

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL, COUNCIL CHAMBERS
701 EAST BROADWAY, COLUMBIA, MISSOURI
DECEMBER 21, 2017

COMMISSIONERS PRESENT

COMMISSIONERS ABSENT

Mr. Rusty Strodman
Ms. Tootie Burns
Ms. Sara Loe
Mr. Dan Harder
Ms. Joy Rushing
Mr. Anthony Stanton
Mr. Michael MacMann
Ms. Lee Russell

Brian Toohy

I) CALL TO ORDER

MR. STRODTMAN: Good evening, everyone. I would like to call the December 21st, Thursday, December 21st, 2017 City of Columbia, Missouri Planning and Zoning Commission Regular Meeting, I would like to call it to order.

May I have a roll call, please?

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

MR. STRODTMAN: Thank you, Mrs. Secretary.

II) APPROVAL OF AGENDA

MR. STRODTMAN: Any changes to the agenda?

MR. PALMER: Yes, actually, if you do not mind. The applicant for Cases 18-35 and 18-18 has asked that their two cases be heard sequentially.

So we would just ask that case 18-18 be moved up to the first public hearing slot ahead of 18-5.

MR. STRODTMAN: Does everyone on the Commission -- every Commissioner is okay with that change in order?

I see that's okay. We'll make that change. Thank you.

Anything else, Mr. Palmer?

MR. PALMER: No. That is it.

III) APPROVAL OF MINUTES

MR. STRODTMAN: Thank you, sir.

Moving on. Approving of minutes. December 7th, 2017. Regular minutes -- minutes, meeting notes.

Are there any changes or corrections needed to those notes?

I see none. We'll do a thumbs up.

All thumbs up. Thank you.

Okay. Moving on to our first case 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 18-14 please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

Thank you, Commissioners.

Case No. 17-119

(A request by A Civil Group (agent), on behalf of Paris Road Plaza, LLC (owners), to rezone two properties containing a total of 6.3-acres from PD (Planned District) to IG (Industrial District. The subject parcels are located on the east side of Paris Road, approximately 1,200 feet north of Browns Station Road, to the north and south of the Orscheln's Farm and Home addressed as 3300 Paris Road. (Applicant has requested that this item be tabled to the January 18, 2018, Planning Commission meeting.)

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

MR. PALMER: Actually, that's all I have on that, and they would just like to table it to the 18th.

MR. STRODTMAN: Man of few words. I like that. Thank you, Mr. Palmer. Commissioners?

Anybody in the audience have anything related to this case, you're welcome to come forward at this time.

I see none.

Commissioners?

Mr. Stanton?

MR. STANTON: As it relates to Case 18-14, Paris Road Plaza rezoning, I move to table to January 18th, 2018.

MS. RUSSELL: Second.

MR. STRODTMAN: Thank you, Mr. Stanton.

And Mrs. Russell.

Commissioners, we have had -- a motion has been made and seconded. Made by Mr. Stanton. Seconded by Mrs. Russell.

Is there any further discussion needed?

May we have a roll call, please, Mrs. Secretary?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval).

Voting Yes: Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Ms. Loe, Ms. Burns. Motion Carries 8-0.

MS. BURNS: 8 to zero. Motion carries.

MR. STRODTMAN: Thank you, Mrs. Burns. Case 18-14 will be forwarded and will be discussed at our January 18th, 2018 meeting.

(IV) SUBDIVISIONS

MR. STRODTMAN: Moving onto our first subdivision case 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 17-64 please disclose that now so all Commissioners have the same information to consider on behalf of this -- on behalf of this case in front of us.

Thank you, Commissioners.

(A request by Engineering Surveys & Services (agent) on behalf of Paul Alan Branham (owner) for approval of a two-lot final plat of R-1 (One-family Dwelling District) zoned land, to be known as "Branham-Renfro Subdivision - Plat 2" and an associated variance to waive sidewalk construction. The 1.59-acre subject site is located at the northwest corner of West Boulevard and Stadium Boulevard, and addressed as 1028 and 1100 Westwinds Drive.

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

(Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff supports waiver of the sidewalk in this location.)

MR. STRODTMAN: Thank you, Mr. Smith.

Commissioners or any questions of Staff?

Mr. MacMann.

MR. MACMANN: Thank you Mr. Chairman.

Mr. Smith, just real quickly. The frontage on Westwinds is fifty-four feet and change?

MR. SMITH: Correct.

MR. MACMANN: And we're going to have two houses fronting?

MR. SMITH: Correct.

MR. MACMANN: Could you help me?

MR. SMITH: Yes. So they have the adequate lot width at the portion of the

lot.

Excuse me. They have adequate lot width, which is sixty feet minimum at a portion -- at a location along their lots at some point. So generally the setback is at twenty-five feet, but the way the code was previously written, as long as there's basically a sixty foot width somewhere along that portion it is considered to be a legal lot.

MR. MACMANN: That's why I referred to you, because I know what the new one says. I wasn't sure what the old one says. That was my question. Thank you very much.

MR. SMITH: Sure.

MR. STRODTMAN: Any additional questions, Commissioners?

Even though this is not a public hearing, this is a subdivision matter, if there's anybody in the audience that would like to come forward and give us any information related to this case. We would just ask that you give us your name and address before you start speaking.

MR. REED: Good evening. My name is Tim Reed. I am with Engineering Surveys & Services at 1113 Fay Street.

Mr. Branham has owned, and his family have owned this property for seventy-eight years. It was cut in half by Stadium Boulevard. Those two lots that are right below the subject tract were once part of the Branham tract.

And these two houses have also been here for a long time.

And Mr. Branham has no plans for the property other than to make each house sitting on its own legal lot. He'll gladly build that sidewalk along Westwinds Drive when the time comes. That's -- that's logical.

The sidewalk along West Boulevard just doesn't make any sense. It would really -- really be a very dangerous sidewalk since the road's not improved.

If you have any questions I would happy to try to answer them.

MR. STRODTMAN: Thank you.

Commissioners, any questions for this speaker?

I see none.

MR. REED: Thank you.

MR. STRODTMAN: Thank you, sir.

Anyone else like to come forward?

Thank you.

Commissioners, any further discussion, information needed, motion?

Mr. MacMann.

MR. MACMANN: I have a motion.

MR. STRODTMAN: I will take it.

MR. MACMANN: In the case of 17-64, the final plat and variance, I move that we approve same.

MR. STRODTMAN: Thank you.

MS. LOE: Second.

MR. STRODTMAN: Miss Loe. I have a motion made by Mr. MacMann for Case 17-64. Seconded by Miss Loe.

Is there any discussion or additional information needed on this motion?

I see none.

Mrs. Secretary, when you're ready.

MS. BURNS: Yes.

(Roll Call vote (Voting "yes" is to recommend approval.)

Voting Yes: Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Ms. Loe, Ms. Burns. Motion carries 8-0.)

MS. BURNS: 8 to zero. Motion carries.

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

V) SUBDIVISIONS

MR. STRODTMAN: Moving onto our next subdivision. Case 18-35.

At this time I would ask any Commissioner who has had any ex-parte communications prior to this meeting related to Case 18-35, 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. Thank you, Commissioners.

Case No. 18-35

A request by Engineering Surveys and Services (agent) on behalf of Last Enterprises, LLC (owner), for a revised preliminary plat to known as "Centerstate Plat 14". The subject 7.66 acre parcel is located at the southwest corner of the intersection of Vandiver Drive and Mexico Gravel Road, between Vandiver and Highway 63. Concurrent requests for rezoning (Case #18-18) and final plat (Case #18-17) approval are being considered with this request.)

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

(Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. The proposed preliminary plat has been reviewed by Staff and is found to be compliant with all subdivision regulation. Recommendation is for approval.)

MR. STRODTMAN: Thank you, Mr. Palmer.

Questions of Staff, Commissioners?

Miss Loe.

MS. LOE: Mr. Palmer, I understand that because of the apparent inconsistency in the UDC that we're not getting the sensitive land map identifying the buildable area?

MR. PALMER: We did -- we did receive a sensitive areas map, but it did not play into the creation of the plat because the floodplain overlay is the only sensitive area that -- that crosses the [site](#). So...

MS. LOE: Okay. So the sensitive land map, area map included the floodplain -- plain over --

MR. PALMER: Yes.

MS. LOE: Okay. So did they designate a building area outside of that?

MR. PALMER: They haven't yet. It will be on the final plat, I believe.

MS. LOE: All right. Which was going to [be](#) my second question: That under the floodplain overlay, just confirming, that a floodplain development permit would be required --

MR. PALMER: Correct.

MS. LOE: -- for the plots that are -- you have areas located in the floodplain.

MR. PALMER: Right.

MS. LOE: All right. Thank you.

MR. STRODTMAN: And that's just during -- that's for the final plat?

MR. PALMER: Yes.

MR. STRODTMAN: That would [be](#) part of the final plat process?

MR. PALMER: Uh-huh.

MR. STRODTMAN: Thank you.

Commissioners, additional questions of Staff?

Miss Rushing?

MS. RUSHING: Will there be three points of access, one for each lot, do you know?

MR. PALMER: That hasn't been determined yet. They haven't offered any site design plans. Like I said, Staff has recommended two points of -- of entryway --

MS. RUSHING: Okay.

MR. PALMER: -- off of Vandiver. One -- lot 1 is probably fine, and then lot 2 and 3 we've suggested that they share an access point.

MS. RUSHING: Okay.

MR. STRODTMAN: So Miss Rushing, if -- on this particular map, Mr. Palmer, could you wave your mouse over?

MR. PALMER: Yeah.

MR. STRODTMAN: Right there is where the road would be recommended by the City Staff to combine those two lots. So access point would be right there for those two lots.

Any additional questions of Staff, Commissioners?

We will open it up. As it is a subdivision matter, but we will open it up as in past practices.

Sorry.

MR. MACMANN: Just --

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I'll be very quick.

Mr. -- Planner Palmer, can you go back to the oblique aerial? I want to see the road ditch for just a minute.

MR. PALMER: Yes.

MR. MACMANN: On that southern tip, what's -- do we know what the storm water situation is down there?

MR. PALMER: I believe everything drains towards that southern tip and then that is --

MR. MACMANN: That's my question. Do we go under the road there or what do we do? Because I know Vandiver is -- I remember before --

MR. PALMER: Yeah. Vandiver is raised, and so I do believe it goes under the road there.

I believe that was, if I remember right, that was why it was notched off as right-of-way. They were kind of doing storm water management for the -- for the roadway improvements.

MR. MACMANN: My concern is, to follow-up on Commissioner Loe's comments, is where the water will go in the future. That's --

MR. PALMER: Uh-huh.

MR. MACMANN: I wanted to see where we're going.

Thank you very much. Mr. Chairman.

MR. STRODTMAN: Thank you, Mr. MacMann.

Any additional questions, Commissioners?

PUBLIC HEARING OPENED

MR. STRODTMAN: Anyone in the audience would want to come forward we would welcome you at this time.

MR. FARNEN: Good evening. My name is Mark Farnen. 103 East Branham, Columbia, Missouri. I am appearing on behalf of Last Enterprises, who is the

applicant tonight.

We have two pieces of business that are going to run consecutively. This is the -- one is to rezone about seven and a half acres through IG from a current PD designation.

This one is to establish the revised preliminary plat. We agree that that needs to be done. And in essence what we are wanting to do is from that one piece create three usable lots, each of which could most likely sustain a building that would be twenty to twenty-five thousand square feet in size, which is what we think would be marketable and what the applicant through his experience in this business believes is marketable as well.

We believe that the report of the Staff is comprehensive and we appreciate their recommendation in this behalf. We would prefer not to rehash that information with a lengthy presentation, but would be happy to answer questions of any sort of technical nature.

We have myself to discuss zoning aspects of this, or two engineers from ES&S, Matt Kriete and Tim Reed, who would be happy to talk about other issues that may relate to traffic and storm water.

With that being said, we would invite your questions and we would ask you to vote in favor of this tonight.

MR. STRODTMAN: Commissioners, any questions for the speaker?

I see none. Thank you, Mr. Farnen.

MR. FARNEN: Thank you.

MR. KRIETE: My name is Matthew Kriete. I'm with Engineering Surveys and Services. Offices at 1113 Fay Street.

To address your question, Mr. MacMann, in regards to the storm water. The [site](#) itself is going to drain southerly and easterly. So it is going to drain towards Vandiver Drive. At this point, you know, the City's established what that drainage pattern will be with the existing storm sewer system.

There is a point of discharge near the southern tip kind of where you're talking down there that discharges toward the creek.

And then if you see the line that's kind of off to the right side of Vandiver there, that's the storm sewer system. So that's going to take that off in a discharge. So you're going to see a split discharge from this property.

In regards to the driveway locations. At this -- at this stage, I mean, I don't think our client wants to commit to a shared point of access. I think there's some concern about maybe some incompatibility of uses or things of that nature.

And in relations to impact of the floodplain, I think you're looking at

something that's very -- very minimal, if at all. Vandiver Drive itself is in the floodplain. If you look at the portion of section -- the portion of -- from about mid-point of lot 2 southward, that's all within the floodplain itself. So a driveway approach in that location is going to be in the floodplain. It's not going to change elevation of that area. It's not going to change the flood flow. It's not going to change any sort of elevation to the floodplain. So I think there's -- can be very little benefit from a flood elevation standpoint.

And then from a driveway separation standpoint, I mean, we're looking at four hundred, four hundred and fifty feet separations that are going to be occurring, maybe as low as three hundred, but well within typical access management guidelines for this and the kind of traffic generation of the intended use.

So I -- I would recommend that, you know, each -- each lot be provided its formal point of access and not be limited to a shared driveway.

With that, I would be happy to answer any questions you guys have.

MR. STRODTMAN: Commissioners, any questions for this speaker?

Miss Loe.

MS. LOE: You said that adding a driveway in the floodplain wouldn't impact the flood flow?

MR. KRIETE: No.

MS. LOE: Is it paved currently?

MR. KRIETE: You're talking about an approach that's, you know, twenty-four to thirty foot wide in a -- in a -- in a floodplain elevation where you're receiving backwater. So effectively as -- and when you're in the floodplain you're not seeing a flow of water so much as water backing up, filling up, and storing in that location. You know. It's a very slow movement of water at that point.

The -- the actual surface of that area, whether paved, or grass, or trees is going to have little impact on this -- this fringe area of the floodplain, and a shallow elevation of water is going to be at that location.

If we were paving in an area of floodplain that was flowing water five, six foot deep in a floodway or similar of that nature it would be a totally different scenario.

But in this case it's going to have very, very minimal impact, if any at all.

MS. LOE: Thank you for the comment.

MR. STRODTMAN: Additional questions, Commissioners?

Mr. Kriete, do you have an idea where your driveway would be on that southern lot if you were to show...

MR. KRIETE: So there we go. Exactly location's a little unknown. I tried to put this in color to make it a little easier to see.

But if you look at the green area, that's the potential location of the driveways. They may shift. They -- they will probably shift and move around.

I provided some separation on those, too. You can see you got over five hundred foot of separation from the roundabout on Vandiver and the highway crossing there. And then you can see separation between four hundred and some odd feet, another four hundred some odd feet. And then, you know, a little over -- a little shy of three hundred feet towards the Mexico Gravel roundabout. So plenty, again, plenty of separation from an access management standpoint.

But within that flood elevation you're -- you're looking at an area that's -- Vandiver Drive itself is going to be under about a foot of water in a hundred year storm at that location. And the driveway approach then would be a foot to, you know, maybe six inches under water at that point.

And again, you're talking about backwater. Talking about that just -- that -- the water that's kind of storing in that -- in that flow elevation.

The water's going to be moving on the other side of Vandiver for sure.

MR. STRODTMAN: Thank you.

Miss Loe?

MS. LOE: But where Staff had talked about sharing the driveway or moving the driveway to the second, your grades are closer to 691, which is shown to be the elevation of Vandiver. Where --

MR. KRIETE: Uh-huh.

MS. LOE: -- you're showing the driveway in green, your grades are going down to 6 -- 686? 684?

So, I mean, we're -- we are beginning to talk about that several feet that you were discussing previously.

MR. KRIETE: No. On --

MS. LOE: I mean, I don't agree that --

MR. KRIETE: Yeah. On --

MS. LOE: -- these two locations are analogous.

MR. KRIETE: Well, on lot 3, if -- if you take a look at the grades, the -- that's the elevation of the lot itself.

But if you look at Vandiver Drive --

MS. LOE: I agree, but in --

MR. KRIETE: -- and --

MS. LOE: -- order to build a driveway you're going to have to --

MR. KRIETE: Your driveway has to top --

MS. LOE: -- fill in the --

MR. KRIETE: Yes. And you do have to fill that in. Now again, remember this is backwater. And by the Floodplain Overlay District, which we'll be in full compliance with, this fill is allowed and can be done and can be done safely.

MS. LOE: Under FEMA it's allowed. Under the subdivision --

MR. KRIETE: Under --

MS. LOE: -- of Columbia it would not be --

MR. KRIETE: That --

MS. LOE: -- necessarily. So --

MR. KRIETE: Yeah.

MS. LOE: -- there's some differentiation in that interpretation. I don't think we want to go down that path right now.

MR. KRIETE: You know, these are not analysis that were done by myself, done by the City of Columbia. These were done by a federal agency. These were done FEMA. They -- they set these --

MS. LOE: Right. Under FEMA it would be allowed, but --

MR. KRIETE: Yes.

MS. LOE: -- they were not evaluating it for City of Columbia provisions, I presume.

MR. KRIETE: No. Absolutely not.

MS. LOE: Right.

MR. KRIETE: But the City has adopted their requirements as a floodplain manager of their system. And that's where the Floodplain Overlay District has grown from. And so --

MS. LOE: Right. And I'm commenting as a Planning and Zoning Commissioner based on the planning code.

MR. KRIETE: Yeah. So we'll speak about the driveway itself. Let's start on that.

But if you're looking at 690, the 690 range of that, you know, 690, you're going to be above 691 at that elevation where that driveway goes in. That driveway itself, within the right of way, it's going to be higher than the road elevation. It has to slope up by city standards. It's going to have very little impact, as we say.

What occurs on the lot then becomes regulated by the Floodplain Overlay District. And it will all be done within conformance of that. And we will not cause the amount of rise that that district would allow. It's going to be much less than

that.

MR. STRODTMAN: Miss Loe?

MS. LOE: It's a question for Staff. Are we approving driveway locations at this time?

MR. PALMER: No, you are not.

MS. LOE: Thank you.

MR. STRODTMAN: Any additional questions of this speaker, Staff -- Commissioners?

I see none. Thank you, sir.

MR. KRIETE: Again, I would be happy if there's any other questions that come up regarding floodplain and all, I can discuss that further and be happy to come back up. Thank you.

MR. STRODTMAN: Thank you.

Anyone else want to come forward?

MR. KEMBLE: My name is Nile Kemble. I live at 3000 East Henley, just on the other side of Highway 63.

Three questions. First, if I talk now do I get to come back for 18?

MR. STRODTMAN: Yes.

MR. KEMBLE: Okay. Second, they mentioned that the discharge from these plats was going to go towards the creek. Is it going to be part of the city sewer system or is it going to discharge into the creek?

MR. STRODTMAN: My understanding is it would be discharging into that southeast corner, which would be part of the -- the storm water that's already set up there for that. It was planned for that drainage to come.

MR. KEMBLE: Okay. Those are my questions. Thank you.

MR. PALMER: I believe it already drains that way. So then any further development on the property will have to be -- additional storm water will have to be mitigated as part of their development.

MR. KEMBLE: Okay. Thank you.

MR. STRODTMAN: Thank you, sir.

Commissioners, any questions?

Anyone else want to come toward and speak to us this evening? You're welcome to.

I see none.

Commissioners, any additional questions or information needed, or other discussion or a motion?

Yes. Mrs. Burns?

MS. BURNS: I appreciate the discussion on this, and I'm going to look forward to, as it comes back in a more finalized manner, to look and see what's planned for these three lots. But at this point in time I think we've received good information from Staff. Thank you.

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: Thank you, Miss Loe, for keeping us on task concerning the floodplain regulations and concerns.

Due to the fact that this is just a preliminary, and I can't wait for the final to come up, I would like to make a motion, sir.

MR. STRODTMAN: Yes, sir. Go ahead.

MR. STANTON: As it relates to Case 18-35, Centerstate Plat 14, preliminary plat, I move to approve.

MR. STRODTMAN: Thank you.

MS. RUSSELL: I'll second that.

MR. STRODTMAN: Commissioners, we have a motion that's been made by Mr. Stanton for Case 18-35. Has received its proper second by Miss -- Mrs. Russell. Is there any discussion needed for this motion?

Mr. MacMann?

MR. MACMANN: Just a comment. Gentlemen, this has absolutely nothing to do, what I'm about to say, with your project. Personally until we get clarity on the sensitivity and floodplain issues, and we haven't had a chance to discuss it, I am going to vote no on these floodplain issues and letting -- letting everyone else know that's where I -- because I -- I don't have -- I don't have -- I don't have any information and every interpretation. I don't think I can make an informed choice.

MR. STRODTMAN: Thank you. I understand, Mr. MacMann. Thank you.

Any additional discussion or comments on this motion?

Ms. Loe.

MS. LOE: I agree with Mr. MacMann. I actually don't have an objection to this, but I do feel that we are getting -- we have conflicting literature in our code at the moment, and because of that I -- I am also going to vote no.

I feel like we're choosing one passage over another under which to look at this. And I don't feel that's that correct.

MR. STRODTMAN: Also just so for the record. This is some -- this floodplain overlay is something that the Staff just earlier this evening discussed at our work session, and we are actually going to have this topic on a future -- the January 18th work session we're going to have this specific item on the agenda.

So we would like to have further discussion on this because we do know that there is some issues with it. So just for the record.

Any additional comments before we ask for a roll call?

Mrs. Burns, would you ask -- do a roll call when you get the time?

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Harder, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Voting No: Mr. MacMann, Ms. Rushing, Ms. Loe. Motion carries 5-3.

MS. BURNS: Five to three. Motion carries.

MR. STRODTMAN: Thank you, Mrs. Burns. Our recommendation for approval of the preliminary plat will be forwarded to City Council for their consideration.

VI) PUBLIC HEARING OPENED

MR. STRODTMAN: Moving on to our first public hearing, which we discussed earlier in the evening we're going to move Case 18-18 to the front of the public hearing. So we'll go ahead and open the public hearing section. And I would ask -- at that time I would ask any Commissioner who has had any ex-parte communications prior to this meeting related to this Case 18-18 please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

Thank you, Commissioners.

Case No. 18-18

A request by Engineering Surveys and Services (agent) on behalf of Last Enterprises, LLC (owner), seeking approval to rezone 7.66 acres of undeveloped land from PD (Planned District) to IG (Industrial District.) The subject site is located at the southwest corner of the intersection of Vandiver Drive and Mexico Gravel Road, between Vandiver and Highway 63. Concurrent requests for a revised preliminary (Case #18-35) and revised final (Case #18-17) plat accompany this request.

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 rezoning requests to IG.)

MR. STRODTMAN: Thank you, Mr. Palmer.

Commissioners, questions for Staff?

I see none.

Thank you, sir.

PUBLIC HEARING OPENED

MR. STRODTMAN: We'll go ahead and open this. This is a public hearing,

so we'll open it up to the public. Just ask for your name and address.

MR. FARNEN: Thank you. And good evening again. My name is still Mark Farnen, 103 East Branham, Columbia, Missouri. I am appearing on behalf of Last Enterprises, who is the applicant. This is part 2 of our request tonight.

This is the part that asks for rezoning. And as Staff has indicated, this was part of an old planned district. And as we discussed for about two years here at meetings frequently, one of the intents of the new code was to try and move away from planned district zoning and into more defined and more stable zoning classifications. This is one of the first of those moves to try and accomplish that very goal.

Staff supports this request, and we believe that it takes advantage of a lot of the things that were intended when that code was adopted; that it takes advantage of the existing road and infrastructure network that surrounds it on all sides. These are major collectors, state highways, and it's a perfect place to have a business or set of businesses that need access to that roadway system without running that traffic through neighborhoods or other undesirable areas.

We believe that allows for the reasonable use of a parcel that has remained unused under the previous planning and zoning designation. And we know that we frequently talked about stale lands, and this is a way to make that fresh again.

We believe that it makes administration of this parcel cleaner and more straightforward by converting to standard zoning designation.

We do not think that it will have significant impact to the neighbors or the existing road infrastructure and traffic patterns in this area. And after this is developed there will be more trees there than there are now. We believe that this meets those goals.

We also understand that there are questions about floodplain and that -- and that there will continue to be discussion, but those were the rules that we were given when we submitted. Just like we have the new zoning code.

So we would ask you for your support on what we believe is a very real and reasonable request to rezone this from a PD designation to IG.

And we would [accept](#) your questions and enjoy them. And we have the same set of engineers available to answer the more technical questions that we would pose -- or that you would pose.

So with that, that's it.

MR. STRODTMAN: Thank you, Mr. Farnen.

Commissioners, any questions -- Commissioners, any questions for the speaker?

Sorry, Mr. Farnen. No questions.

MR. FARNEN: Happy solstice. And I'm looking forward to this holiday.

MR. STRODTMAN: Thank you, sir.

Anyone else to come forward this evening to speak with us? We would welcome this chance if you would like to come forward.

MS. DUNN: My name is Lucinda Dunn. I live at 4401 Mexico Gravel Road, which is just east of the roundabout there where it meets Mexico Gravel on the other side of kind of the open area there.

I want to go on record in opposition to the rezoning of the 7.66 acres located at the southwest corner of the intersection of Vandiver and Mexico Gravel Road from planned district to industrial district.

My husband and I have lived just east of Mexico Gravel Road roundabout for twenty-one years and I travel the road adjacent to the property in question on a daily basis. I have the following primary concerns with this plan.

First of all, I feel that it's likely to have a negative impact on the property value and the desirability of our home and neighborhood with industrial development in such close proximity. It would be within about a quarter of a mile of my home.

Secondly, rezoning of this plat could lead to further rezoning in the area to industrial. I understand that there is a floodplain area that's unlikely or less likely to be developed in the near future, but there is land, you know, on the -- on the other side and -- and on the other side of the highway. I don't want to live in the middle of an industrial district. And I think any one of you would agree you wouldn't want to be put in that position either.

I'm concerned about increased traffic in the area. And this area has already experienced a great increase in traffic over the time that we've lived there, and especially in the last ten years there's -- there have been a lot of housing developments on farther out Mexico Gravel Road to the east. I believe there's also going to be a large apartment complex over across from Menard's soon.

There's just a lot of traffic in that area and people use those corridors to go to work. Sometimes I have to wait for twenty or thirty cars to go by before I can pull out of my driveway in the morning. And I don't think this will help any.

In addition, I'm concerned about increased truck and commercial vehicle traffic in the area, which can create dangerous conditions when you're driving. Sometimes I'm sure you guys have had the experience the truck stops to be able to maneuver into a position to do their business, but it happens all the time on Mexico Gravel farther on down towards Paris Road and I don't want to see that happening

any more than it already is.

I'm concerned about especially the negative impact on nature and the natural aesthetics in the area, which as you know is adjacent to Hinkson Creek. There is a walking trail up Headway along the east side of that piece of Mexico -- of Vandiver there that runs between the roundabouts. I walk that trail. I enjoy the -- kind of the open spaces there. I enjoy being able to be right near the creek and hear the water running in the spring. And I'm concerned with industrial development right there. It's going to take away the entire feeling of the natural spaces there. I don't think it will have a positive impact on the creek area either.

I respectfully request that this case not be approved and that real consideration be given to the best interests of the local residents. I know that everybody wants to make money and everybody wants to have an opportunity for business, but I -- I would like you to remember that people live there and it impacts us every day; not -- not just once making a decision about this plan, but it impacts us every day moving forward.

I also feel that the timing of this case has made it difficult for the local residents to be aware and active in giving their input in this case because the public hearing sign did not go up until last Friday. And this meeting is only six days later. And it's the week of Christmas.

So I've tried to spread the word among the neighbors, but I will say this: It's a very difficult time to get people out of their homes and get people active to express their thoughts.

So I respectfully request that you will not approve this request for rezoning.

And I'm more than happy to answer any questions you may have.

MR. STRODTMAN: Thank you.

Mr. Stanton.

MR. STANTON: Good evening.

MS. DUNN: Yes.

MR. STANTON: Let's play devil's advocate. What would you do with the property? If it was in your possession what would you like to see there?

MS. DUNN: Originally it was part of a planned development for retail spaces. I would like to see that original plan go forward. I know there hasn't been a lot of interest or -- in the years since that planned development was conceived; however, I think with the addition of additional residential in the area, with that, I think it's more than a 300-unit apartment development going in across from Menard's, I think there will be a lot of need for additional retail like places

to eat. I don't think that would be a problem.

I think something that is more conducive to, you know, not bringing down the value of our properties. I don't think retail would do that the way industrial would.

MR. STRODTMAN: So just so you understand, ma'am, also retail would be a much heavier density, so the traffic I think of that nature would be much more intense with retail.

MS. DUNN: I understand.

MR. STRODTMAN: So you understand that.

MS. DUNN: We certainly will keep our ears open to what plans might be, but I don't think retail would have the negative effect that -- that industrial would.

MR. STRODTMAN: Miss Burns.

MS. BURNS: You said the sign went up six days ago or -- when were you aware of this, Miss Dunn?

MS. DUNN: I noticed the sign -- I don't know if I noticed it the first day. I noticed it over the weekend, I know.

MS. BURNS: Were you aware of this development plan prior to the sign going up?

MS. DUNN: I was not. I mean, I -- like probably the rest of you I'm busy. It's Christmas time. I have a job. And I don't watch -- I don't even take the paper. So I don't watch what's happening in the paper.

When I called and I talked to Mr. Palmer about it he said the sign went up on Friday. He explained that, you know, there are minimum requirements for actually notifying people. He said, I believe, that you only need to notify people if they're within two hundred feet.

Well, as you can see, there aren't a lot of residents literally within two hundred feet. So there's not very -- there aren't very many people to notify.

And, you know, I saw the sign. I called I believe on Tuesday to get information. So I found out on Tuesday and I started to kind of -- to spread the information around with the neighbors. But like I said, it's the week of Christmas. People are busy. I'm supposed to be making caramels tonight, but I'm here.

So, again, I, you know, I just hope that you will deny the rezoning and -- and consider if you lived a quarter mile away what would you want there. And I mean, if you want to know what I want there, I mean, I would be glad to think about it, but I know it's not this.

MS. BURNS: Thank you.

MR. STRODTMAN: Thank you, ma'am. Any additional questions,

Commissioners?

Thank you, Mrs. Dunn.

MS. ERTZ: My name is Laura Ertz. I live at 3504 Mexico Gravel, which is just west of the roundabout. We bought our home in 2000. We retired here. And it was a quiet little kind of off the beaten path area. It was residential. It was I understand maybe what they call a feeder road, but now since the roundabout and on the many subdivisions that are just east of us, my road is like going out onto Stadium. We back out onto Mexico Gravel and I thank God most days if it's the time people are going to work or coming home that I have a chance to get out.

There also in the -- between Henleys, East and West Henley, there's a number -- quite a number of children there that live there and that takes the city school bus or the city busses to school. And the traffic at this point is very much of a concern for us.

The other thing that is a concern is I really believe that turning this plat into industrial is going to adversely affect all of our property values. And this is certainly a concern for anyone. I believe, as Mrs. Dunn said, that it also will open that door for other industrial.

I am recommending from a homeowner's perspective that this not be approved. I, too, could see and can certainly live with small, of the smaller retail as we were told what was the plan at the previous people that were going to develop this area.

But I would -- we are seeing now with the additional impact with the apartments there by Menard's we have doctors' offices, we have a church that's very, very close that are really non-invasive. And I would hope that this doesn't continue. It -- it just isolates us more and more and causes concern with the money that we have chosen to build into Columbia. It's nothing like a business probably would, but I think being known for a good residential place to live and to where to retire is very important. And I respectfully ask your consideration to oppose this.

MR. STRODTMAN: Thank you, ma'am. Would you spell your last name, please?

MS. ERTZ: Yes. It's E-r-t-z as in zebra.

MR. STRODTMAN: Thank you.

Commissioners, any questions for Mrs. Ertz?

I see none. Thank you, ma'am, for coming.

MS. ERTZ: Thank you.

MR. KEMBLE: Again, I'm Nile Kemble. I live at 3000 East Henley, which is west of the plat that's being discussed.

I am the President of the Mexico Gravel Neighborhood Association. Unfortunately, I couldn't get more of the neighbors out tonight. As it's been said, it's the week before Christmas and they're all busy wrapping presents and all that fun stuff that's Christmas related.

However, those that I have talked to are opposed to this rezoning. As was mentioned by our first speaker, that plot has sat empty for several years since Curtis McDonald tried to make Centerstate go.

As was mentioned by Miss Dunn, the new apartment buildings, they're going to go in, I think might be an opportunity to leave this as a planned district. The folks that are going to live in those apartments are going to want restaurants, stores in the area that they can shop without having to drive long distances. I just think that's a better use of that land.

Going back to the discharge. As an environmentalist, I'm a fisheries biologist by trade, I have concern that -- that we didn't really discuss or get an answer as to whether the discharge is going into the creek or into the city sewer line. If it's going into the creek, with an industrial zone I've got a lot of concern about what may end up in that creek and affect the biod in that -- in that eco system.

I just -- one by one this -- this original plan has been picked apart, and what once was probably going to be very nice for the neighbors in the area, it's just slowly going backwards for us.

And I recommend that you guys oppose this, too.

MR. STRODTMAN: Thank you, sir.

Commissioners, any questions for this speaker?

Mr. Stanton.

MR. STANTON: Why did you wear a Nebraska jacket?

MR. KEMBLE: I grew up in Lincoln. It's -- it's -- blood is thicker than -- you know.

MR. STANTON: This is Tiger country.

MR. KEMBLE: I understand that. I've got kids that cheer for them and -- and it's been a great place to raise my children, so...

MR. STANTON: Okay. So same question. You would -- what would you rather -- if you owned this property. Put yourself in the other -- the other boat -- shoes.

MR. KEMBLE: As Miss Dunn said, I think when we get to the apartment complex that is being built, it's going to be young professionals. I think that area would be -- may -- say it may not. I won't say it's going to, but I think it would be a great place to put, you know, a little bar, a little restaurant, something that

those folks could come and relax after work.

There's going to be shopping needs. Menard's has a lot of fun stuff, but it doesn't meet all your daily requirements like groceries and stuff and other things. But I would like to see, if that's going to go through, which it is, I would like to see that plot of land given a chance to develop more in that direction.

I also have concern, as it's [been](#) previously said, that if we do IG on this, based on what I read it's possible, that other plots of land in this area are going to end up in the same boat.

So I would like to see it go to small retail type shops and stuff.

MR. STANTON: Thank you.

MR. STRODTMAN: Any additional questions, Commissioners, of this speaker? I see none. Thank you, Mr. Kemble.

MR. KRIETE: My name is Matthew Kriete with Engineering Surveys and Services. Offices at 1113 Fay Street. Again, the civil engineer for the project.

Address a couple of questions. I think there was some comments regarding traffic. In terms of the intended use of this property and the -- and the traffic generation, based on ITE generation rates you're looking at peak hour turning rates out of this develop -- out of some of these driveways of fifteen vehicles, two vehicles, one vehicle. These are very low intensity uses. Versus a restaurant that's going to be creating hundreds of additional trips during that same period of time, or a [retail](#) building that will be doing the same.

And for the last -- I don't recall exactly when this was rezoned, but for -- or when Vandiver was completely built, but it's been sitting ready for development as retail, as a restaurant use. And during that time period we had two restaurants across the highway go out of business.

I can't speak to the market, it's not what I do, but I think we've seen some evidence of how they -- those uses have not been able to survive up there. And there's continued empty space across the way.

From a storm water management perspective we have some pretty intensive requirements in -- in Columbia that have to be vetted. And, you know, the concerns at Hinkson Creek is going to be addressed. And that's within our ordinance. That's within our regulations. You know, it's going to be -- it's going to be dealt with.

And I'm from a -- the new UDC standpoint, a lot has changed from what this original zoning was from the CP. And I -- I think there's a lot to argue that the protections that are in place for the neighbors are actually more intensive under the new UDC than they would have been under the CP zoning. And with -- with these uses and, you know, calling it industrial, these, you know, these aren't what you

would consider your heavy industrial type uses. Those would require another approval. You know. These are more warehouses. These are distribution. These are, again, fairly un-intensive uses. And with each of those uses the neighborhood protection standard provide more requirements for screening, and buffering, and, you know, what -- how exactly this is going to be developed.

And as a reminder in terms of if the market changes, if there is a demand for those type of uses, you know, the IG district remains -- that remains a viable use in those -- in those districts -- or in that district. Excuse me.

With that, I would be happy to answer any questions you might have.

MR. STRODTMAN: Thank you, sir.

Mr. Stanton?

MR. STANTON: I'm waiting for an answer, and maybe I fell asleep or something.

MR. KRIETE: Okay.

MR. STANTON: What are the intended use, unless it's some proprietary information that you don't want to disclose, but in general what are you planning to put there?

MR. KRIETE: Well, I think I -- as I -- as I described there's a traffic generation report that I provided to Staff. And I -- I don't know if that made it in your packet. I didn't see that it did.

But we -- we classify this under -- under what was classified as light industrial. And that's -- that's the allowed use. I mean, we can't really get into heavy industrial in this. So that would be things like warehouse or distribution. Things of that nature. Maybe some kind of like light research. Very light manufacturing type facilities. You know. Everything in a building. Kind of get into all the standards.

You know. You're looking at what you're going to have is basically large buildings spaces, some large roofed areas. You know. You're not going to see outdoor storage. You're not going to see things of that nature. So you'll -- you'll have some parking. You're going to have some loading areas. You know. You're correct, you'll have some trucks coming through there to service the facilities.

But, you know, it's not like something -- you know -- I'm not picking on anyone in particular, but 3M or Quaker, you know, the industries we're used to out on Paris Road. It's not anything nearly that kind of intensity.

MR. STRODTMAN: I have a question. Mr. Kriete, you or either Mr. Farnen mentioned earlier about landscaping and how that's -- the trees. Can you speak to that a little bit?

MR. KRIETE: Well, I liked his comment, because as it stands today there isn't a tree on that property. And when we're done -- the landscaping requirements in the UDC are very intensive. I don't think we've had a chance to really see the intensiveness of it, but I've -- I've had landscape architects, some other architects tell me the -- the tight -- how tightly spaced the trees are required. It's so tight that the trees won't really be able to grow to their full potential.

You know, you're looking at once you get your street trees and then your landscape buffer trees you're looking at separations of, you know, ten to fifteen feet on some large shade trees. And these -- these are trees that could have thirty, forty foot drip lines in their maturity. So you're going to see a lot in here. And buffering is going to be required on all four sides to buffer the roadway with those trees.

So it's going to look different than it does today. It's going to look a lot -- a lot -- well, there's going to be a lot more landscaping. I mean, today it's just basically a fescue field that gets mowed on occasion. So...

MR. STRODTMAN: Thank you -- or continue that.

Any additional questions, Commissioners, of Mr. Kriete?

I see none. Thank you, sir.

MR. KRIETE: Thank you.

MR. STRODTMAN: Anyone else like to come forward?

I see none. I'll go ahead and close this public hearing.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners? Questions? Comments? Discussion?

We have Christmas gifts to wrap, so no discussion.

You know, I -- you know. I was going to make a few comments. You know, I think, you know, we obviously haven't seen the plan to see what it's going to be, but, you know, I visualize that this location is going to be utilizing those roundabouts to access 63 for probably most of the time. I don't see them going maybe east on Mexico Gravel, unless maybe they're going to go Battle or, you know, maybe that direction. I don't really see that being a very logical direction. I think it's maybe a little bit of Mexico Gravel to the west to get over to Paris or, you know, Range Line. But Again, I think that 63 is why that type of use would go there.

So, you know, all of that land to the east is agricultural in the floodplain. It's not going to be developed. There's a lot of buffer to the east.

To the west, you know, we've got 63, and most of it's developed immediately to the west.

North is, you know, that's a different scenario, but that's a different day.

I -- I plan on supporting it. You know. We obviously know that with our storm water and different ordinances we'll take care of the water. There's not going to be any hazards going into the Hinkson Creek. We know that this is light industrial. It's not your smokestack, your smelters. It's -- you know. It's going to be some buildings with some work going on inside of the buildings and very little on the outside, except for a parking lot and cars.

I think the landscaping would be a huge improvement. Would be some -- a little more complimentary to the east side.

You know. Being in the retail business I can see why it's not. That's a tough area. I don't think it's ever going to be a strong retail destination area. Part of me hopes that just because of selfishly. My retail is elsewhere, but retail is hard up there. And I don't see even those apartments getting much better.

Miss Loe?

MS. LOE: I have a couple of extra questions for Staff.

MR. STRODTMAN: Yes, ma'am. Go ahead.

MS. LOE: I am looking at the CATSO plan and at the zoning plan. I don't know if we can pull those up at all, but on the CATSO plan it does show that that Vandiver spur connecting down to Clark. I was wondering if you would just comment on when -- if that's planned? What kind of development we are hoping to see along that. What changes that could bring. Because that would obviously bring some different pressure to that parcel.

MR. TEDDY: Yes, it is on the plan and --

MS. LOE: Clark -- Clark would be down. So basically from right now it's the bus depot for STA, but just east of Home Depot connecting up through it looks to that roundabout?

MR. TEDDY: Yeah. In transportation planning it's desirable to have more local roads parallel to freeways that interconnect interchanges. And that was the thought there.

That being said, the recent discussions of that link is that it would be a long way off.

MS. LOE: Okay.

MR. TEDDY: And there's general awareness of a great deal of environmental sensitivity that's playing into that as well as other priorities that basically the city has as a partner in CATSO. So I could not give you an estimate of when.

I believe there's been some preliminary studies done. I have seen drawings not -- not lately, but ten years ago I know there were some preliminary schemes done, but I think for the time being that that project's for the back burner.

MS. LOE: Okay. The zoning map, any chance of pulling that up?

I'm looking at the zoning -- the IG zoning in that area. Really seems to be [along](#) the Paris Road corridor. And this does look like we have a PD corridor running up that 63.

So I was just curious if we can take a look at that and maybe evaluate how this might change. It looks like there was a plan for the PD zoning coming up [along](#) 63 there.

MR. STRODTMAN: I'm going to guess a lot of that was Centerstate. I think Centerstate was a very large development, Miss Loe, that probably brought that PD to the majority of that.

MS. LOE: All right. So I am looking at the darker gray, which is the IG zoning. And it does give Paris Road a certain feel just based on the comments that got brought up looking at the neighborhood in context and what maybe was planned for it.

MR. STRODTMAN: I would argue you've got -- you've got Highway 63 right there in the middle. And to me that -- that's not Paris Road.

MS. LOE: So to Staff: Do you see all that light gray turning to IG or -- I mean, this would be a switch. And it does feel like we're maybe beginning to change that.

Do we remember what the intent was with all of that PD going up [along](#) there? If we anticipated the neighborhoods coming in and supporting that?

MR. TEDDY: I'll just comment. I think the light gray is -- really is meant to represent diverse land uses because that was the original idea of Centerstate. I don't think there's any Staff that completely abandoned that. There's obvious changes since the original concept of Centerstate for those of you that have been around long enough to remember what that was proposed to be.

But there's a good mix of land uses there. And my view of this particular request is it's that condition of being surrounded by roadway that's really driving the idea of industrial. I don't think it's the beginning of a large IG district. I think it's the particular condition of this. It's an oblong piece. It's going to display well to the freeway, but it's got roads on all four sides. So it will be good accessibility and -- for maybe a service oriented business that's quasi industrial in nature. It's probably a good location. It would work for retail, too, but I don't know how strong the retail market is.

MS. LOE: But just one final question. It was pointed out to us that the trail system does come right by there? Is that correct?

MR. PALMER: I believe actually in that location that's a city sidewalk.

MS. LOE: Okay.

MR. PALMER: It is adjacent to the -- to the Hinkson Creek, but it's widened out there. As I stated, the C -- well, it's not on the CIP plan yet. Future intentions are to widen Vandiver to four lanes adjacent to this property. And so the sidewalks are set wide enough so that that can happen without tearing those up and moving them.

MS. LOE: Okay. Thank you.

MR. STRODTMAN: Additional questions, Commissioners, of Staff? Comments? Motion?

Mr. MacMann?

MR. MACMANN: I just want to thank Planner Smith for digging that up for us.

MR. STRODTMAN: Icebreaker.

MR. MACMANN: Whoever dug that up.

MR. STRODTMAN: Miss Russell?

MS. RUSSELL: For the -- for the purposes of a vote, I am going to make a motion to, in the case of 18-18, Centerstate plat 14 rezoning, approve the requested rezoning.

MR. STRODTMAN: Thank you, Mrs. Russell.

MS. RUSHING: Second.

MR. STRODTMAN: Second was Miss Rushing. Commissioners, we have a motion that has been made by Mrs. Russell for Case 18-18 and received its proper second from Miss Rushing.

Do we have any additional comments or discussion needed on this motion?

I see none.

Mrs. Secretary, when you are ready for a roll call.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval. Voting Yes: Mr. Harder, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Ms. Loe, Ms. Burns. Voting No: Mr. MacMann. Motion carries 7-1.

MS. BURNS: 7 to 1. Motion Carries.

MR. STRODTMAN: Thank you, Mrs. Burns.

And for those in the audience this evening, you will have -- you can have the opportunity if you so choose to speak at City Council. Our recommendation is not final. We have no authority. We just have an approval process to forward it to our -- to City Council with our recommendation. So you will have the opportunity so you have a chance to get your neighbors if they so desire to speak.

It's not over. So don't think that just because you didn't get your answer tonight that you're look for, you still have an opportunity to go to the decision-makers who's the City Council. So watch the paper and/or other locations.

Yes, Mr. Stanton.

MR. STANTON: I would like to also add: The new -- the new code does have a lot of buffering between the residential and industrial. So as citizens and neighbors I would definitely hold the developer's feet to the fire and make sure they do at least what they're supposed to do and stay active in the process along the way.

MR. STRODTMAN: Thank you, Mr. Stanton.

Yes? Mr. Palmer?

MR. PALMER: Just wanted to make an announcement that the -- the vote for that at Council right now would be scheduled for February 5th.

MR. STRODTMAN: So February 5th I would mark on your calendars for anyone that would like to attend the related case at City Council. Thank you, Mr. Palmer.

Moving on, we'll move on to Case 18-5. At this time I would ask any Commissioner who has had any ex-parte communications prior to this meeting related to Case 18-5 please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us.

Thank you, Commissioners.

Case #18-5

A request by A Civil Group (agent) on behalf of Lifestyle Development, Inc. (Owner) for approval of a major amendment to The Villas at Old Hawthorne PD plan, most recently revised 2/15/17, to amend the lot layouts along Caymus and Harlan Courts. The subject site is located east and west of Old Hawthorne Drive West, approximately one-half mile north of State Highway WW.

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 amendment.)

MR. STRODTMAN: Thank you, Mr. Smith.

Commissioners? Any questions of Staff?

I see none.

PUBLIC HEARING OPENED

MR. STRODTMAN: As is, this is a public hearing, so I will go ahead and open it up. If anybody from the audience would like to come forward at this time for Case 18-5 we would welcome that.

PUBLIC HEARING CLOSED

MR. STRODTMAN: We'll go ahead and close the public hearing.
Commissioners? Discussion? Questions?

Miss Loe.

MS. LOE: Motion.

MR. STRODTMAN: A motion's acceptable.

MS. LOE: Case 18-5, move to approve the major amendment for the Villas at Old Hawthorne PD plan.

MR. STANTON: Second.

MR. STRODTMAN: Thank you, Miss Loe. And Mr. Stanton for that second.
Commissioners, we have a motion for approval of Case 18-5 by Commissioner Loe. Received a second by Mr. Stanton. Is there any discussion needed of this motion?

I see none. Mrs. Burns, when you're ready for roll call.

MS. BURNS: Yes.

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

MS. BURNS: Eight to zero. Motion carries.

MR. STRODTMAN: Thank you, Mrs. Burns.

Our recommendation for approval will be forwarded to City Council for their consideration.

Moving on to Case 18-20. At this time I would ask any Commissioner who has had any ex-parte communication prior to this meeting related to this case please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of them -- in front of us.

I see none. Thank you.

Case #18-20

A request by BFA, Inc. (agent) on behalf of Red Oak Marketplace, LLC (owner) for approval of a PD (Planned Development) development plan on 4.42 acres of land located on Lot 2 of Red Oak South, Plat No. 1, to be known as "Red Oak Marketplace PD". The PD plan represents a revision to the existing Red Oak South preliminary plat to allow the resubdivision of the property into four lots. The subject property is located on the southwest corner of Grindstone Parkway and Norfleet Drive.

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

(Staff report given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval on the condition that the small technical

corrections are completed and forwarded to Council.)

MR. STRODTMAN: Thank you, Mr. Smith.

Commissioners, is there any -- are there any questions for Staff?

I see none.

PUBLIC HEARING OPEN

MR. STRODTMAN: We'll go ahead and open this up to a public hearing. Anyone would like to come forward.

MR. ROHLFING: Good evening, ladies and gentlemen of the Planning Commission. My name is Rick Rohlfing. I am the engineer for this project. I am with BFA. We are out of Washington, Missouri. My address is 103 Elm Street.

Representing Red Oak Marketplace this evening I will be brief. As Staff has mentioned, we do meet all of the intended criteria of the original 2010 statement, and as well as the current UDC criteria. We are working diligently with Staff to address the small technical comments of late on Qdoba. I think we received those yesterday late afternoon.

With me here tonight is also my design engineer, the landowner is here, if there's any questions.

I will point out we are not in a floodplain, Mr. MacMann. And tonight we --

MR. MACMANN: Where was that directed?

MR. STRODTMAN: He knows you well.

MR. ROHLFING: Tonight we just respectfully request your favorable recommendation onto Council. We're here for any questions you may have.

MR. STRODTMAN: Thank you, Mr. Rohlfing.

Commissioners, any questions of the speaker?

I see none.

Thank you, sir.

Anyone else to come forward?

PUBLIC HEARING CLOSED

MR. STRODTMAN: We'll go ahead and close the public hearing.

Commissioners, discussion? Comments? More additional information needed?

Mr. MacMann?

MR. MACMANN: As a matter of disclosure: My parents live across the river from you all. Just FYI.

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: I would like to make a motion.

MR. STRODTMAN: We will take that motion.

MR. STANTON: As relates to Case 18-20, Red Oak Marketplace PD plan, I move to approve.

MR. STRODTMAN: Thank you, sir.

Do we have a second?

MR. MACMANN: Second.

MR. STRODTMAN: Mr. MacMann. Thank you. We have a motion made by Mr. Stanton for approval of Case 18-20. Mr. MacMann seconded that motion.

Do we have any discussion or clarification needed?

I see none.

Mrs. Secretary, when you're ready.

MS. BURNS: Yes.

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

MS. BURNS: Eight to zero. Motion carries.

MR. STRODTMAN: Thank you, Mrs. Burns. Our recommendation for approval of Case 18-20 will be forwarded to City Council for their consideration.

VII) PUBLIC COMMENTS

MR. STRODTMAN: Comments of the public?

VIII) STAFF COMMENTS

MR. STRODTMAN: Comments of Staff?

MR. SMITH: I think I have no comments for the evening, other than have a Merry Christmas. And we will see you on January the 18th. As January 4th currently has nothing on the agenda. So that most likely will be canceled.

So have a Merry Christmas and a Happy New Year.

I'll defer to Mr. Teddy if he has any comments.

MR. TEDDY: Just say enjoy your break. You deserve it. And Merry Christmas and happy holidays and season's greetings to everyone.

MR. STRODTMAN: Thank you, Mr. Teddy. And Staff in general.

IX) COMMISSIONER COMMENTS

MR. STRODTMAN: Commissioners, comments of the Commission?

Mr. MacMann?

MR. MACMANN: Just real quick. I want to ask Ms. Loe a follow-up and anybody else can jump in on this.

We've talked about density bonuses in the UDC and we're going to put that off until later. And Commissioner Loe, we talked about Boss Hogg and driving that train.

Commissioner Loe had stated that she would be a subcommittee of one to do the based investigation of the requirements and the needs and the demands for density bonuses. And I just was kind wondering where that was at and if you need any help.

MS. LOE: I was waiting for it to come up -- or get our agenda moving through the conditional use items review. My understanding was we were going to start jumping into those next year. And I have not done a lot of extra legwork beyond what I did initially, but would welcome any help.

MR. MACMANN: I -- just if I may, just to close this out a little bit: Given Secretary Carson's proposed budget, given --

MS. LOE: Yes.

MR. MACMANN: -- the Governor's proposed direction and the chance the legislature will overturn that, our need for affordable housing may become quite acute sooner rather than later. It's already acute.

MS. LOE: With tax credits going off the table, yes, I think this is an issue that we need to --

MR. MACMANN: Particularly Reynolds, which is -- you were very interested in that. I just wanted --

MS. LOE: I had that discussion earlier today.

MR. MACMANN: I would rather just for our attorney's sake and our Commission, I would love to talk about this sooner rather than later in work session so we can kind of get the balling rolling.

MR. CALDERA: Is this something you would like see on your next --

MR. MACMANN: I would love to see it if we can -- I know we have a lot to do, but sooner rather than later because of the need issue.

MR. CALDERA: Okay. And if there are any subcommittee formations and stuff we can talk about the construction of that.

MR. MANN: And we can do that at that time.

MS. LOE: I think we've already started that ball, yes, but --

MR. CALDERA: We can discuss it further at the next meeting.

MR. MACMANN: Thank you, Mr. Chairman.

MR. STRODTMAN: Yes, Mr. MacMann.

Mr. Stanton.

MR. STANTON: I move to adjourn.

MS. LOE: Second.

MR. STRODTMAN: Second on that?

Everyone have a Merry Christmas and Happy New Year.

MR. PALMER: Real quick note. Those cases on your screen you will see in

January.

MR. STRODTMAN: Oh. Yes.

(Off the Record.)

(The meeting was adjourned at 8:34 p.m.)

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