

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**NOVEMBER 9, 2017**

**COMMISSIONERS PRESENT**

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

**COMMISSIONERS ABSENT**

**Ms. Lee Russell**

**I) CALL TO ORDER**

MR. STRODTMAN: Good evening. Welcome to the Thursday, November 9, 2017, City of Columbia, Missouri, Planning and Zoning Commission regular meeting. May we have a roll call, please.

MS. BURNS: Yes. We have eight; we have a quorum.

MR. STRODTMAN: Thank you, Ms. Secretary.

**II) APPROVAL OF AGENDA**

MR. STRODTMAN: Mr. Zenner, is there any changes to our agenda?

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

MR. STRODTMAN: Thank you. A thumbs up on approval of agenda?

(Unanimous vote for approval.)

MR. STRODTMAN: Thank you.

**III) APPROVAL OF MINUTES**

MR. STRODTMAN: Attachment from October 19th, 2017, minutes from our last regular meeting. Are there any corrections or changes needed to those minutes? I see none. Do you want to do a roll call, please.

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

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Secretary.

**IV) SUBDIVISIONS**

MR. STRODTMAN: Moving on to our first Subdivision item of the evening, Case Number 17-119. At this time, I would ask any Commissioner who has had any ex parte communications prior to this

meeting related to Case 17-119, 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.

**Case No. 17-119**

**A request by Brush and Associates (agent) on behalf of Elias & Elias, LLC (owner) for approval of a 31-lot preliminary plat on R-1 (One-family Dwelling District) zoned land, to be known as Mill Creek Meadows Subdivision Plat 1, and a design adjustment from 29-5.1(b.2.iii), which requires areas identified as sensitive land not to be included on lots intended for development. The 15.57-acre subject site is generally located on the east side of Old Mill Creek Road, approximately 3,000 feet south of Nifong Boulevard, and addressed as 4700 S. Old Mill Creek Road.**

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 preliminary plat for Mill Creek Meadows Subdivision Plat 1 and the requested design adjustment.

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, any questions for staff? Yes, ma'am.

MS. RUSHING: Just to clarify. This street here, is it going in the future east to connect to Sinclair or north to connect to Nifong or neither?

MR. SMITH: The roadway here reflected on the preliminary plat?

MS. RUSHING: Uh-huh.

MR. SMITH: The possible extension of that would continue to the east, and if I can go back here. Yeah. You'll see, basically, a -- in this location, and I wish I had the street names on there, but I believe this is Southampton here, which is identified as a neighborhood collector.

MS. RUSHING: Okay.

MR. SMITH: It's identified as the logical connecting point for an extension of a street through the subdivision here on the subject property. So that -- that intersection would likely take place out here on Sinclair.

MS. RUSHING: Okay. Thank you.

MR. STRODTMAN: Any additional questions? Ms. Loe?

MS. LOE: Well, to follow up on that question. Subdivision standards in 29-5.1 under avoidance of sensitive lands also identify street crossings of sensitive land areas are minimized to the maximum extent practicable. So we've talked about this lot being in the floodplain, but I, too, am curious about why this road is extending into the floodplain and flood way as shown in the preliminary plat?

MR. SMITH: And that is something that we did discuss internally and it is a conscious decision to show the extension of that street through that area. Unfortunately, to cross any streams, you will be affecting floodplain areas, and so we have to evaluate whether or not this location makes sense in the context of connectivity overall for the area.

MS. LOE: Right. So this does not show up on CATSO.

MR. SMITH: That's correct. It is not on CATSO. It has been discussed at CATSO previously as a -- as a somewhere that might be added in the future. So the decision at this time --

MS. LOE: The CATSO crossing right now east to west goes below the floodplain, so it avoids the floodplain area. So --

MR. SMITH: The CATSO crossing right now --

MS. LOE: -- I'm a little bit conflicted about approving something that goes through the flood way when CATSO appears to have avoided doing that.

MR. SMITH: I believe CATSO is -- shows, though, the further extension of Old Mill Creek straight south, as well. And so at some point in that location, a stream crossing would be needed to fulfill the goals of having that connection going south, as well. It is a difficult intersection and the roadway curves the way it does for a reason and because Mill Creek does come through there diagonally. So I think with the extension of Old Mill Creek going south connecting possibly with a extension that would curve along to the east, and I don't have the full map here, but back towards Sinclair, the next step then would be to look at the locations of connectivity along that stretch where you have over a mile or two, I think, between any type of east-west connectivity if you went from Vawter School down to where Old Mill Creek extended would curve back to Sinclair. And if you look at, basically, the street design standards, you're looking at some sort of collector connection every, I believe, is it mile or perhaps half-mile.

MS. LOE: CATSO shows it going over at Crabapple extending across, and where Old Mill Creek Road, it's much narrower where that comes across than where this road appears to be running to the east.

MR. SMITH: This wouldn't be in substitute of Crabapple. This would be in addition to Crabapple.

MS. LOE: I understand that.

MR. SMITH: So that is something we're aware that is not on CATSO. We did consult with some of our representatives on CATSO, and they did give us the information that this has been discussed. So the preliminary plat does not require the road to be built. At this point, they would construct the roadway for the time being to a temporary turnaround on the east side of the property. The decision to make a crossing would most likely require City financing at some point, and so a decision would have to be made with -- with the City's involvement whether or not to do the crossing at that point in time and whether or not that connection was warranted. Given the potential future development of the Sinclair Farm to the east, I think a connection is going to be part of that conversation. I don't know if that's going to be the final decision, but at this stage it does, in our regard, does make sense to include it so that it at least is part of that conversation when we get to that point. If it's not and the terminus is shown, then the final plat really won't be able to accommodate a connection at all in the future.

MS. LOE: The turnaround appears to be shown in the flood way.

MR. SMITH: That is true. We'll have to look at that and see if that's --

MS. LOE: And I'm just -- I'm curious because it seems to contradict the standard I cited earlier.

MR. SMITH: Uh-huh.

MS. LOE: To move on to another point, it says if any lot intended for development includes designated sensitive areas, the subdivision shall restrict construction of permanent structures to a designated building area, which it does not include, and the sensitive area shall be permanently protected by designation within a preservation easement. In the application we saw or the letter we saw, it does not appear to do that, nor are we getting a designated footprint. Can you just comment on why those steps don't appear to have been followed?

MR. SMITH: That might have been something that was overlooked in this context. I think we could have the building envelope shown on the preliminary plat. I would say this was one of the first preliminaries that we did review when it came in with the new UDC. It was delayed for portions of time as we kind of worked through the sensitive land area requirements, and they have been kind of evolving as we're going. So that might have been something that was overlook at the point when we did look at this small bit of sensitive area. So it's something we could go back and very well request that the applicant put the building envelope on the lot. I don't think that would be too much to ask at that point, and then we could have a preservation —

MS. LOE: Well, actually, the letter says that that sensitive area will no longer be in the floodplain because it's going to be modified by the easement and driveway construction. So it appears that we're not protecting the sensitive area at all.

MR. SMITH: And that's, again, in the context of having the road extension. So there's -- there is competing ideals there. There's the —

MS. LOE: I agree.

MR. SMITH: -- whether or not to extend the roadway and perhaps provide the ability to make that connection in the future with also addressing the need to preserve the sensitive areas.

MS. LOE: Just, finally, these issues all seem to be brought up by the addition of that lot. If that lot wasn't there, the road wouldn't be extending into the floodplain. We wouldn't be having a lot platted in the floodplain area. Correct?

MR. SMITH: That is correct. If you eliminated the lot, then there would be no developable lots that included floodplain. The roadway would still, at least in the instance where we're recommending that the road be shown as connecting to the property to east, which is undeveloped at this time, that roadway would still be reflected on the plans. Whether or not the temporary turnaround is still in the same location could be looked at when we have final design plans. I don't know if that's the exact location that would be at that point, but roadway plans are not required to be submitted or approved with a preliminary plat. Yeah. And Mr. Zenner brings a good point as far as the building envelope goes because the red area that is a sensitive area is actually located completely within easement and would be completely within the front-yard setback. So, essentially, the front-yard setback is the building envelope in this case, but the —

MS. LOE: I understand. I'm simply going through our ordinance and identifying what is tripped when a lot is platted with sensitive areas and asking why these steps don't appear to have been followed

if -- I mean, if there is a justification for that, I would appreciate that maybe we should -- that could be identified --

MR. SMITH: Well, I'll go back to your first --

MS. LOE: -- because we're setting precedent at this point.

MR. SMITH: I'll go back to your first thing. First, as far as the extension of streets being minimized, when you cross a stream, there's -- there's no possibility to minimize or eliminate the need to encroach within that sensitive area. So in this case, staff did make the decision that we're going to require that -- them show the connection going east. So we cannot eliminate the impact when we're requiring them to meet the connectivity requirement.

MS. LOE: Why is the City requiring the connection to the east if it's not on the CATSO plan?

MR. ZENNER: Because part of our -- part of the overall transportation network planning policies and philosophy that we have is that we have roadway connections of major collector streets every one-half mile in order to disperse traffic throughout the road network. At this point, this road location, due to the development to the north of it, is actually exceeding that by almost double. And then the next major connection that would be provided is further to the south on the backside of Mill Creek Manor, which would basically be traversing, as well, the Sinclair Farms' property further down Sinclair Road. If this connection were not provided, we would be probably two-and-a-half to three miles between having an east-west connection from Vawter/Nifong down to the Old Mill Creek connection that is proposed, which I don't believe is the extension of Crabapple. Crabapple, I believe, has an offset before it comes into Mill Creek Manor. So we have to look at things from the perspective of future development. Part of what our role is is not all maps that we have created or all plans show every road network and connection that's necessary. When opportunities present themselves, such as this development proposal where we have our traffic engineering and our CATSO partners participating in the review, this connection points itself out as being a connection that we believe is important. We realize it contradicts the code, but the connection for the purposes of future connectivity to undeveloped property of significant acreage to the east is necessary. And without this connection, we further thwart the ability to be able to create the uniformity that we have existing in our others throughout the community of having roughly connections every one-half mile. So that -- that's where that conflict is created. It's not a CATSO improvement at this point. It likely would be reevaluated at a point that CATSO believes it's necessary when we have more development data for the Sinclair Farms property, and add the east-west roadway connections. At this point, we have very little information about how Sinclair Farms may develop. There has been very little effort to jointly plan the development of that property between the University of Missouri and the City. So we have to provide every opportunity we can to ensure that the connections that we know we will need, based on our road network, are available. Otherwise, we create real problem for ourselves in the future. We create bottlenecks and additional traffic problems on the network that's not sufficient to support what may happen as the infill in this particular area occurs. The justification, I believe, Ms. Loe, that you're looking for may not be in the staff report, but I can guarantee you, as part of the review of this project, we

looked at all of the scenarios and all of the reasons for why this 300 square feet was not to be considered as a separate defined parcel. As Mr. Smith just pointed out, it is fully encumbered by utility easements as well as the front setback. There is a practice aspect here, why create an easement in an area when, in fact, it's covered by a defacto easement that's not buildable. It's not something that we are trying to avoid, it's we are looking at things from the practical applications perspective of our other code requirements. If it's something that the Commission desires to have pointed out in the staff reports to justify why we are making decisions that seem administrative, we will more than happily try to put that into your reports in the future. So I think as we pointed out when we dealt with our last and our first request with sensitive feature waiver, the floodplain is a developable portion of property. It has historically been developable within the City of Columbia. There are extents to which development of the floodplain may be not wise, and in other instances, the development of the floodplain may not be seen as much of an obstacle. However, the floodplain can be raised and it could be removed. And in this particular instance, if this roadway is extended or any grading or any other type of utility work is made, it's likely that this floodplain area would be removed. And that could happen before this plat is approved or it can happen afterward. So if the applicant wants to go ahead and go through the process of elevating this, which he is entitled to do, he could do it now and come back in with this exact same plat and we wouldn't be having this discussion. At least the applicant has proposed the request at this point. I believe we, as a staff, have identified how it's being handled and addressed, and how the applicant is actually giving land to offset the impact that he is creating that's outside of the sensitive features that he did not have to otherwise give. So based on those conditions, that is why our staff supports the request that's at hand. We realize that you might take exception to that, but that's our justification. We believe it's a practical and a reasonable swap, and it doesn't diminish the impact or the ability of the code to be functional.

MR. SMITH: And I might just add, just from a regulatory standpoint, it is in the code that we should require the extension of streets to unimproved lands that are adjacent to a property. But part of the ways we can look at that is if it does disturb sensitive areas. And so that could be a justification why we don't make that extension, but it shouldn't be the sole reason we don't make the extension. If that extension is warranted for future connectivity, then, well, I think we will still recommend that. And, too, I'll just echo something Mr. Zenner — well, he may not have even touched on it, but part of the reason this was delayed, we did go through several iterations of this and, again, this was one of the first ones we reviewed, and so there was significant changes. And I think if the Commissioners had seen the first drafts, they would, I think, see how -- how much it did change along those lines as far as reducing the lots that are there now to get them out of the sensitive areas. And so we did come down to this -- this final little area that wasn't removed and they did ask for that design adjustment, but they did make significant changes to the original design, which was -- was required by the code, and we did work with them through that process. So we -- we looked at this as kind of a small area that, again, the future of it is a little bit up in the air given the location next to that roadway and with the bridge extension. And so that is where we came to our decision to -- to go ahead and recommend approval. And it may not be the exact

area where the roadway might go again with the turnaround. There could be some changes there when we have design plans in the future, so some of it unknown and we'll possibly have another look at this when it comes in for final platting, as well.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. A comment and maybe a request -- maybe two requests. This harkens back to the school we approved on the other side of the Sinclair property, and we noted at that time and we approved the school, while that in its footprint met all of the requirements, it had an impact in the area much greater than just that. It met the requirements when we passed it, and I believe Commissioner Loe and I and others indicated that we need to think about the area impact. Coming forward to today, we have a situation whereby, and I believe the 300 feet is symbolic. The 300 feet, in and of itself, could probably be managed. We have an area of environmental sensitivity that has created -- with the new code has created a conflict whereby that -- I understand Mr. Zenner's transportation points exactly. I do, but at the same time, we're running into a water issue. And we've spent the last five years dealing with storm water and sewer and trying to mitigate those issues. And while I agree with you that it's in your administrative power to do that, I think we might need to plan a little more carefully moving forward. That's the end of my comment for now. Thank you.

MR. STRODTMAN: Ms. Rushing?

MS. RUSHING: If this were not being looked at as part of a collector street, how long could that street be?

MR. SMITH: How long could the street be?

MS. RUSHING: Uh-huh. If it's -- ends in a cul-de-sac, so --

MR. SMITH: Oh. If it ended in the cul-de-sac. Three hundred feet or a maximum of 700 feet -- or 750 feet, I think, if it met certain conditions.

MS. RUSHING: So, they would lose a number of lots?

MR. SMITH: Possibly, yes.

MS. RUSHING: Yeah.

MR. SMITH: I'd have to do the measurement, but they might be able to accommodate it.

MS. RUSHING: The -- it says it shows the lots as being roughly 70 feet wide, so ten, eleven lots in, it looks like they -- it looks like they would lose a few lots.

MR. SMITH: If they -- if they pulled it back and they could redesign the lots so they were more around the cul-de-sac, I think they might be pretty close.

MR. STRODTMAN: Any additional questions, Commissioners? As in past practices, this is not a public hearing, but if there's anybody in the audience that would like to come forward and give us any relevant information about this case, we would welcome that at this time. Just give us your name and address, please.

MR. BRUSH: My name is Dan Brush with Brush and Associates, 506 Nichols Street. I'm the engineer on the project. Basically, it sounds like we pretty well hashed out everything I was going to talk

about except for the sensitive area. In looking at the grades and so forth, if the road is to be extended, our -- our original design we started out with was a cul-de-sac coming back and staying out of that area. But through the iterations we've done, we've ended up where we are today. I anticipate that the grade on that road is going to have to come up about five feet. Basically, that little 300-square-foot or whatever area is going to up with fill material on it just to go ahead and grade out the slopes anyway for the road. It won't be in a floodplain at that point in time, and that is the reason for our request is that it basically will not function as a sensitive area, which is why we offered to go ahead and replace it with other area that would function in that -- in that way. Other than that, I would be happy to answer any questions that you might have of me.

MR. STRODTMAN: Commissioners, any questions of this -- of this speaker? Yes, ma'am.

MS. RUSHING: What size residences do you see being built on these lots?

MR. BRUSH: Probably anywhere from a, you know, 1,800 to 2,500 square foot, somewhere in there, would be a guess. I have not talked to the owner about what he is actually looking to market it at.

MS. RUSHING: And is it going to be clear to future purchasers that this is a proposed connector and not just a dead-end street?

MR. BRUSH: That's correct.

MS. RUSHING: Okay.

MR. STRODTMAN: Any -- Mr. Stanton?

MR. STANTON: What was your main reason from walking away from the cul-de-sac design? City? Okay.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Just a comment. Mr. Brush, I just want to let you know that I appreciate your swap. I think it's more than even and I understand the fitting things in. We have an ordinance conflict that I don't think we've -- it's new. We knew we'd run into these -- that we haven't fully resolved yet, so you're doing your deal. I think it's a fair enough swap, just to let you know.

MR. BRUSH: Thank you.

MR. STRODTMAN: Any additional questions? Thank you, Mr. Brush?

MR. BRUSH: Thank you.

MR. STRODTMAN: Any additional speakers like to come forward? I see none. Commissioners, questions, comments, additional information needed? A motion? Mr. Stanton?

MR. STANTON: As it relates to Case 17-199 [sic], Mill Creek Meadow Subdivision Plat 1, preliminary plat design adjustments, I move to approve the preliminary plat and -- and request the design adjustments.

MR. TOOHEY: I'll second that.

MR. STRODTMAN: Thank you, Mr. Stanton, for that motion to approve, and seconded by Mr. Toohey. Do we have any discussion needed on that motion? Ms. Loe?

MS. LOE: I would just like to comment that we have had a similar question come up in a previous

case, and I'm struggling with some real consistency questions here and my vote is going to reflect that.

MS. RUSHING: And I have the same problem with a very similar proposal and that it was put before us in a different form.

MR. STRODTMAN: Any additional questions or 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. Burns, Mr. Harder, Mr. Stanton, Mr. Strodtman, Mr. Toohey. Voting No: Ms. Loe, Mr. MacMann, Ms. Rushing. Motion carries 5-3.**

MS. BURNS: Five to three, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Recommendation for approval will be forwarded to City Council for their consideration.

MR. ZENNER: Mr. Chairman, if I may?

MR. STRODTMAN: Yes, Mr. Zenner?

MR. ZENNER: In accordance to the Unified Development Code procedures, any preliminary plat or final plat that is -- has an associated design modification with it will be processed as an ordinance, not a resolution, meaning it is a two-reading process. So this item will cycle onto the December -- second meeting in December for City Council. It will have two readings prior to being approved. And as not being approved by 75 percent of the Planning and Zoning Commission, it will be under old business, as well.

MR. STRODTMAN: Thank you for bringing that to our attention, Mr. Zenner.

**V) PUBLIC HEARINGS AND SUBDIVISIONS**

MR. STRODTMAN: Moving on to our first public hearing and subdivision matter of the evening. At this time I would ask any Commissioner who has had any ex parte communications prior to this meeting related to Case 17-76, 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.

**Case No. 17-76**

**A request by Crockett Engineering (agent) on behalf of The Brooks at Columbia, LLC (owner) to annex 161.84 acres of Boone County A-R (Agricultural-Residential District) zoned land into the City of Columbia and apply R-1 (One-Family Dwelling District) as permanent zoning. The subject site is located on the north side of State Route WW, approximately 900 feet west of S. Rolling Hills Road. (This item has been previously tabled at the August 24, September 21, and October 19, 2017 Planning Commission meetings.)**

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 requested R-1 permanent zoning pending annexation.

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, is there any discussion needed on

this portion? I see none. Do we want to open it up to the public or do we just want to continue on?

MR. SMITH: I think we conduct a public hearing and then we could continue on at that point.

MR. STRODTMAN: Go ahead and open it to the public hearing portion.

#### **PUBLIC HEARING OPENED**

MR. STRODTMAN: So anyone that's in the public that would like to come forward, we would ask for your name and address.

MR. CROCKETT: Chairman, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I would respectfully ask that we could just defer my presentation at the time of the preliminary plat that covers both of them at one time, if that suits the Commission?

MR. STRODTMAN: Commissioners, okay with that? Sounds good. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Any additional speakers from the audience like to come forward? We'll close that portion of the public hearing.

#### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: And move -- Commissioners, move forward into the -- Mr. Zenner?

MR. ZENNER: In order to ensure that the minutes capture the discussions discreetly between the two cases, while I understand what Mr. Crockett's point is is to present you one unified package, because that's most likely how they have presented their -- how they have prepared their presentation, it does lend itself a little bit of a challenge for our folks with Tiger and then our dismantling of the minutes to have these as a presentation, public input, no vote, and then a vote at the very end. It would be much more appropriate and, I believe, efficient from the minutes perspective if, in fact --

MR. STRODTMAN: Divide it?

MR. ZENNER: -- we were to close the zoning case out and then potentially move forward to the subdivision action.

MR. STRODTMAN: Sounds good. Commissioners, any questions for -- any discussion needed or questions, information, or a motion? Mr. MacMann?

MR. MACMANN: Just a question. Mr. Crockett, did you want to present on this then if it's going to be two separate actions.

MR. CROCKETT: If it's two actions, I'd be happy to present some limited information that I have regarding the zoning.

#### **PUBLIC HEARING REOPENED**

MR. STRODTMAN: Just give us your name and address again and we'll start over.

MR. CROCKETT: Sure. Tim Crockett, Crockett Engineering, 1000 West Nifong. Bear with me, if you don't mind. Let me skip ahead here a little bit. Again, Tim Crockett, Crockett Engineering. With me tonight is Caleb Colbert, the attorney on the project, working mainly on the development agreement, well, Mr. Smith will speak about in a little bit, as well as Quinn Bellmer, who is the applicant for this project. Again, we can talk -- and we'll briefly scan forward here just a little bit. With regard to the annexation and

zoning of the property, the red line here shows the urban service area. I think Mr. Clint - excuse me, Mr. Smith briefly discussed that a little bit being inside the urban service area, and I think that we wanted to graphically show that. A lot of times, that's a concern or a question about where it is in relation to the -- in relation to the urban service area, and you can see by this depiction here that we're relatively far away from the actual line itself. Another item I would like to depict on this -- on this sketch is what you can see in green is what's in county. The beige color is what's annexed into the City of Columbia. So really the location that we're talking about, and I don't want to say it's an island of county inside the City, but really the city limits has expanded on all sides of this particular piece of property. So, you know, we believe that, you know, annexation, of course, and then zoning is appropriate for this location. Not to steal a slide from the City, but I'll steal one of Mr. Clint' -- excuse me -- Mr. Smith's -- sorry, Clint -- slides here. I think that this is a good slide. It really shows the varied types of housing stock in the area, whether it's PUD, R-1, A-R, there's some CGP, there's R-M. It's just a, you know, a wide range of zoning types in this area. And so we believe that, you know, that the R-1 would be an appropriate addition for this location. And with that, I'm happy to answer any questions that the Commission may have.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, is there any questions for this speaker? I see none. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Commissioners, is there any additional discussion needed? Questions, motion?

MR. ZENNER: Mr. Chairman, just before you take a motion, you may want to ask and reopen the floor for any additional public comment, as Mr. Crockett has made a presentation.

MR. STRODTMAN: I understand. Thank you for the clarification. Is there anyone in the audience that would like to come forward at this time and give us any information that's relevant to Case 17-76? We would welcome you at this point. I see none.

#### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, any discussion? Mr. Stanton, did you still have your hand up?

MR. STANTON: Yes, I did.

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: As it relates to Case 17-76, Brooks at Columbia, LLC annexation, annex permanent zoning, I move to approve the request to R-1 permanent zoning pending annexation.

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

MR. MACMANN: Second.

MR. STRODTMAN: Mr. MacMann, thank you for the second. Commissioners, we have a second and motion -- we've had a motion made and second. Is there any discussion needed on that motion? I see none. Ms. Burns, when you're ready for a roll call.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe,**

**Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.**

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval will be forwarded to City Council for their consideration. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to this Case 17-77, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front in front of us. Thank you.

**Case No. 17-77**

**A request by Crockett Engineering Consultants (agent) on behalf of Brooks Development, LLC for approval of a 398-lot preliminary plat on R-1 (One-Family Dwelling District) zoned land, to be known as The Brooks Preliminary Plat #2, pending annexation and permanent zoning. The 161.84-acre subject site is generally located on the north side of State Route WW, approximately 900 feet west of S. Rolling Hills Road.**

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 preliminary plat for The Brooks Preliminary Plat #2.

MR. STRODTMAN: Thank you, Mr. Smith. You did a good job. This is one of our larger plans that we've seen for several years, so thank you.

MR. SMITH: Thanks.

MR. STRODTMAN: Commissioners, any questions for Mr. Smith? Yes, ma'am?

MS. BURNS: Mr. Smith, you indicated that to the north in that property in future development that ten acres have been set aside, so -- but there's no plan for -- so I'm concerned about lack of -- of park or green space.

MR. SMITH: Uh-huh.

MS. BURNS: And that -- I know there were some surprises to come in the development agreement, but I -- I'm concerned a little bit about that.

MR. SMITH: Yeah. I'll just address that real quick again. So there's -- there is a requirement for up to ten acres be dedicated to the City for park district, so there's no development plan approved for that location as of yet. It is a planned district, so a planned development plan would need to come through again this body and through City Council at some point in the future. So there would be an opportunity then to review the location of that park site. So that would be part of the conversation when that property develops. Again, I brought that up just to illustrate that the park district is aware of that requirement and I think the property owners to the north are aware of that requirement, so it will be something that will definitely be on the table as far as discussing when that development comes forward in the future.

MR. STRODTMAN: I would just like to point out though, the important thing is, Mr. Smith, is -- you can clarify is that the applicant is meeting a 25 percent green space requirement?

MR. SMITH: They're meeting the 25 percent preservation of climax forest, actually. Yes.

MR. STRODTMAN: Additional questions of Mr. Smith? I see none. We'll go ahead and -- oh, sorry. Ms. Loe?

MS. LOE: Mr. Smith, I appreciate that this one does appear to have gone through CATSO review. The CATSO minutes mentioned a public hearing, but there was no -- no acknowledgment of what the outcome of that was. Any comments on what public comments were?

MR. SMITH: I believe there was minimal public comments. I was at that public hearing. I believe Mr. Crockett was probably at that public hearing, so maybe he can refresh my memory.

MS. LOE: Okay.

MR. SMITH: But I think, in general, there weren't objections to it, per se, that I can recall, but don't hold me to that, but we can review the minutes of that. I did not include that, and my apologies on the -- on that.

MS. LOE: Well, I've just lost a little track of is El Chaparral now connecting up to Ballenger?

MR. SMITH: Correct. El Chapparal will be and has always been --

MS. LOE: We go back to the CATSO map?

MR. SMITH: Yeah. So, El Chaparral has always been or where it intersects WW now, the extension of that to the north has always been the location of a major collector. So this is El Chaparral here. So, it was generally originally designed to go east-west, but now it will be more north-south. So it would take the place of this one. This moves to the west, so they run more kind of parallels as opposed to intersecting.

MS. LOE: That was going to be my next questions. We appear to have lost that east-west connection through there. Are there any comments on that?

MR. SMITH: The -- I believe that the decision there was that the internal connectivity of the subdivision will provide the necessary connectivity between those. The intersection of the major collectors was not necessarily -- necessary, per se, to still kind of provide the -- the benefit of having those collectors running through the property to the -- through the property and then one to the west, as well. But I do know they --

MS. LOE: What's the distance between Richland and WW where that property is?

MR. SMITH: I believe --

MS. LOE: I mean, we were just talking half mile collectors being --

MR. SMITH: It's about three-quarters of a mile -- this is three-quarters of a mile, so it's probably --

MS. LOE: Okay. So it's about a mile and a half?

MR. SMITH: A mile and a half to a mile.

MR. ZENNER: And the original -- the original east-west connector, Ms. Loe, was at roughly that half-mile marker. It should be noted, as well, and you can see it on this graphic that Brooks Plat 1 does have a trailing road running off to the west. I think as the staff report read, there is a common lot that is

just before you get to the of that road segment, that Hoylake actually ties into, so the design in the street network that is part of the Brooks Phase 1 or Plat 1, the main collector or the main artery that runs through the Brooks 1 would be extended westward. Now, it is likely that it's going to come back up into the property that's undeveloped at this point, and then the stub streets from the south are what are going to provide fingers back up into the undeveloped acreage. Part of the original development agreement that went with the Richland Road tract, which is what is to the north, had indicated that the collector -- the east-west street that has now been relocated and replaced by Hoylake was a requirement of the CATSO plan, and the idea there again being that we wanted to create east-west movement from Rolling Hills back down to WW to El Chaparral. That now has been at least modified along the northern property boundary and replaced, of course, by what now has been shifted further to the west as the north-south street segment coming off of El Chaparral which would come into The Brooks on its westernmost stub. All in all, the CATSO plan does not necessarily define the corridors in an exact location. It is more from a conceptual planning prospective. So the shifting of the roadways which occurred at the CATSO committee assured that we still have the level of the street connectivity that we needed, but just in a slightly different layout believed to be by that committee as an appropriate exchange or transition between the two. The developability really of the remaining portion of the Richland Road tract to the north of this is going to be somewhat hampered given the steep slopes and some of the other environmental constraints that it will have to now abide by due to the new UDC. Since this property is unplatted and if it is subdivided, it does need to meet full compliance. And so there will be some more significant impacts to the developability under the density class that it has on it. And the ten-acre parcel, again, for park dedication is at the discretion of the Parks Department. There was significant discussion with this project coming in and how to allocate either the ten acres and take a portion out of this project or retain it to the contractual obligation that was to the north, and the Parks Department, at the time that this project was being reviewed and they were asked for comment, determined that they were going to rely on the contractual requirements to the north to extract the ten acres out of and potentially create more of a linear park that's part of the trail system that's utilizing the north fork of the Grindstone. So, there -- there -- I think, as Mr. Smith pointed out in his staff report as well, there are opportunities potentially for possible trail connections back to this future linear park that may be created on the ten acres that needs to be dedicated to the north, and all of the northern street stubs that come out of The Brooks project here that we're reviewing actually are conducive to that. Design of the road network to the north will then further those overall objectives, and I think you'll have an opportunity for residents to have access to recreation, but maybe not recreation directly within their actual development itself. So there is -- there are some tradeoffs here. The Parks Department is -- has got their radar way up on this. They realize that this is an opportunity for them and they realize with this particular project proceeding development to the north where the ten acres are required, the ten acres will come. It will just come at the point when the northern parcel develops and that may very well be predicated on the success of this southern parcel.

MR. STRODTMAN: Any additional questions, Commissioners, of staff? I see none. I'll open up

the public hearing.

**PUBLIC HEARING OPENED**

MR. STRODTMAN: Anybody like to come forward to give us any relevant information on this case, please come forward.

MR. CROCKETT: Thank you. Members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Mr. Smith. I got it right. I wrote it down, Mr. Smith. Again, Tim Crockett, Caleb Colbert and Quinn Bellmer with me here tonight representing the project. Again, a quick overview. I don't need to go through those items; you've discussed them already. Again, just a quick sketch showing the project itself. I can't remember the last time we've had this many lots and this few cul-de-sacs, so this is one thing that we're really listened to and tried to eliminate as many cul-de-sacs as possible.

MR. STRODTMAN: We appreciate that.

MR. CROCKETT: You've already seen these. I would like to talk one thing with regards to developer contributions, and some of these are required due to the traffic study, due to the development itself, but there are substantial outlays in capital with regard to this project that are going to benefit the community. First of all, the upgrade of Hoylake Drive. That's the east-west collector that comes down to the south and ties into Elk Park Drive. Upsizing that, typically, it's the developer's responsibility for a residential portion. In this case, he's going to build the entire project, which is about \$186,000 of additional cost above what a residential street would be. Again, we're going to install a fourth leg of the signalized intersection, and this is -- you know, Ms. Loe, this is part of the reason why CATSO looked at the realignment was what this does is it allows that new collector street to come down and tie into a signalized intersection as opposed to being pushed further to the west and go into a location that's not signalized at this time. Furthermore, when they looked at that, the internal traffic from this development, all the residential units in this development can be handled by the internal street network and the collector streets. What this street is doing, the collectors network out here, is taking additional offsite traffic through this site. Okay? So we're going to collect -- over time, we're going to collect a large volume of traffic that is not associated with this development. It's going to come through the development. The traffic engineers looked at that and discussed, and they said, well, if we cut it a little bit shorter and go into Elk Park Drive as opposed to El Chaparral, then we're going to have a less distance, a smaller distance of offsite traffic going through a residential neighborhood, and they thought that was better. Of course, we're going to build a pedway along WW. That's about \$56,000 above what a normal sidewalk would cost. And, of course, we're going to put turn lanes on WW. Now, you could say, well, this is part of your development's responsibility because it is required. It is, but for this development, we do need turn lanes. We don't need to signalize the intersection, believe it or not, but we do need the turn lanes. However, they're going to be on collector streets, one of them, specifically, is a major collector street that's going to benefit, you know, the whole area and not just this development. We've done calculations with regards to capacities, as when this collector gets built and this area gets built out, it's anticipated that those improvements were going to be less than about 40, 45 percent of this area. Our development will

contribute to that -- to the need of that collector. So a substantial portion will be from other portions in the City. Something else we're going to is we're also going to widen the shoulders along WW. This is part of the development agreement and, of course, we're not discussing the development agreement with you tonight, but just want you to know that there are additional contributions that are going to be made for this development that's not just associated with the internal portion, but also along with WW. Again, staff -- they proposed -- the proposed permanent zoning is generally consistent with the goals and objectives of the East Area Plan. They've also indicated that the tract is compatible with the adjacent zonings. The preliminary plat is compliant with all the zoning and subdivision -- subdivision and zoning regulations and, of course, they support it. With regards to the park, Mr. Zenner is exactly right. We met -- we did meet with the Parks Department. We asked them are you looking for ten acres, are you looking at ten acres on this piece of property or the property to the north. The -- when the property to the north was zoned several years ago, that developer made an obligation that they would dedicate ten acres to the City when they developed that property, so they're under that obligation. When we met with the Parks Department, we asked them what their specific location, what's your desired location for ten acres. Is it this tract; is it the tract to the north? They have plans to develop ten acres along the creek to the north. They want a linear park that ties into their trail network that they can directly tie to and impact that area, so they have their eyes set on a piece of property specifically for that. And so we did reach out to them, we did ask them, and Mr. Zenner is correct on his comments when he stated about the park issue. So, again, with that, I'm happy to answer any questions that the Commission may have.

MR. STRODTMAN: Thank you, Mr. Crockett. Commissioners, are there any questions for this speaker? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Mr. Crockett, to follow up on the Park and Recreation issue, this is one of the larger things we've done in a minute as far as the subdivision goes.

MR. CROCKETT: Yes, sir.

MR. MACMANN: And by my calculations, we're looking at over 1,100 residences and probably 400-plus cars. And internal to this development, we don't have -- and you just addressed that -- we don't have a park or anything like that, but we do have the pedway along the south. And as Mr. Smith has mentioned -- now you've got me wanting to say the opposite thing. As Mr. Smith has mentioned, you -- they had discussed with you the possibility of internal pedways that interlot -- between lots. Can you talk to me about that a little bit?

MR. CROCKETT: But, obviously, we'll work with the City on that. To be quite honest, there's been no specific conversations between us and the Planning Department with those. I mean, honestly, this -- tonight is the first night that we have actually seen what they are asking for, but certainly we will discuss it with them during the design phase of the project. I mean, we want to build something that's -- that's workable for our residents, that's workable for the City, you know. We'll discuss it at the design stage, but, you know, I can't really comment on it too much because --

MR. MACMANN: I just -- I wanted to -- I really wanted to get that on the record.

MR. CROCKETT: Sure.

MR. MACMANN: Because we're going to have a park up -- up at the top, and I think it's a good place for it.

MR. CROCKETT: Right.

MR. MACMANN: And we're going to have a school to the southeast.

MR. CROCKETT: Right.

MR. MACMANN: And you're going to have a lot of -- there's a lot of existing people to the southwest.

MR. CROCKETT: Right.

MR. MACMANN: So we're going to need some besides vehicular access ability when we get to that point --

MR. CROCKETT: We agree -- we would agree with that. We want our residents to be able to access to those facilities, whether it's the park or the school, that -- that helps our -- you know, it helps all of us.

MR. MACMANN: It helps every -- I think it helps everyone.

MR. CROCKETT: Sure.

MR. MACMANN: I just wanted to get it on the record. Thank you very much.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Any additional questions of this speaker? Ms. Loe?

MS. LOE: The connector that Hoylake?

MR. CROCKETT: Yes, ma'am.

MS. LOE: I don't really understand the coming down to Elks --

MR. CROCKETT: Uh-huh.

MS. LOE: -- and that being the intersection. But the connection up to the north, has that road been identified also as a major collector and is being built that way?

MR. CROCKETT: Yes. The one that's at -- the one that is going to tie into El Chaparral?

MS. LOE: No. The one on the northeast.

MR. STRODTMAN: Brooks --

MS. LOE: That Hoylake is going to be tying into?

MR. CROCKETT: Yes. It has been identified. It was identified early on as a major collector on the CATSO plan when that first phase of the development took place, so it has been designed as a major collector, and we're going to tie into that major collector for this property.

MS. LOE: Okay. Because looking at the plan, it looks like there are some residences that may be --

MR. CROCKETT: There are some residential driveways. That was a negotiation between the developer and the City at the time to acquire a few of those residents direct access to that -- to that road, but they are limited. There are none on this -- on this location.

MS. LOE: All right. Thank you.

MR. ZENNER: We won the second argument, not the first.

MR. CROCKETT: We negotiated.

MR. MACMANN: Just -- can I follow up on that?

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Just to be clear, in this particular development question, there are no connections to Hoylake?

MR. CROCKETT: There are absolutely no connections.

MR. MACMANN: That's --

MR. CROCKETT: No driveway connections to the -- to the Hoylake Drive. And I will also note that the road to the -- to the far left of the screen, the north-south, that is a neighborhood collector, as well. So I don't think that was mentioned in staff report. And the reason for that is that helps serve the PUD-4 to the north. When our traffic study looked at this piece of property, it didn't look at just the road networks and this piece, it looked at the surrounding zonings of the properties that are going to tie into it and how that this development would affect them, to make sure that we don't cut a future, say, PUD-4 off from being able to have the capacity to -- to develop to that zoning.

MR. STRODTMAN: Yes, Mr. MacMann?

MR. MACMANN: Quick follow up, and I need to follow up with staff before I come back to Mr. Crockett. Planner Smith, you said there are approximately 30, 35 common lots in this; is that correct?

MR. SMITH: Yes.

MR. MACMANN: All right. Mr. Crockett?

MR. CROCKETT: Yes.

MR. MACMANN: We've been going through time in older -- not that old -- five- or ten-year-old subdivisions doing replats and such getting rid of common lots.

MR. CROCKETT: Uh-huh.

MR. MACMANN: You've got 35 of them.

MR. CROCKETT: Absolutely.

MR. MACMANN: Where are we going here?

MR. CROCKETT: Let me tell you -- let me tell you the reason why. Several of them are common lots that Mr. Smith indicated that we have a large area of tree preservation that we -- and it's going to adjacent to the -- the amenity lot where we may put in a clubhouse, a swimming pool, or something along those lines. And we want to -- we want to put that adjacent to that piece of property that can be -- maybe we'll put a trail or something like that through there. Of course, the lake is a common lot. But the majority of those, Mr. MacMann, are common lots dedicated to storm-water quality and storm-water detention facilities. The regulations indicate that we cannot put those on private lots. We've done that before in the past inside an easement, and we prefer to put them on a private lot inside an easement, but the City does not necessarily allow us to do that. And so in order for us to be compliant, we have to put common lots

around every time we have a bio-retention cell or a detention facility.

MR. MACMANN: And I may follow up with that just a little bit more. Your HOA is going to be the responsible party on those?

MR. CROCKETT: Absolutely. These are not -- these are -- and all of that's covered. And we -- when we design those, we have to sign a covenant, if you will, that we give to the City that basically says that we're responsible for them.

MR. MACMANN: As part of the development agreement?

MR. CROCKETT: I'm sorry?

MR. MACMANN: As part of the development --

MR. CROCKETT: No. This is part -- this is part of the design stage. Before we get any design plans approved or the final plat approved, we have to -- we have to sign that and turn that over to the City, where it basically says we will maintain it, and then, if we don't, it gives the City the authority to do so, but, of course, then it will come back on the HOA.

MR. MACMANN: Yeah. But charge you. I have no more questions at this time. Thank you, Mr. Crockett. Thank you, Mr. Chairman.

MR. STRODTMAN: Commissioners, any additional questions of Mr. Crockett? I see none. Thank you, Mr. Crockett, and I also thank you for disclosing the contributions being made by the applicant. It's nice to see the dollar amount tied to those. We see the items a lot of times, but we don't see the costs, so it's nice to kind of put those together, so we appreciate that.

MR. CROCKETT: Right. Thank you.

MR. STRODTMAN: Any additional speakers like to come forward, please do.

MS. PEARN: Good evening. My name is Pam Pearn; my address is 2003 South Alamos Place, which is in the El Chaparral Subdivision. So, I come to you tonight as a resident of the county as opposed to a City resident. It's very educational for me to get to see this in more detail and to hear the comments both from the staff report and from Crockett Engineering. Up to this point, really the information that we, as a neighborhood association -- a 400-home neighborhood association to the southwest of The Brooks have heard about this is pretty much what we've been able to find online. We did, however, one month ago have two representatives from MoDOT and Thad Yonke as the planner from Boone County come out and speak with our neighborhood association primarily about traffic concerns along WW as it affects the El Chaparral intersection there. At our request, MoDOT had done a traffic study for us at the beginning of September there, and between 6:30 a.m. and 6:30 p.m., did record 11,000 cars passing that intersection. For those of you who haven't been out that way, there is -- there are currently no traffic-calming measures between the Highway 63-Keene Street and Rolling Hills roundabout. So 45 miles an hour, got some hills, got some curves, kind of difficult to see. We've had some close calls as the Boone County Fire Department across the corner can attest to. What we were told at that point by MoDOT was that while -- so we were told that WW falls under MoDOT's concern as a state highway, and I'm not clear how this affects that -- this plan. We were also told that when we talked

about CATSO and the need for -- for some sort of traffic intervention to help things go better at the intersection of El Chaparral and WW, that while it wasn't a CATSO plan, there were not funds available to address that, that a roundabout would be preferable, turn lanes not preferable based on lots of studies that they threw out, and basically those were unfunded mandates. So 11,000 cars are coming past that intersection in a 12-hour period. That's before, of course, we complete the new school in The Vineyards. That's before we complete those three more plats that are being worked on in The Vineyards, and it's as Old Hawthorne continues to expand to the north of us on Rolling Hills. So I am very pleased to hear that it sounds like there is a plan perhaps as part of the development proposal -- I'm not clear on that -- with the El Chaparral connection into The Brooks Subdivision, and I found out tonight that that would be directed another way. But I want to make the City Planning and Zoning aware that there are some other parties perhaps that aren't at the table or who are communicating different information to the folks that are in the surrounding area in the county as it affects traffic, as it affects a number of things. The other thing that we've been working very closely with CAM on is the Grindstone Creek riparian corridor, and that certainly is something that has been referred to in development of The Brooks. Currently, as I'm sure you are aware, both sections of the Grindstone Creek feed into the Hinkson Creek, and so we are working -- our neighborhood association is working directly with CAM to develop and triple the size of the riparian corridor along the South Fork of the Grindstone Creek as it runs south of the El Chaparral Subdivision and where there is an intention eventually -- it's on City property now -- to put a trail along there, as well. So as we're working hard on that, we would appreciate hearing how these additional subdivisions will provide good stewardship for water quality as it feeds and through our neighborhood. So, traffic, we'd love to hear more about traffic calming, addressing the increased traffic demands of WW, and also the creek. Thank you very much.

MR. STRODTMAN: Thank you, ma'am. Commissioners, are there any questions for this speaker? Yes. Ms. Kerns, maybe?

MS. LOE: Is it Ms. Stern?

MS. PEARN: Pearn.

MS. LOE: Kern?

MR. STRODTMAN: Would you please -- Pearn. Would you please come back? We have some questions for you.

MS. PEARN: Sure.

MS. LOE: I was just wondering, were you aware or were you at the CATSO public hearing?

MS. PEARN: I was not aware of that.

MS. LOE: Okay. Thank you.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: A couple things. Unfunded mandates. Just the information to take back to your HOA pretty much. I did some quick calculations in my head, and if your base number is 11,000, your car trips are going up, with the school and the subdivision, go up another 2,000 or 3,000, so 25, 30

percent. That's just -- don't hold me to that. I'm just running that through. I would suggest that your HOA closely monitor traffic in the future to communicate to the City and to MoDOT. And as far as your riparian goes, the Council -- and correct me, the first phase of that was authorized to be paid for last Council meeting, was it not?

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

MR. MACMANN: I believe that the first phase of what you're talking about was just authorized on Monday.

MS. PEARN: Correct. What we have been doing is we have had two meetings --

MR. MACMANN: Uh-huh.

MS. PEARN: -- informational meetings between the neighborhood and the CAM subcommittee, and we have been doing some invasive tree removal. There has not been any additions to that, but we have been working to educate our homeowners about that process, why it's important, recruiting volunteers to assist with that. And we have been assisting with some invasive removal that is down there in that floodplain along the South Fork of the Grindstone Creek.

MR. MACMANN: Well, I just -- I just want to pass that information along to you because that's --

MS. PEARN: Uh-huh.

MR. MACMANN: -- you're on the borderlines, though.

MS. PEARN: Uh-huh.

MR. MACMANN: And I just -- to Mr. Crockett's -- kudos to Mr. Crockett because they try to pay a lot of attention to -- he lives here, we live here -- the storm-water runoff and environmental issues.

MS. PEARN: Exactly. And it's Pearn, by the way. It's spelled with a P, so it's like learn but with a P. Thank you.

MR. STRODTMAN: Any additional questions, Commissioners? Thank you, ma'am. Anyone else in the crowd -- in the audience like to come forward? We will close the public hearing portion of this case.

### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, questions, comments, more information needed, a motion? Mr. MacMann?

MR. MACMANN: I -- it looks like my hand was up.

MR. STRODTMAN: You had your pen pointing up.

MR. MACMANN: In the case of 17-77, The Brooks Preliminary Plat Number 2, this is the annexation part or the permanent zoning part. I've lost my --

MR. ZENNER: Preliminary plat.

MR. MACMANN: Preliminary plat. See, I got -- so, dealing with the preliminary plat for 17-77, I move to approve.

MS. LOE: Second.

MR. STRODTMAN: Thank you Mr. MacMann and Ms. Loe for the second. Commissioners, we

have -- a motion has been made by Mr. MacMann and the appropriate second by Ms. Loe. Is there any discussions needed on that 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. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.**

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation for approval will be forwarded to City Council for their consideration.

**VI) PUBLIC COMMENTS**

MR. STRODTMAN: At this time, is there anyone in the public that would like to come forward and give us any comments this evening? I see none.

**VII) STAFF COMMENTS**

MR. STRODTMAN: Staff? Mr. Zenner, you're always good for a few comments.

MR. ZENNER: And I took a meeting off, so I've had them bottled up.

MR. STRODTMAN: You're doubling up, as they leave.

MR. ZENNER: The next meeting is December 7th. Yeah. As they leave. You know, I know who my supporters are. December 7th will be your next meeting. We are going to give you Turkey Day off, so please enjoy that with your families and have a wonderful holiday. We do have a number of items for your December 7th agenda. A couple of these may or may not show up, two of them, specifically. We have a plat for Quaker Oats. This is basically a plat that was presented in relationship to a building expansion that was proposed, and there is a provision within the Code that indicates that if the expansion is less than ten percent of the building area, the lot that may not have been considered legal is still allowed to be built upon. The actual square footage of expanded area for Quaker Oats is less than ten percent, so we're not sure if the applicant wants to proceed forward or not. They're trying to get corporate to indicate what they would like to do. Platting the property would allow it then for any future expansions to occur without any delays, and I think that that is where the issue is right now. If it does proceed forward with a platting action, it is also likely that there may be a design adjustment associated with that, but, again, we're not quite sure if this will make the December 7th agenda. University Centre Subdivision, this is the vacant property that is to the south of Lucky's that directly fronts to Providence Road. We are looking at a final plat. Corresponding to that final plat is a series of vacation requests for unused utility easements, and there is also a series of design adjustments that are requested for that property relating from -- I believe everything from right-of-way dedication requirements to several other design standards that exist within the new UDC. We have Lenoir Subdivision. This is another project that may or may not make the December 7th agenda, but we are advertising or at least proposing that it will. This is at the corner of Lenoir Street and New Haven. This is -- the parcel is currently improved with the nursing facility, the long-term care facility for Lenoir, which is actually being relocated to the Lenoir campus behind this.

That property would be being sold, roughly a 30-acre tract of land looking to be conveyed and split off. It is actually split zoned, M-OF and currently R-MF, so the split-zoning nature of the property does not present any problem with the platting; however, future development of the property may. The design adjustment for this particular parcel has to deal with sidewalk construction along New Haven that was not previously exempted when the Lenoir facility plat was approved several years ago and we had sidewalk waivers granted for that platting action. The piece that is actually improved with the existing nursing facility was a freestanding lot and was not included in the original Lenoir master plat and, therefore, that particular parcel's frontage was not waived. And then finally we have a final -- a revised preliminary plat, I should say, off of Bluff Creek Drive. This is an area -- one of the few areas that is left to develop for residential purposes that has not been previously platted. It is a revised preliminary because they have reduced the total number of lots that were originally approved on the first preliminary plat from roughly twelve to five, if I recall correctly. However, there is a design adjustment associated with this particular property due to the fact that the total number of lots within the overall Bluff Creek development exceed -- exceeded 100 under the old regulations and now well exceed the 30 under the new and, therefore, we need to address the issue of the design adjustment as it relates to the total number of lots off of a single point of access. This is very close to where the Phantom Bridge was supposed to be built over the Grindstone Creek, which is no longer really an option at this point, as we understand. Therefore, this conundrum we are in with the access and the maximum number of lots, this is one of the last parcels that it may encounter, but we do have some other undeveloped tracts out here that may be up for future redevelopment, as well. And then you have two public hearings. We have the NGT annexation. This is at the lowlands that are at the intersection of Vawter School -- I get my roads mixed up since it changes names so many times -- Vawter School at the traffic circle with Scott Boulevard. This is on the west side of Scott down and backs up towards Mill Creek. This is a parcel of property that used to have a logging or a grinding operation sitting on it, if many of you are familiar with that, directly across from Fire Station No. 16, and it is also the area where we relocated Brushwood Lake Road. So it is currently county zoned A-R. They are proposing to go to City M-N, which is mixed neighborhood. Given the location at the major intersections with the expansion -- the future expansion of Vawter School into a four-lane roadway, the M-N zoning classification was proposed. It has far less uses than the M-C, however, may not be restricted enough when everything pans out, but we are moving that forward. There were some issues associated with this project that had to deal with the old roadbed for Brushwood Lake, which we believe are being -- will be resolved before the annexation request comes before the Planning Commission. And then finally the last public hearing that we have on the agenda is for the Paris Road Plaza. This is currently a planned district property that is just to the south of the interchange of U.S. 63 and 763 that is the home to Orscheln's right now. It sits in, basically, the middle of the property and either side of it is zoned planned district. The applicant has indicated that marketability of the property as a planned zone just doesn't exist due to the fact that he is being approached by tenants that are desiring to have uses that don't fit within the planned district commercial parameters and they are more industrial in nature and

that is why they are requesting to go straight I-G. This request does not include the Orscheln site, so the Orscheln site, which is in the center, would remain zoned P-D, under the P-D ordinance that currently applies to it. It would be the two outer flanking parcels that would be rezoned to I-G. And immediately to the south of the southernmost P-D property is actually undeveloped I-G land today. To the north of the P-D property is agricultural property that is just -- it's sandwiched between the on-ramp to 63 and the development site, agriculturally zoned. Just so you can familiarize yourself with what we're talking about and where, Quaker Oats up, obviously, off of Paris Road and our industrial corridor. University Centre Subdivision here in the downtown area directly south of Lucky's. Your Lenoir property and this is, as you can see, the main Lenoir campus, and this map is actually a little bit deceiving. The area in question for this subdivision plat is following the existing boundary line of the M-N coming across to the east. All of the property then that is currently encompassed by the Lenoir complex and Lenoir Subdivision would remain owned by Lenoir and operated under the Lutheran Senior Services. The map then, Bluff Creek Estates, as you can see, this backs up to U.S. 63 and it is the south of the commercial development that would be basically four developable lots with one large common lot that includes tree preservation, as well as common open space that would be undeveloped. The NGT request there at the intersection of Vawter and Scott. And then our Paris Road Plaza property, as I was indicating, the two parcels flanking either side of the existing Orscheln's. We will continue in your December 7th work session with our discussion of the conditional and permitted uses within the actual zoning code at this point. And as many of you realized and noted today within work session, I would like to bring up Rachel Bacon. She is our newest senior planner that has joined our staff. That name may not sound unfamiliar to those in TV land or that sit her on the dais. Rachel comes back to the City after taking about a two-year hiatus to go work in Denver, and will pick up where she left off with a seven and a half year term with us initially working on our comprehensive plan, neighborhood planning activities. She will be engaged in development and review, so you'll see her at the staff table, as well, for some of our projects, as well as working on text changes as they relate to land-use related activities. I will be sitting probably in the front row drinking coffee and relaxing now that I finally have staff, but I always am good for comments after a Planning Commission meeting. With that, that is all I have to offer for you this evening. I welcome Ms. Bacon aboard and we look forward to seeing you on December 7. Enjoy your Thanksgiving holiday.

MR. STRODTMAN: Thank you, Mr. Zenner. Appreciate the comments.

**VIII) COMMISSIONER COMMENTS**

MR. STRODTMAN: Commissioners, comments of Commissioners? Mr. MacMann?

MR. MACMANN: I have a motion.

**IX) ADJOURNMENT**

MR. STRODTMAN: Do you have a motion for adjournment?

MR. MACMANN: I do.

MR. STRODTMAN: Second?

MR. STANTON: Second.

MR. STRODTMAN: Second. All in favor, thumbs up.

(Unanimous vote for approval.)

MR. STRODTMAN: Unanimous. Have a nice evening. We're adjourned.

(Off the record.)

(The meeting was adjourned at 8:49 p.m.)