENS: Tracy --

MR. STRODTMAN: Why don't you get up so the recorder can get it legally.

MS. PICKENS: Tracy Pickens; I'm at 2105 Ammonette Street. We just want to protect the area. There's vegetation, there's animals that roam that area, and we would just like the green space to be there. That's it.

MR. STRODTMAN: Thank you. Commissioners, any questions for this speaker? I see none. Thank you, Ms. Pickens. Any additional people like to come forward? I see none. I'll go ahead and close this public hearing.

### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners?

MS. RUSSELL: I have --

MR. STRODTMAN: Ms. Russell?

MS. RUSSELL: Well, actually, I have one more question of staff. The open space lot, the R-1 lot, who owns that piece?

MR. PALMER: As he said, it was -- it's under a third-party ownership, but it's Columbia Housing Authority and then I forget exactly who owns the third lot, but it's an entity of the City. And as it -- well, the northeast lot, Lot 2, I believe, is -- is actually a nonprofit organization --

MS. RUSSELL: Right.

MR. PALMER: -- but the rest of it or the other two lots are and entity or --

MR. STRODTMAN: But it's safe to say, Mr. Palmer, that Lots 1 and 2 combined somehow own the -- the R-1 --

MR. PALMER: Yeah.

MR. STRODTMAN: In some legal format?

MR. PALMER: Yeah. Correct. As you said, they virtually operate as a single unit and —

MR. STRODTMAN: But for tax purposes and other reasons, they are separate entities?

MR. PALMER: Right.

MR. STRODTMAN: Ms. Russell?

MS. RUSSELL: Well, I'm just wondering about this gardening that's going on and --

MR. STRODTMAN: If that's --

MS. RUSHING: They're small beds. They're not like —

MS. RUSSELL: I know.

MR. STRODTMAN: My impression is, Ms. Russell, and my assumption is the residents from the home that's under occupancy that's been open for about a year are utilizing the R-1 for a gardening situation, potentially a park, for their own intended use or maybe people that --

MS. RUSSELL: Right.

MR. STRODTMAN: -- they invite. I don't know.

MS. RUSSELL: Right. Well, and when I -- I go out there frequently, and just -- I know it's not the Welcome Home people or the Patriot Place people that are even doing this gardening, but that doesn't mean that they might not want to sometime, so that -- it was just a comment.

MR. STRODTMAN: Yeah. That was my assumption.

MS. RUSSELL: Yeah.

MR. STRODTMAN: I just assumed, but it could be a totally different third party. Yes, Ms. Burns?

MS. BURNS: Are we to the point where I might ask Mr. Stephens to come back up and ask any questions?

MR. STRODTMAN: If you have additional questions.

MS. BURNS: Mr. Stephens, I have a question, if you don't mind.

MR. STRODTMAN: We'll go ahead and reopen Case 17-108. Mr. Stephens, come back up. And for technicalities, would you just give us your name and address again?

**PUBLIC HEARING REOPENED.**

MR. STEPHENS: Sure. Jesse Stephens, 1000 West Nifong.

MS. BURNS: Have you had discussions with the neighbors that have spoken about some of these concerns?

MR. STEPHENS: I have not. This is the first I've been made aware.

MS. BURNS: Is this something that you would be willing to address and work with them, so I've got to say it, there could be a win-win situation.

MR. STEPHENS: Sure. I mean, if there's been some conversation -- needs to be some conversations, it sounds like there's issues with -- that maybe need to be worked out, not necessarily with the Welcome Home, but with the occupants of Patriot Place. You know, I think some of the concerns that were brought up are not going to be alleviated by the fact of whether we put a fence up on Welcome Home or not. The fence is already not required on the part adjacent, so there may be -- but, yeah. I think that Columbia Housing Authority and Welcome Home would probably be open to a conversation.

MS. BURNS: Okay. Thank you.

MR. STEPHENS: Sure.

MR. STRODTMAN: Any additional questions for this speaker? Thank you, Mr. Stephens. We'll go ahead then, unless there's additional -- we'll go ahead and close this case officially.

**PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, additional discussion? Ms. Loe?

MS. LOE: Maybe a question for staff, but I guess the comments from public have me wondering if this screening that currently exists between the occupied -- the northern site and the existing R-1 -- occupied R-1 meets our screening requirements.

MR. ZENNER: It does. It was permitted according to the plans and according to our screening standards. That I do know because we did have a number of issues with the screening that is in the southwest corner at the time that the Patriot Place project was being completed and attempting to obtain its CO, so that has been installed in accordance to our requirements. The variance granted on the southern property line of the Patriot Place project was authorized with the original C-P plan approval, and there was no requirement. I do not have the original C-P ordinance, but I do recall from the discussion when this project was brought forward for Planning Commission and Council review that Lot 1 was considered as part of the overall campus amenities as they related to both Patriot Place and then the Welcome Home site, and that may have been improved for particular passive-type recreational activities which would include gardening. So if there are vegetables being grown on this or other cultivation activities that are being utilized by the Patriot Place residents, that isn't against the zoning designation of that property at this point. And we would have to go back and dig through the minutes of the original approval of this project, but I believe that that was an identified potential use for this southerly land. Building construction that is on this site does not impact any of the environmental features either that are on Lot 1. So while the rain events of this past weekend were quite significant, they were significant throughout the City of Columbia and, therefore, may not have been mitigated by the increase in the impervious surface that is here, but would not have been any different than experienced in other areas of similar development.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any additional questions for staff? Comments? Any discussion?

MR. MACMANN: Mr. Chairman?

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I have a motion.

MR. STRODTMAN: Sure. We would love to hear it.

MR. MACMANN: In the case of 17-108, Veterans Campus C-P plan amendment, I move that we accept same.

MR. STRODTMAN: Thank you, Mr. MacMann. Do we have a second?

MS. RUSSELL: Second.

MR. STRODTMAN: Thank you, Ms. Russell. Mr. MacMann has made a motion to approve Case 17-108 and Ms. Russell has seconded that motion. Commissioners, is there any discussion needed on

this motion? Yes, Ms. Burns?

MS. BURNS: I guess I would just -- I'm concerned about voting for this without a guarantee that there is going to be continued discussion between the property owners and Crockett Engineering. I don't even know if I can add something like that to this motion that that discussion take place.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I'm certainly open to an amendment of that nature, particularly since the City very indirectly, as Mr. Steinhaus' organization is independent, does have some influence over this. I'm all for continuing the conversation, so I'm not sure exactly what you would like to -- I just -- Ms. Burns, my -- there's already no screening allowed on his side. That's already a variance there, and the construction issue, so I would suggest that if you do have that continued construction noise, that you address that with the City in that venue. But I see this as a variance to the east and a signage issue.

MS. RUSHING: Uh-huh.

MR. MACMANN: I mean, am I missing something else there? I mean, I appreciate the gentleman's concerns, but I do believe that -- well, like I said, there's no --

MS. RUSHING: Yeah. I think his concern is on the eastern edge of his property or the western edge of these lots, and we're dealing with the southern edge of the top of the northern two lots. So they're two different issues.

MR. MACMANN: I'm all for -- if you want to make some kind of encouraging communication motion, I don't know what that would look like. You know, we have actually brought people to have them speak together to coordinate, although we don't have anyone from Mr. Steinhaus' organization here. There's no one from CHA present.

MS. BURNS: Well, since we're making a recommendation to City Council, I -- I will take at face value that both parties have agreed to speak and continue this discussion and come to possibly some additional agreements. And if not, then it will be visited at the City Council meeting where additional concerns could be heard. And we're not making the decision, we're simply making a recommendation.

MR. STRODTMAN: Right, Ms. Burns. Any additional discussion, Commissioners, on the motion in front of us? Ms. Russell?

MS. RUSSELL: Well, I just want to make a point that eventually construction noise will go away, so it's not going to be there forever.

MR. STRODTMAN: True. And as Mr. Zenner stated, legally, you can garden on an R-1. So it is a different use than what's been there and it is probably definitely louder than what has been there and that definitely is an inconvenience. But, hopefully, the noise will go away and the neighbors can maybe accommodate each other and get along. So, with that, I would go ahead and ask for a roll call on the motion that we have been --

MS. BURNS: I believe we need a second.

MR. STRODTMAN: Ms. Russell.

MS. BURNS: Oh, thank you.

MR. STRODTMAN: No. Did I have Ms. Russell? Yeah. Ms. Russell seconded.

MS. BURNS: Thank you.

MR. STRODTMAN: Mr. MacMann made the motion and Ms. Russell seconded.

MS. BURNS: Okay.

MR. STRODTMAN: If there's no further discussion, we'll go ahead and ask for a roll call.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Strodtman. Motion carries 8-0.**

MS. BURNS: Motion carries 8-0.

MR. STRODTMAN: Thank you, Ms. Burns. Our Planning and Zoning Commission will -- recommendation for approval will be forwarded to City Council for their review.

#### **Case Number 17-112**

**A request by the City of Columbia Community Development Department for adoption of the Columbia Area Transportation Study Organization (CATSO) Major Roadway Plan (MRP).**

MR. STRODTMAN: May we have a staff report, please?

Staff report was given by Mr. Mitch Skov of the Planning and Development Department. Staff recommends adoption of the CATSO Major Roadway Plan, dated April 2017.

MR. STRODTMAN: Thank you, Mr. Skov. We always look forward to having new guests speak with us, so we thank you. Commissioners, any questions for our new speaker? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Planner Skov, other than combining these, the essential amendment in the development and planning process of the highway and road plan will remain the same?

MR. SKOV: That's correct.

MR. MACMANN: So --

MR. SKOV: It would just -- it would be a different -- at least if the Council were to adopt what we're going to suggest as part of our report, it would be done in a different order as opposed to CATSO taking action, which includes, of course, City representation --

MR. MACMANN: Uh-huh.

MR. SKOV: -- taking action on amendments and then once that has been adopted, those amendments being taken directly to the City Council from there. That's a redundant -- that's a redundancy that other agencies do not -- do not have. For example, the Boone County Commission accepts the CATSO Major Roadway Plan as being the roadway plan. They do not officially adopt it because they have representation on both the technical and coordinating committees.

MR. MACMANN: Okay. All right. Now, I'm with you now. That's where I was going. Thank you very much.

MR. STRODTMAN: Commissioners, additional questions? Ms. Loe?

MS. LOE: You mentioned that the plans are virtually identical. In which ways are they not?

MR. SKOV: Well, they're -- for example, we made an amendment in -- I believe in December of



2015 to add a neighborhood collector for an extension of Cinnamon Hill Lane that is not yet on the City's major roadway plan. That's an extension from the eastern terminus of Stadium north along the 63 corridor and going to the City water tower there currently, but it is -- I believe the development is called Kelly Farms. There will be an extension of that street through Kelly Farms to the terminus and then there's one other property to the east and northeast that Cinnamon Hill Lane would need to be extended through to get to WW and make a connection there. So, that's -- that's the most recent example of what's different. There are also some additional collector streets in the northeast area near Battle High School that have been added to the City major roadway plan that we didn't -- we have not made the second step of also taking them to the -- to the City Council for addition to the City plan because there's -- it's very -- it can be very confusing in that the City does recognize both plans in effect because of the fact that there's actually more City representation on the CATSO Coordinating Committee and on the Technical Committee than either of the other two jurisdictions. So again, it's a bit of a gray area there.

MS. LOE: I'm going to say I think I'm more familiar with the CATSO plan than I am with the Columbia MRP.

MR. SKOV: I think you would be.

MS. LOE: Especially if this -- the MRP hasn't been updated since February 2010.

MR. SKOV: That was the last time we took amendments to the City.

MS. LOE: Uh-huh.

MR. SKOV: There's a three-year period we took, I would say, a few dozen amendments to the City Council for and -- well, for P & Z Commission initially and then to the City Council for adoption into the City plan, but again we feel it's a redundancy that's unnecessary.

MS. LOE: So, redundancy, but also would you then say that you believe the CATSO plan more accurately represents an updated version of the master street plan -- road plan today?

MR. SKOV: Well, it's an updated version of what is now showing the City's major roadway plan. Correct.

MS. LOE: Okay.

MR. SKOV: That -- that map. Again, what staff is going to suggest to Council is that we -- any -- right now, there's no systematic way to bring amendments forth to CATSO, and it could be -- it could come -- it has come from the City Council before that the request for amendment was made. It's also come from individual citizens and from development interests. So it would be preferable from a transparency perspective to have every suggested amendment within the City limits come to City Council first for direction to the P & Z Commission review and recommendation, and then back to Council with the recommendation, and then City Council simply pass a resolution requesting that CATSO consider the amendment whatever it might be. And that's happened in one case that I can think of, but, again, there's no accepted systematic process for that. And that's not what we're requesting here. At this point, we're just requesting adoption of the CATSO MRP or recommendation of the same.

MS. LOE: But adoption -- you're pointing out that adoption of it includes the necessity of coming up with some plan for how to amend it?

MR. SKOV: Yes. I would suggest that it does.

MS. LOE: It sounds like it. Yeah.

MR. STRODTMAN: That would be their recommendation. Commissioners, any additional discussion needed? Motion? Discussion? Mr. MacMann?

MR. MACMANN: In the matter of Case 17-112 -- Mr. Stanton -- Commissioner Stanton is not present. Someone else is covering --

MR. STRODTMAN: You're doing well.

MR. MACMANN: Someone else has -- someone else has covered the win-win, so I'll pick up with the motion. In the matter of Case 17-112, CATSO Major Roadway Plan adoption, I move that we here so adopt.

MR. STRODTMAN: Thank you, Mr. MacMann. Do we have a second?

MR. TOOHEY: Second.

MR. STRODTMAN: Thank you. We have a second. We have a motion that has been made to accept approval of Case 17-112 by Mr. MacMann and seconded by Mr. Toohey. Commissioners, do we have any additional discussion on this motion? I see none. Ms. Burns, when you're ready.

MS. BURNS: Yes. Thank you.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Strodtman. Motion carries 8-0.**

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. P & Z's recommendation for approval will be forwarded to City Council for their review. Mr. Skov, we appreciate you coming and you're welcome any time.

MR. SKOV: You're very welcome. Thank you.

## **VII) COMMENTS OF THE PUBLIC**

MR. STRODTMAN: If there is anyone in the public that would like to come forward? We know who you are.

## **IX) COMMENTS OF THE STAFF**

MR. STRODTMAN: Mr. Zenner?

MR. ZENNER: Well, your next meeting will be May 18th.

MR. STRODTMAN: Oh, thank you.

MR. ZENNER: So we get to do another work session and we get to do a regular meeting.

MR. STRODTMAN: So it's no longer tentative?

MR. ZENNER: Well, no. We put tentative on all of things now because you never know what to expect. But we do know we've got a plethora of items for your May 18th regular meeting, and then I will have to think of some interesting things to discuss during our work session to figure out what we will do to occupy our hour and a half before we get to this point in our day. But your items on your May 18th agenda

are here before you. It is a total of six, as you can see. Actually, there will be five. We have sent the Bristol Lake project to the June 8th meeting. But we do have two subdivision plats. One is the Woodrail Meadows is actually a replat of some existing lots of record, and then the Coliseum is a preliminary plat of a new subdivision. Residences at Old Hawthorne, major planned -- P-D planned district amendment out at Old Hawthorne. Wellington Estates, this is an annexation up off of Mexico Gravel Road with permanent zoning of, I believe, R-1. And then another Dunkin Donuts, and this up on Highway 763, Rangeline North, just below Blue Ridge where the big red barn is. And if you aren't familiar with the areas here in the City, here are your maps. So, we have the Coliseum plat here off of St. Charles. We have your Woodrail Meadows replat and then we have the Bristol Lake project, which this is a pond that's existed outside the City limits for 12 years apparently that is potentially tied to the Bristol Lake development. That'll be an annexation request hopefully that we'll be bringing back to you at the beginning of June. The Residences at Old Hawthorne, this P-D amendment basically is addressing some sidewalk issues internally within the project, so it is a sidewalk variance, in essence, and a modification of the development plan requirements. Your annexation here up at Wellington just north of Mexico Gravel. And then, of course, the Dunkin Donuts here just south of Blue Ridge off of Highway 763. This will have a right-in/right-out only, so it's -- you don't have to helicopter drop in to get your doughnuts and coffee in the morning. You will be able to get there, but only from the north because there is no way to get to it from the south, so you'll have to turn around at the traffic light. That is all we have for this evening. I thank you very much for your attention. And as we discussed this evening in work session, I will pen for the Commission your comments and observations as it relates to the 2018 Capital Improvement Program and forward those to our Finance Department for incorporation into the Council's budget retreat packet.

MR. STRODTMAN: And we appreciate what you do to make it look and sound better when you give it to them. Annexation of a pond. I think that's a first.

MR. ZENNER: And it may include the property to the property to the north of that which was originally a subdivision. So we are hoping with the delay some of the additional information will actually be able to support why we need to annex just a pond.

MR. STRODTMAN: So water is not going to be issue. There must be -- Commissioners, comments of Commissioners?

**IX) COMMENTS OF COMMISSIONERS**

There were no comments from Commissioners.

**X) ADJOURNMENT**

MS. RUSSELL: I move to adjourn.

MR. STRODTMAN: I have a motion for adjournment -- Ms. Russell. Yes. And Mr. MacMann, second. All in favor? Thumbs up. Thank you. Have a good evening.

(The meeting adjourned at 8:15 p.m.)