

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
DECEMBER 10, 2020

COMMISSIONERS PRESENT

Ms. Sara Loe
Ms. Valerie Carroll
Ms. Tootie Burns
Ms. Joy Rushing
Mr. Anthony Stanton
Mr. Brian Toohey
Mr. Michael MacMann
Ms. Sharon Geuea Jones

COMMISSIONERS ABSENT

Ms. Lee Russell

STAFF PRESENT

Mr. Pat Zenner
Ms. Rachel Bacon
Mr. Clint Smith
Mr. Brad Kelley
Ms. Rebecca Thompson
Mr. Tim Teddy

I. CALL TO ORDER

MS. LOE: I would like to call the December 10, 2020 Planning and Zoning meeting to order.

II. INTRODUCTIONS

MS. LOE: Ms. Carroll, may we please have roll call?

MS. CARROLL: We have eight; we have a quorum.

MS. LOE: Thank you.

III. APPROVAL OF AGENDA

MS. LOE: Mr. Zenner, were there any additions or changes to the agenda?

MR. ZENNER: No, there were not, ma'am. Oh, I apologize. Yes, there is. In front of you, you have a request for a tabling item. We will discuss that as part of your Subdivision actions this evening when that item comes up. That is the only change that we have this evening.

MS. LOE: Thank you. I'll take a motion to approve the agenda.

MR. STANTON: Move to approve the agenda.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. Thumbs up on approval?

(Unanimous vote for approval.)

MS. LOE: It looks unanimous.

IV. APPROVAL OF MINUTES

MS. LOE: Everyone should have received a copy of the November 19th regular meeting minutes. Were there any changes or additions to those meeting minutes?

MR. STANTON: I move to approve the minutes.

MS. LOE: Thank you, Mr. Stanton.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. I'll take a thumbs up for approval on the minutes.

(Six approvals; two abstentions)

MS. LOE: We have seven approvals and two abstentions?

MR. MACMANN: Six and two.

MS. GEUEA JONES: Six and two.

MS. LOE: Oh, sorry. You're right. Six approvals, two abstentions. All right.

V. SPECIAL ITEMS

MS. LOE: That brings us to our special items.

Case Number 47-2021

A request by the City of Columbia for recognition and acceptance of the Columbia

Imagined Status Report.

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

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends as the Status Report is identified as a key work objective in the Columbia Imagined Implementation Chapter, the Commission is asked to hold a public meeting to take additional public feedback on the Status Report. The Status Report is not a regulatory document, and as such, does not require formal approval, but recognition and acceptance of the Status Report will fulfill the objective identified in Columbia Imagined, and will allow the Status Report to be used by the Council to direct further implementation activities.

Recommended actions following the closure of the public meeting are:

1. **Acknowledge** the Status Report fulfills the objective of Comprehensive Plan which state that the Planning and Zoning Commission review a Status Report on the Plan after five years (page 150).
2. **Acceptance** of the Status Report as presented to serve as the guide for future work program activities, policy, and regulatory changes necessary to effectuate implementation of the Columbia Imagined Comprehensive Plan.

MS. LOE: Thank you, Ms. Bacon. So just to confirm, no public comment since we've already had public comment and do we need any Commission discussion on this since we've already had Commission discussion on this?

MS. BACON: I would ask that you open up for public comment. I think that would be helpful for

the Council and the record.

MS. LOE: All right. Any questions for staff? We're going to open the floor for public comment -
- I'm sorry. Ms. Geuea Jones, did you have a question for staff?

MS. GEUEA JONES: Either now or when we do Commissioner comment. I just want something on the transcript for Council, so you tell me when you want me to do that.

MS. LOE: Is it a question for staff?

MS. GEUEA JONES: It could be phrased as a question for staff.

MS. LOE: We have a really long meeting tonight, so if we can do things as succinctly as possible, that would be great.

MS. GEUEA JONES: I know. It'll take two seconds. Yeah. Question for staff. Are you going to be asking City Council for additional budget for the public outreach?

MS. BACON: We haven't gotten that far.

MS. GEUEA JONES: Okay.

MS. BACON: But that could be an outcome.

MS. GEUEA JONES: I would strongly suggest that many of the problems we have is because there is no budget, and so I would strongly encourage staff and City Council to put money behind it because you did the best you could with what you had and you had zero. So that is all I have to say. Thank you very much.

MS. LOE: Any additional questions for staff. Seeing none. We will open the floor up for public comment.

PUBLIC HEARING OPENED

MS. LOE: If anyone does have any public comments that they would like to make on the Columbia Imagined Status Report, Recognition and Acceptance, please give your name and address for the minutes.

MS. DOKKEN: Dee Dokken, 804 Again Street, and I am speaking for the Osage Group of the Sierra Club, which, at last count, had 657 members in Columbia, and 6,860 supporters. And we support the Status Report recommendations for immediate action, one of which was to involve the Climate and Environment Commissions -- to involve the Climate and Environment Commissions Stakeholders and Office of Sustainability in planning issues that affect the environment and climate. We also strongly support doing the West Area Plan and the Growth Impact Study and implementing recommendations that come out of these processes. All decisions should also be looked at through an equity and environmental justice lens using the triple bottom line approach. With the triple bottom line, all decisions are evaluated for the impact on people, planet, and profit, or some people call it equity, environment, and economy. I personally notice that protecting steep slopes is checked off as an accomplishment under the environment protection section. Though the current UDC regulation only protects slopes greater than 25 percent, the Sierra Club and the East Area Plan previously still recommend

starting slope protection at 15 percent, so we don't consider this issue successfully completed. In general, though, we think this is a great document and look forward to working with the Planning Commission, Planning Department, and other stakeholders on issues in the future, including the proposed discussion of the urban service area. Thank you.

MS. LOE: Thank you, Ms. Dokken. Any questions for this speaker? I see none. Any additional comments or speakers on the Columbia Imagined Status Report? If there is none, we'll close the public comment period.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. Stanton?

MR. STANTON: If my colleagues do not have any further discussion, I would like to entertain a motion. I acknowledge the Status Report fulfills the objectives of the Comprehensive Plan, which states that the Planning and Zoning Commission shall review a Status Report on the plan after five years or seven, as stated on page 150. I move to accept -- acceptance of the Status Report as presented to -- and serve as a guide for future work program activities, policy, regulatory changes necessary for the efficient implementation of Columbia Imagined Comprehensive Plan.

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Any discussion on that motion? I would just -- Mr. MacMann?

MR. MACMANN: Just real quick. I'm sorry I didn't speak earlier. I just wanted to say before we voted, I'm going to second Ms. Geuea Jones' perspective on outreach. I just wanted to get that on the record.

MS. LOE: And I would like to just say that we have had lengthy discussions on this, and I would appreciate the opportunity to discuss them more, but we do have a very full agenda and I don't think this is really the best evening to get into those, so I'm not going to. All right. May we have roll call, please.

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

MS. CARROLL: The vote is eight in the affirmative. We have a quorum.

MS. LOE: Thank you. A recommendation for acknowledgment and acceptance will be forwarded to City Council.

VI. PREVIOUSLY TABLED

MS. LOE: That brings us to our first case previously tabled.

Case Number 201-2020

A request by Crockett Engineering Consultants (agent), on behalf of Hemme Construction (owner), seeking rezoning from R-1 (One-family Dwelling) to PD (Planned Development) and approval of the development plan to be known as "The Cottages of Northridge". The intent of the

PD is to enable cottage-style dimensional standards for 16 single-family structures without allowing duplexes. The 2.45-acre property is located north of the intersection of Northridge Drive and Wayside Drive. (This item was tabled at the November 5, 2020 Planning and Zoning Commission meeting.)

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the requested rezoning from R-1 to PD and the associated PD plan.

MS. LOE: Thank you. Before we move to Commissioner questions, I would like to ask Commissioners if they've had any ex parte related to this case to please disclose that now so all Commissioners have the same information on behalf of the case in front of us. I see none. Are there any questions for staff? Ms. Carroll?

MS. CARROLL: Just as an inquiry, given that this is a PD plan, could we, as a Commission, if we saw fit, if there was agreement to ask for alterations to the plan such as landscaping or additional vegetative barrier?

MR. KELLEY: You could.

MS. CARROLL: Okay. Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you. The closest bus stop to this?

MR. KELLEY: I don't recall. I don't think there is one within walking distance.

UNKNOWN SPEAKER: (Inaudible.)

MR. MACMANN: Whoever just said that, when you get a chance to come up, you can let us know.

MS. LOE: Any additional questions for staff? If not, we will open up the floor for public comment.

PUBLIC HEARING OPENED

MS. LOE: If you have public comment, please come up and give your name and address for the record. We will be limiting comments to three minutes tonight.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. And I will go through my information relatively quickly if I get three minutes. Overview, I think that Mr. Kelley did a very good job in his staff report and then going over this site. We -- we have proposed to go PD route with cottage-style zoning for this piece of property. The idea there was we never wanted duplexes. The intent was always, always to build homeowner -- owner-occupied units. We want units for sale. We do not want to have any rental units in this community, so that was the intent. That was the reason why we asked for the PD, even though it's a little -- you know, uncommon to see it that way, we didn't feel that it protected the neighbors or the -- or the area if we asked for the R-2, and then got the cottage on top of it. Again, there's the location map. I will state when I

talked to -- before you tonight about this piece of property, I know it very well. There's two pieces of property that are highlighted. I lived in those two homes for the first 30 years of my life, so I'm very familiar with this area. I've backed up to this area. I've lived in it for quite some time. I no longer live there now, but I am familiar with it. Again, here is the PD plan and it is a little bit different, a little unorthodox compared to what we typically see, and that is due to a conflict in the fire code with regards to the street standards. And so this was a compromise, this was the reason why the plan was tabled at the last meeting was to work out those issues, and this is what -- what meets the fire code, as well as Public Works. Here is the surrounding zonings for the property. I think Mr. Kelley kind of touched on this a little bit. You can see the yellow zonings, which is R-2. You can see that the orange districts are multi-family. So putting in a diverse different type of housing option in this location really isn't anything different than what the area has already seen. They're seeing many types of housing, different types of housing stock in this area, and we're providing something just slightly different. Our site, again, on this piece is in blue. Here it is again, a little bit, it's hard to tell. Again, we're asking for a density of about 6.5. The duplexes to the northwest is a density of about 4.5. And, of course, the duplex and multi-family range from ten or eight-and-a-half to ten units per acre to the west. So we're right in line with -- with the other types of multi-family in the area. And, of course, we're not asking for multi-family, but wanted that -- to look at that and see that we're not out of character. Storm water is going to be an issue. It had been -- been discussed tonight. I will say that our development sits downstream of a 45-acre watershed. And when I say 45 acres, many times you have a development that has hundreds of acres. This only has 45. It's -- it can be managed. All development on this site would be in full conformance, in accordance with the City regulations for storm-water management. So we're going to do detention, we're going to do water quality, and we're going to handle it appropriately. No flooding, ponding, or other drainage problems will be passed to neighboring properties. I think that was a concern that some of the neighbors had talked about, and so we want to assure them that we're not going to exasperate any existing issue that's out there and certainly not going to create a problem on their property. And, again, the tract does not lie within the 100-year flood plain. That's been commented several times, but it certainly does not, and we've gone back till 1981 looking at the maps. Traffic, we are discharging onto Northridge Drive, which is an improved City street. Many times, new developments do not discharge onto improved roads. This does. Northridge is an improved City street, curb and gutter, 32-foot wide. It would be classified as a neighborhood collector with ADTs ranging from 1,500 to 3,500. I don't think Northridge Drive has anywhere near that kind of average daily traffic. Living on that street for many years, we didn't encounter anything along those lines. Of course, staff is -- has stated that the increase in traffic over the existing R-1 is seen as negligible. So what's the purpose? It's to provide a small pocket of affordable small lot infill cottage-style development, and then it's also to develop in conjunction with the surrounding areas, and then, of course, use the UDC as its intended purpose. So why here? This site is within walking

distance, 1,000 feet of Blue Ridge Elementary School, about two blocks away -- less than two blocks away is the elementary school. The site is within walking distance, less than a half a mile, to Oakland Middle School. And, of course, the site is within a third of a mile of MU Health Care's Smiley Lane location. So middle school, elementary school, and health-care facilities are all within walking distance, as is the City's proposed 30-mile trail loop. Now that's under design in various phases, but eventually it will get here, and we're going to be within a third of a mile of a major trail network. And then, of course, Albert Oakland Park is only about a half-mile away. This is -- you can see our blue site in the middle. The yellow sites of school sites. The pink site just added, that's the MU Health Care, and then the park and the trail network. So we're essentially located right in the middle of all those facilities. I think that is a great opportunity for affordable units. Not many times do we see that type of opportunity. Many times, that's used for other type of developments -- apartments, town homes, and the like. In this situation, we're looking for something a little bit different. Again, I think Mr. Kelley touched on this, but Columbia Imagined supports our request tonight. And I believe that some of the comments that Ms. Bacon talked about in the Status Report supports this tonight, as well. There was some public engagement. Due to Covid, no public information meeting was held, so those -- that started off with no public engagement, but flyers were sent to over 100 neighboring property owners. There was some correspondence that got back through the developer, to the developer via phone calls and e-mails, and he responded to those. There was also at the last P & Z meeting, when it was tabled, I believe some folks said, well, we never got it. Well, I don't know where they live and if they were nearby, we don't know why, but we did send over 100. So there was an in-person meeting that was held this past weekend to discuss it with any of the residents, as well. So, in conclusion, we believe that the development is appropriate for the area and that it fits well within this area. We believe that it truly fulfills the -- the intent and the obligation of an infill development. All the utilities are there. They're in place. We don't have to go do offsite infrastructure improvements to -- to serve this site. Everything is currently there to serve this site. We're going to be in full conformance with the storm-water standards for the City of Columbia. We are an affordable and walkable community, and that what we want to provide here. And, of course, the request comes to you with the recommendation from City staff. And I hope I came pretty close to three minutes. I don't know, but I'm happy to answer any questions that the Commission may have.

MS. LOE: Mr. MacMann?

MR. MACMANN: Just real quickly. Mr. Crockett, you did storm-water mitigation planning for Cullimore Cottages?

MR. CROCKETT: Yes. For which one? Yes. Cullimore Cottages.

MR. MACMANN: For Cullimore Cottages, which is a slightly smaller, slightly denser more property, but many similarities. My question to you, and a couple of us may have familiarity, that site had its own unique storm-water issues.

MR. CROCKETT: Correct.

MR. MACMANN: Will this site be more or less of a problem than Cullimore Cottages?

MR. CROCKETT: This site will be less of a problem. And the reason why the Cullimore was so unique --

MR. MACMANN: Because of the soil. Right?

MR. CROCKETT: It was the soil and the fact that we had -- we had very little depth for discharge. At this location, we have a waterway that lies to the north of the site that allows us some depth. And so what we're looking for here is where Cullimore was -- was a relatively more dense type of development, we had to sneak in, try to get -- kind of work those. By retention cells in here, we have a little more room for that here, so this will be less complicated than Cullimore.

MR. MACMANN: Okay. For those who are questioning, I go up there all the time. The property that we're referring to is near the Business Loop. The water stays on that property, just FYI.

MR. CROCKETT: Yeah. And in all due fairness, the water kind of stays on this property, as well, and that's just due to the flatness of the ground. And, of course, through development of this property, we can allow that water to get away. And so, yeah. There's -- there's some flat areas and there's some areas of pond currently on this piece of property, no doubt, but that will all be rectified through development.

MR. MACMANN: All right. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: Any additional questions for this speaker? Ms. Carroll?

MS. CARROLL: Thanks. I was wondering, would you be able to suggest a range that you intend to sell these homes at?

MR. CROCKETT: We are -- yes, ma'am. We're looking -- we want to get them to about \$150,000 if we can. It's not that \$120,000, \$130,000 that the City really sees as "affordable", but, in the private sector, without -- unlike some of the other projects that are done, being unsubsidized, it's extremely difficult to get it down lower than that. So we want to get to the \$150,000. It's probably going to be \$150,000 to \$175,000, but we're trying to get it as low as possible. We're really targeting that first-time home buyer and, you know, that's what we're really trying to do. We understand there is a need for that. Part of that's part of the reason why we want to go the cottage style is that it allows us to drop our development costs a little bit. It's not about profitability, it's about how can we hit that price point that's being neglected or not being able to be achieved really, how can we hit that. And the reason -- one of the things we have to do is we have to cut our costs incrementally. And by gaining a few extra units allows us to get that and allows us to hit that price point.

MS. CARROLL: Okay. Thanks for sharing.

MR. CROCKETT: Thank you.

MS. LOE: Any additional questions? I don't see any at this time. Thank you, Mr. Crockett.

MR. CROCKETT: Okay. Thank you.

MS. LOE: Any additional comments on this case?

MS. ANDERSON: Hi. My name is Robin Anderson, and I live at 2601 Northridge Drive, which is the property directly east adjacent to the subject site. And I want to state first off that the only reason a public meeting was held was because the residents requested it and we had it in -- in my front yard. And we were told a couple of things that conflict with what the information that was just presented, and that was that the starting price of the homes would start at \$175,000, and a couple of other things. But my main beef is with the density. So I think that this is more in line with something that you would see downtown and, obviously, multi-family dwelling sites, based on the figures in Columbia Imagined. I know those have changed since 2013. But for infill development of single-family homes, this developer has said up front that the reason he wants to put more homes on the property is because he can't develop it as is and make money. In terms of neighborhood input, a park or a pool, he has said, would bankrupt him, and that's a direct quote. So he wants to pull full-size home lots on less -- or full-size homes on lots that are less than half the size of a regular R-1 dwelling with a ten-foot rear yard setback. So that means that all of the residents of Cannon and Pine and us are going to be faced with seven or eight walls of homes ten feet from our property with no buffer other than the proposed utility sign -- utility easement on the west side. So Chapter 29 of UDC also states that the maximum size of contiguous area that may be replatted to permit cottage lots without such lots being within a cottage subdivision is one acre. I'm not a developer and I don't know what that means, but it seems like that's in direct conflict with the goals of Columbia Imagined. So I don't understand why this can't be developed as is at a reasonable density other than to benefit the developer. And the goals of Columbia Imagined also stated that infill development should focus on schools and affordable housing and be developed in conjunction with existing neighborhoods, and he has cited revenue as the main reason for wanting to put more homes on this property. He's also said that he wants to put an HOA for a street right in the middle of an existing property, and that's going to exclude current residents from micro amenities, which is one picnic table, one bench, and a dog waste station. And those go against the goals of Columbia Imagined, which also says that "the City should provide incentives that support redevelopment projects which are consistent with neighborhood plans and/or establish compatibility criteria" and we haven't seen those until just now. So the options to be -- should be considered to introduce density and alternative housing options in established neighborhoods and strategies to achieve this goal may -- this is still quoting Columbia Imagined. "Strategies to achieve this goal may include accessory dwelling lots, which can accommodate minor density increase," and we haven't been told what is considered a minor density increase. All we see is what's in Columbia Imagined, which, seven years ago, for R-1 dwellings was two -- was two. So we look at a number seven and how can we consider that a minor increase? So I don't really see how this proposed use of his land is also going to attract, if we're thinking about schools, how it's going to attract families with children. There's no yards. The starting prices of those homes are not affordable

by the poverty level definition. And while you guys -- while it might not be impactful or more into a traffic study, we have to live there. And 17 to 34 more cars on the street, assuming that there's going to be 17 homes on there -- or 16 -- 16 or 17 homes is going to feel impacted and we're going to feel those circumstances based off of numbers on the street. I mean, there's only 16 houses along Northridge, so you're doubling the traffic. There's also no things right now that accommodate the three schools within walking distance. There are no speed bumps, there are no crosswalks, there is no stop signs. There is nothing at -- there's no speed detectors. There's only one speed limit sign in one direction, and creating that is actually going to be creating what is essentially a four-way intersection where the only sign is a yield sign on Wayside. So I know the developer isn't responsible for these things, but I want to know what the City is going to do to assume that -- to assure that our traffic problems won't get worse because we do have children and we have toddlers who want to play in our front yards. And according to the developer, there's going to be kids there, too. So there's also a lot in Columbia Imagined on pages, like, 124 and 125, that say that neighbors need to be involved in the planning process -- this is a quote -- "well before proposals are submitted". And that on affordable housing, "the neighborhood will get to build consensus about its collective values and what direction it would like to develop in the future." And I don't see how we've been involved in that process other than to push the developer for a meeting that I had to have in my front yard.

MS. LOE: Thank you, Ms. Anderson. Are there any questions? Mr. Stanton?

MR. STANTON: The goals of affordable housing -- if the goal was affordable housing and this was your land and your dime, what would you change with this?

MS. ANDERSON: I'm not a developer.

MR. STANTON: I'm asking -- let's say you are. Let's dream. What -- what's your solution to this problem?

MS. ANDERSON: A park. Smaller homes on bigger lots, lower real estate prices. I mean, in terms of square footage of the surrounding homes, it seems like the homes on Cannon Court and Northridge and Wayside are all between, like, 1,600 and 1,800 square feet, and these homes are a little bit smaller, so build smaller homes on larger lots. Put some of those things in that are going to attract families with schools -- with school-aged students. I'm not a developer, so I don't know. I don't know. I mean, I've been told that lumber costs have tripled. I understand that, so wait. Wait it out. You know, there's no reason that it needs to be developed at this density.

MR. STANTON: Thank you.

MS. LOE: Any additional questions for this speaker? I see none at this time. Thank you. Oh, Ms. Carroll?

MS. CARROLL: What's your opinion of this change if there were families in those homes?

MS. ANDERSON: My opinion is that I'm not against development. In fact, we knew that the property would be developed when we purchased our home in July and moved in. We did not know that

it was going to be rezoned, and we did not sign up to have 17 homes next door. Does that answer your question? Say it again.

MS. CARROLL: If there were families in those homes, would your opinion change?

MS. ANDERSON: No. I'm a family. I have a two-and-a-half year old.

MS. CARROLL: I understand. You suspect that there would not be children in those homes. If there were, would you feel differently?

MS. ANDERSON: No.

MS. CARROLL: Okay.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. Any additional speakers on this case?

MR. BROOKS: Michael Brooks on 3908 Cannon Court. Ms. Anderson pretty well said it all, but the City wants density, but the City don't want this kind of density in the residential area. You want to build three-bedroom starter homes at \$175,000, but you've got to put them on a lot. Are you just going to lock the kids in the closet, because they'll have a four and a half -- 400-square-foot backyard. That's it. They've got to play in the street? You have to balance it all, and you can't stuff but so many homes in this area. It's zoned R-1. If he wants to build homes, I'll help him move the dirt for nine or ten homes, but you can't stuff 17 homes on two and a half acres and sidewalks and streets. There's just not room for it. You have to balance it. You have to -- and I agree he -- it's tough to build a house nowadays. It's -- you know, everything is expensive. I don't know what you're going to do there, but you can't just stuff them in there. It is not what the City looked for in density. Thank you.

MS. LOE: Thank you. Any questions for this speaker? Any additional speakers on this case? If there's none, we're going to -- is there someone else? Please come up.

MS. HENDREN: My name is Elissa Hendren; I'm at 3900 Cannon Court. I'd like to echo what Mike and Robin said. I'm really concerned with the smaller property sizes and the families.

MS. LOE: Can you speak into the microphone. Sorry. Just the recorder can't quite hear you.

MS. HENDREN: Oh. I'm so sorry.

MS. LOE: That's all right.

MS. HENDREN: I am really concerned with the density. I know that it was -- it was approved by your staff. But with the infill and your all's talk of wanting to fit in cohesively with the surrounding properties, I do not think that 16 homes would -- would fit in that. I'm west and adjacent on that corner there and having two homes squeeze into what is our backyard would -- would be nice if you come from an apartment and want this. But it's -- there's a dog waste station, and there's not a yard for a dog. I'm just kind of confused on part of this. Thank you.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you. Any additional speakers on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann, and then Mr. Stanton.

MR. MACMANN: I'm going to speak to hopefully assuage some concerns from my personal experience, and I don't think I'm going to be very successful. I'm just going to give you hope for the future. I live in a neighborhood that's 1.95 acres big and has 15 homes on it. The average lot size is about 4,050 square feet. Two- and three-bedroom homes, we only have two families -- two families on the street. It certainly is enough room, and to -- Mr. Stanton can speak more -- to this more -- to this next point I'm going to make. But the affordable homes that we're building right now are -- are being built for \$170,000 to \$185,000. The subsidy cost brings them down much more inexpensively. Ms. Carroll had an interesting point. One thing that my neighborhood has, because it's so small, and the neighbors are close. And I -- we all love it, as a matter of fact. We do have -- essentially, everyone has their own eight-foot fence around everything. It's so close, the front yards are very sharing oriented, but it's a little too close for backyard sharing, if you know what I mean. But most of us do have eight-foot privacy screens around our homes. It's very functional, it's very walkable, it's very livable. It is denser than what we're used to in subdivisions, but I think it's very doable. You know, the proof -- the proof will be in the pudding, you know, how it plays out, but I know it can be done. And my neighborhood was strictly accidental, you know. I live downtown, so that's all I have to say for the moment. Thank you.

MS. LOE: Thank you, Mr. MacMann. Mr. Stanton?

MR. STANTON: Kind of biased on this subject. I'm very involved with the Community Land Trust and we function in density and cottage-style buildings, and currently developing Cullimore Cottages at this time. I do -- so I'm looking through this objectively. I do understand density in a place that's not used to that much density. And the reason why I asked the question what would you do if this was your land, I try to look at this through the other person's perspective. We all want parks, we all want half-acre backyards, we all want all that. The late Mr. Cullimore often said that affordability is in direct relationship to size. And if I'm right, Mr. MacMann -- and to address this affordability issue, we have to address the size and density. I'm not going to call Mr. Crockett -- I wouldn't say -- his marketing might be off, but I'm sure his intent is for starter homes. I don't know if that's the market that might buy these; you know what I'm saying? This -- when I looked at it, this might be empty nesters, this might be older -- older couples. This may be -- you know, the market will determine who buys these homes, and the market will determine, hey, I've got two kids that are rambunctious and I need space. This might not be where I need to be at. But I might be a retired professional and I'm, like, oh, yeah, I don't want to cut too much grass. I want to hang out and, you know, I want a nice home with a lot -- with a lot less grass I have to maintain. You know, I think the market will determine who buys these. I do understand the density. I mean, like I said, I'm kind of biased. I think this is a good project. I do understand the neighbors. It sounds like it probably could have been a little better communication between the surrounding neighbors and the developer. I like it and hopefully the developer does right by the neighbors and takes this feedback in. I haven't heard from the developer. I don't know if he's out there. But the neighborhood

concerns definitely need to be heard and hopefully, you know, they can be addressed if this goes through.

MS. LOE: Thank you, Mr. Stanton. We have Ms. Burns, then Ms. Rushing, then Ms. Carroll.

MS. BURNS: I have -- I believe there needs to be more conversation on this project. What I'm hearing from the neighbors is that conversation has been recent and maybe not complete. I have problems with the setback issues. I question if it truly is affordable housing, and I'd like to see this truly owner occupied, but with the rezoning, we are impacting existing property owners, and I think that has to be a big consideration. I don't plan on supporting this.

MS. LOE: Ms. Rushing?

MS. RUSHING: I understand the concerns of the neighbors with regard to density, and this is a small piece of property, and I was concerned about that myself. But when I went to view it, it's hard to explain, but the location of the property is somewhat down, and it lends itself to being a development onto -- into itself. So it would be a neighborhood like Commissioner MacMann was talking about. And I think it would, in reality, have a low impact on existing properties. And as described by Mr. Crockett, it is near a whole lot of amenities that are close by that would be meaningful to families. And I am particularly happy that this is a development that is projected for individual homeowners to buy their own home and not an affordable duplex development for investors, which we see a lot of. So I plan to vote in favor of this development.

MS. LOE: Ms. Carroll?

MS. CARROLL: I don't often find myself disagreeing with a large group of community members that speak out. I see where you're at. I have been in your shoes, actually, and I do understand. On the other hand, I like this project. It meets goals of Columbia Imagined. I like that it serves the school district well. I like that it is for ownership. I believe that this falls in the range of workforce housing. This type of application is rare. Columbia Imagined, which is a plan that the entire City engaged with seven years ago, specifically calls out the desire to use cottage specific standards and they don't come up that often, especially not in this context. It's meaningful to the City as a whole, and I think you may find that it's meaningful to your neighborhood, as well. I think the communication on this project sounds absolutely tragic, and I hope that can change. I do plan on supporting this.

MS. LOE: Any additional -- Mr. Stanton?

MR. STANTON: I don't want to make this long, I know we've got a long night. The thing with this I'm kind of -- kind of reaching out to Crockett here. This project is very important that it's successful if it goes through, because if it doesn't, it affects this happening in other places. Like I said, I'm very -- I'm going to say I'm the president of the land trust -- the Columbia Land Trust, so I build these exactly. I build this kind of situation all the time, and we deal with old versus new, density versus no density. We deal with -- and most -- and most of my projects have been inner city. But the thing with affordable housing, number one, the spirit of it. If you're not blowing sunshine up my behind as a developer and

you truly intend to do this for real, that's number one. Number two, we have to disperse affordable housing, not just in the hood, not just in my neighborhood, not just in Mr. MacMann's neighborhood. It needs to be dispersed; that's called mobility. I don't want all the affordable housing in one place. It pigeon-holes everybody in one place. When we spread out affordable housing across the City, we have diverse neighborhoods that people are exposed to, that's the intent. This project does all of that as long as the developer is not blowing sunshine up our behind and he does what Mr. Crockett says he's going to do. So I hope that is. It's very important that this project is successful and that the developer is truly in the spirit of what he's talking about. This will be watched. This will have a direct impact on what I do, so I hope the developer and the owner of this property is true and has a true spirit of affordable cottage development in mind.

MS. LOE: Mr. Toohey?

MR. TOOHEY: So I'm going to go ahead and support this. The price point is impossible to predict at this point because of construction costs, so to throw out a number right now is -- is impossible to hit. So as someone already mentioned, lumber has gone up a huge percent, copper is going up a huge percent, so who knows what these are going to come out. If you add additional buffering, that's just going to increase the cost for the final homeowner also. And really, you really can't compare these with Cullimore Cottages because these are being funded by a private developer, where the Cullimore Cottages were -- those are being subsidized as \$100,000 a unit.

MR. STANTON: The building -- the building costs are still the same. It's still going to cost me the same amount it costs you.

MR. TOOHEY: Right.

MR. STANTON: It's just how we sell it maybe different, but it's -- lumber costs me the same as much as it costs you.

MR. TOOHEY: My point is, those are being subsidized; these aren't being subsidized.

MR. MACMANN: Right.

MR. STANTON: They could be.

MR. MACMANN: Fifty to eighty, Mr. Toohey, to answer your question.

MR. TOOHEY: Eighty thousand?

MR. MACMANN: Fifty to eighty, depending.

MS. LOE: Any additional comments? Mr. MacMann?

MR. MACMANN: Commissioner Loe, unless you have some comments to make?

MS. LOE: I -- I fully support the intent of this project, but I'm extremely disappointed with the communication. So I'm -- I think I agree with Ms. Burns on this in that I -- I understand nimbyism, but I do believe in neighborhoods, and I believe that upzoning needs to be supported by the neighborhood. And at this point, I don't feel like we've had one single support for this from the neighborhood, and because of that, I can't support the project.

MR. STANTON: I'd like to entertain a motion. As it relates to Cottages of Northridge rezoning and PD plan, Case 201-2020, I move to approve the requested rezoning from R-1 to PD, and the PD plan The Cottages of Northridge.

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Any discussion on that motion? Mr. MacMann?

MR. MACMANN: Just really quick. Folks, I know you're not happy. What Mr. Stanton said, it's really important this is done right. Mr. Crockett, you need to keep us in the loop, if this falls through or goes bad. Now it's -- you know, the Council has the final say. It's truly important to everyone that it matters -- that it works; all right? That's all I have to say.

MS. LOE: Ms. Carroll?

MS. CARROLL: You need to keep the neighbors in the loop, particularly as it goes to Council next.

MS. LOE: Any other discussion on the motion? May we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Carroll, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Rushing. Voting No: Ms. Burns, Ms. Loe. Motion carries 6-2.

MS. CARROLL: The vote is six to approve. The motion carries.

MS. LOE: Six to approve, two to deny. Motion carries. Thank you. Recommendation for approval will be forwarded to City Council.

MR. ZENNER: And just so the public is made aware, the vote pursuant to the consent agenda provisions for the City Council, this is at 75 percent, which means it will show up under old business on the Council agenda, which does automatically open this item for public discussion when it reaches Council for consideration, and that would be at its second reading, which, if I am correct, is scheduled for --

MR. KELLY: The 19th, second read.

MR. ZENNER: January 19th would be the second reading of this time, so there will be no further correspondence from our office, so if you do keep note of that, it is January 19th, 7:00 p.m. here in this room again. And the Council agenda will be posted the Friday prior to that meeting.

VII. SUBDIVISIONS

MS. LOE: That brings us to our next section, Subdivisions, Case 29-21, which is a table request.
Case Number 29-2021

A request by Crockett Engineering Consultants (agent), on behalf of BC Investments of Columbia, LLC (owner), for approval of a preliminary plat to be known as the *Preliminary Plat for Waco North*, which consists of 42.64 acres. The purpose of this preliminary plat is to designate the location of the Waco Road right-of-way necessary to permit development of the western

portion of Phase 1 of the Tuscany Ridge Subdivision. The western portion of Phase 1 of Tuscany Ridge lies south of the proposed Waco Road right-of-way. Phase II of Tuscany Ridge (the subject property) lies generally north of the proposed right-of-way.

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

MR. TOOHEY: I need to recuse myself.

MR. ZENNER: Yes.

MS. LOE: You can -- okay. Well, this is a tabling. Does he need to recuse himself for tabling?

MR. ZENNER: I think for the purposes of ensuring the appearance --

MS. LOE: During -- all right.

MR. ZENNER: -- and there is no appearance of impropriety.

MS. LOE: Thank you, Mr. Toohey.

MR. ZENNER: As indicated during our approval of the agenda, this is the change in the agenda for this evening. The applicant has requested as of yesterday that this item be tabled until the January 21st meeting. As described in the description of this case, the general purpose is to define the road right-of-way for the extension of Waco to the west -- to the western boundary of the subject tract, which is highlighted in blue. The purpose for the tabling is to allow for additional development of a development agreement as it relates to the extension of Waco Road, the assignment of responsibilities, and the development of improvement triggers for said road's construction. In essence, the proposed plat will create four lots, three of which are south of the right-of-way and one of which would be larger to the north that was the site of Tuscany Ridge Phase II, which has since expired. The delay to the end of the January will allow us the opportunity as a staff to work with the applicant, the applicant's attorney, and our legal department in more fully vetting the development agreement. The development agreement itself will not be part of a future preliminary plat approval, it will be part of the final plat approval to plat the road right-of-way. So just so you understand that we're not bringing a development agreement back to you to consider, but we will have some of the terms associated with it more readily fleshed out so you'll understand how the roadway will be constructed over time. Waco is a critical connection back to Prathersville. It also provides potentially access to the event center, the former County Fairgrounds, as well as our softball complex, and we have some other major roadway planning that may also have an influence in the sharing of costs for the construction of the roadway. But the applicant has requested this, we are supportive of it. It allows us an opportunity to get through our holiday time and then come back to you with a more whole project that both the developer is comfortable with and I believe we, as City staff, will be.

MS. LOE: All right. This has been advertised, though?

MR. ZENNER: No. This is a preliminary plat.

MS. LOE: Oh.

MR. ZENNER: Therefore -- with no design adjustments, so it is not an advertised hearing. It

shows up on the agenda, which is published, but other than that, it is not a traditional public hearing.

MS. LOE: All right. Okay. Any questions for staff? All right. Commission discussion?
Mr. MacMann?

MR. MACMANN: I know we're not required to, but we might as well ask if someone is here for this.

MS. LOE: Was anyone here to speak on this case? If you can raise your hand? I see none.

MR. MACMANN: All right. Thank you. I just wanted to make sure in case someone came out on this evening and sat here in the pandemic.

MS. LOE: Any other discussion? Mr. Stanton?

MR. STANTON: I'd like to entertain a motion. As it relates to Waco North Preliminary Plat, Case 29-2021, I move to table this case until the 21st of January, 2021.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on that motion? Seeing none. Roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Rushing. Abstention: Mr. Toohey. Motion carries 8-0-1.

MS. CARROLL: We have seven votes to approve, one abstention.

MS. LOE: Recommendation for tabling is made. Thank you. Okay.

VIII. SUBDIVISIONS AND PUBLIC HEARINGS

MS. RUSHING: Madam Chair, I recuse myself from this discussion.

MS. LOE: Any other recusings for this case? This is going to be musical chairs for the rest of the evening, I have a feeling. All right.

Case Number 26-2021

A request by A Civil Group (agent), on behalf of Mary and William Gadbois (owners), for approval of a one-lot final minor plat to be known as "Vawter School Plat 1". The applicant also requests a design adjustment from Section 29-5.1 of the UDC relating to sidewalk construction. The property is located on the southern side of Vawter School Road approximately 1,600 feet east of Scott Boulevard. The 0.5-acre property is zoned R-1 (One-Family Dwelling) and addressed 3900 Vawter School Road.

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the recommended design adjustment to 29-5.1 of the UDC relating to payment-in-lieu of sidewalk construction and approval of the final plat to be known as "Vawter School Plat 1".

MS. LOE: Thank you. Before we move to Commissioner questions, I'd like to ask any Commissioner who has had any ex parte related to this case to please disclose that now so all

Commissioners have the benefit of the same information on the case in front of us. I see none. Are there any questions for staff? Ms. Geuea Jones?

MS. GEUEA JONES: I believe Commissioner MacMann was first.

MR. MACMANN: Just real -- just real quick. Mr. Kelley, how many linear feet of sidewalk are we talking about?

MR. KELLEY: I think it's approximately 800 -- or sorry. Not 800. A hundred and fifty-eight feet.

MR. MACMANN: A hundred and fifty-eight feet. I have a question of Mr. Teddy, real quick, if we could.

MS. LOE: Mr. Teddy?

MR. MACMANN: Yes. Just real quick, Mr. Teddy. We've run into the fee in lieu of before, and legal put a kibosh on it when it went to Council. Have we resolved all those issues?

MR. TEDDY: Which situation are you talking about?

MR. MACMANN: Fee in lieu of?

MR. TEDDY: Oh. The fee in lieu of. The legal issue was, was asked could money from fee in lieu be spent elsewhere, and that is a concern from a legal perspective. I don't know if Ms. Thompson could address that, but --

MS. LOE: Mr. Teddy, if you could use your microphone.

MR. TEDDY: Yeah. And by the way, I'm Tim Teddy, Community Development Director. Yeah. It's -- it's -- sidewalks, if paid for by an applicant, they really need to benefit that property.

MR. MACMANN: Uh-huh. And the benefit is --

MR. MACMANN: Uh-huh. And that's the --

MR. TEDDY: -- they get a sidewalk.

MR. MACMANN: Well, we -- we ran into this on another A Civil Group, and Jay Gebhardt brought something around the tree long ago and far away, and I know there was a problem with that before. I just was trying to make sure that we've resolved those issues, and the question -- your answer is you're not sure if we've resolved those issues yet on the fee in lieu of?

MR. TEDDY: No. I think we can't have -- we can't collect a fee that's spent elsewhere, so --

MR. MACMANN: So that money has to be dedicated, like escrowed for this --

MR. TEDDY: Yeah. We'd have to have it to determine that it's constructable, and I think you've heard some testimony like --

MR. MACMANN: Like Tower Road where it was -- yeah.

MR. TEDDY: Yeah. It's making a constructability argument on that, so yeah. And if it's just a fee to support sidewalk construction generally, you know, that could be spent elsewhere, but nearby in the neighborhood, there still is a concern about that because that's like an offside improvement for which we don't have a --

MR. MACMANN: Well, that takes us in a different place, a different legal avenue.

MR. TEDDY: Yeah. We —

MR. MACMANN: That's why I asked you to come up here, because this was not -- the last time this came before Council, it was not thoroughly resolved, to my recollection.

MR. TEDDY: Yeah. I think you can do what's termed a deferral where you escrow funds, and then if there's a project planned, a road project, that deferred fee in lieu, or that deferred installation happens with the road project, but there's going to be a limitation, a reasonable number of years, you have to get that done. Do you follow me?

MR. MACMANN: And I'm with you, I just -- I want to make sure.

MR. TEDDY: Yeah.

MR. MACMANN: I'm all for the fee or the payment in lieu of. I just want to make sure it can actually happen. That's why I asked you to come up here. Thank you, Mr. Teddy, very much.

MS. LOE: Mr. MacMann, any more questions?

MR. MACMANN: No. I needed to clarify that issue because it'll determine how I vote.

MS. LOE: Yeah. No. I have the same question. Ms. Geuea Jones?

MS. GEUEA JONES: When is Vawter School Road's improvement planned, or is it planned yet?

MR. KELLEY: I spoke with a traffic engineer, and they say it's -- it's best to say unknown at this time. I did consult with the Public Works Director, and they give me this as the best alternative. They do think it would happen, but it's not in CIP yet, I believe. I think the next list would be up for vote in 2025.

MS. GEUEA JONES: And there is sidewalk leading up to it and there's sidewalk and a lot of development on the other side of Vawter School Road. Right?

MR. KELLEY: Correct. Yeah. A sidewalk to the west on the southern side and then on the north side. There are a few places with gaps to the north though.

MS. GEUEA JONES: Thank you.

MS. LOE: Any additional questions for staff? I see none. That being the case, we will open the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: If anyone has any comments they would like to make on this case, please come up and give us your name and address for the record.

MR. DARR: Commissioners, I'm Cody Darr, an engineer at A Civil Group. I'm representing the owners. I don't have much to add from the staff report, In the interest of brevity, I will answer any questions though that you have.

MS. LOE: We love those reports. Any questions? I see none. You're off the hook. Thank you.

MR. DARR: Thanks.

MS. LOE: Okay. Any other speakers? If there's none, we'll close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion?

MR. ZENNER: Two votes.

MR. MACMANN: Two votes?

MS. LOE: Two votes. Two votes; two motions.

MR. MACMANN: If no one has —

MS. LOE: Ms. Burns?

MS. BURNS: Yes. I'd like to make a motion, please.

MR. MACMANN: All right.

MS. BURNS: On the first action, I'd like to approve on Case Number 26-2021, Vawter School Plat 1, Final Plat, I'd like to move to approve the requested design adjustment to Section 29-5.1(d) pertaining to sidewalk construction.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Ms. Geuea Jones?

MS. GEUEA JONES: I -- I'm sympathetic to the fact that this is hard to put a sidewalk in, but I also understand that they are majorly redeveloping this site. And so, to me, I am concerned if we start saying, oh, it's hard, so we're not going to make you put a sidewalk in even though there's an indeterminate amount of time before the City will get around to doing so for you. So I just -- I think sidewalks are important. I am terrified every time I drive past a jogger who is on a narrow shoulder instead of a sidewalk. And so I -- I would just point out that this is a lot of wishing and hoping, and very little actually being done to help the people that live around this property.

MS. LOE: Any additional comments? Mr. MacMann?

MR. MACMANN: Just real quick. I will be voting no and I think it needs to go in, but I think we need to have a fee in lieu of, and I think we need to have that rectified, and it sounds like we might, but we might not, so -- because Vawter School will get -- that's going to get developed right there. It's just -- it's just literally a matter of time.

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

MS. CARROLL: I thought the point of the fee in lieu of building the sidewalk was because it's going to be developed soon. I acknowledge that the City sometimes takes a while to finalize such plans.

MS. GEUEA JONES: I would be much more comfortable if it was on the schedule.

MR. MACMANN: Just if I —

MS. LOE: Mr. MacMann?

MR. MACMANN: -- may -- may redirect. I think what Mr. Kelley said, and he checked the CIP. And as most of you know, and I'll just remind us if we don't know, if it's not two or three years out, it doesn't exist. There's a wish list that goes out ten, fifteen, twenty years. We've all seen -- we know that

there's been a lot of development out there, so it's sooner rather than later. It's inside ten years, so, yes. To answer your question, but I don't think it's twenty.

MS. CARROLL: I did —

MS. LOE: Any additional comments, Mr. MacMann?

MR. MACMANN: No. No. I just -- I just wanted to bring up the CIP developments.

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

MS. CARROLL: Try to be quick, I know. I did note that there is a sidewalk on the other side of the street that is a good sidewalk, a recent sidewalk, and a broad sidewalk. I frequently am the jogger in the narrow lane, and as that jogger, I would probably use the sidewalk on the other street and feel comfortable doing so in this case. That's my consideration.

MS. LOE: Any additional discussion? Seeing none, may we have roll call, please.

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

Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. Stanton. Voting No: Mr. MacMann, Ms. Geuea Jones. Recused: Ms. Rushing. Motion carries 5-2-1.

MS. CARROLL: We have six to approve, two deny. The motion carries.

MR. KELLEY: I think it's five.

MR. ZENNER: Five to approve.

MS. CARROLL: Oh, five. There's one recused. Sorry. Five approve, two deny, one abstention.

MS. BURNS: If there's no other discussion, I will make a second motion. In the Vawter School Plat 1, Final Plat, Case 26-2021, I recommend approval of the final plat titled "Vawter School Plat 1".

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on this motion? I see none. Ms. Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones. Abstention: Ms. Rushing. Motion carries 7-0-1.

MS. CARROLL: That is seven to approve, and one abstention. The motion carries.

MS. LOE: Point of order. How often do we want to take breaks tonight? Mr. MacMann?

MR. MACMANN: I think because the City stuff will go quickly, just one. Get it done now and go back quickly. That's my input.

MS. LOE: Okay. Let's take a five-minute break.

MR. MACMANN: Yeah. The next couple of items might take a minute, but when we get to the - in general, I think when we get to the City stuff at the end, it's -- even though we're doing separate votes for everything, are we not, Mr. Zenner?

MR. ZENNER: Separate votes. Correct.

MR. MACMANN: Okay. All right. I --

MS. LOE: We're at the two-hour mark, so I'm going to say --

MR. MACMANN: I think we could wrap in another two, is what I'm thinking.

MS. LOE: We're going to have a five-minute break and come back.

(Off the record)

MS. LOE: We're going to call the Planning and Zoning Commission Meeting back to order.

Case Number 27-2021

A request by Crockett Engineering (agent), on behalf of Seventh Street Properties of Columbia and Hulett Descendants, LLC (owners), seeking approval of a replat of The Backyard to be known as "The Backyard, Plat No. 2" and a design adjustment to waive the required 10' utility easement dedication on Sixth and Seventh Streets. The property is zoned M-DT (Mixed Use-Downtown) and is addressed 120 S. Sixth Street and 119 S. Seventh Street.

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

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends:

1. Approval of the design adjustment to Section 29-5.1(g)(4) pertaining to utility easements dedication; and
2. Approval of the final plat subject to technical corrections prior to forwarding to City Council.

MS. LOE: Thank you, Ms. Bacon. Prior to moving to Commissioner questions for staff, I would like to ask any Commissioner who has had any ex parte related to this case to please share that so all Commissioners have the benefit of the same information in front of us. Seeing none. Are there any questions for staff? I see none. Oh, Mr. Stanton?

MR. STANTON: If my colleagues don't have any other questions, I would entertain a motion.

MS. LOE: Well, I think we need to do public comments first.

MR. STANTON: Oh, I'm sorry.

MS. LOE: We are in --

MS. BURNS: I like the way you think.

MS. LOE: -- the mode now. Before we do that motion, we're going to open the floor to public comments.

MR. STANTON: Okay.

PUBLIC HEARING OPENED

MS. LOE: If anyone does have any comments they would like to make on this case, please come up. I see none.

PUBLIC HEARING CLOSED

MS. LOE: Which opens the floor to you, Mr. Stanton.

MR. STANTON: As it relates to the Backyard, Plat No. 2, final plat design adjustment --

MR. MACMANN: I have a question, Mr. Stanton. I'll save it till after you -- when we discuss the motion.

MS. LOE: We move on to questions on the motion. Okay.

MR. STANTON: Case number 27-2021, I move to approve the requested design adjustments to Section -- as it relates to Section 29-5.1(g)(4) pertaining to the dedication of utility easements. Are we doing two?

MS. LOE: We're doing two.

MR. STANTON: Okay.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. We have a motion on the floor. Any questions on that motion? Mr. MacMann?

MR. MACMANN: I have a comment on this motion. I'm not opposed to this project. I'm not opposed to this concept necessarily. We still have an NBT problem that needs to be fixed and because of that, I'm going to keep voting no on these. Because we haven't addressed this issue, it's going to keep coming up, and as I said last time -- I think it might have been Mr. Crockett who was involved -- I wouldn't give one developer or agent something and then we turn somebody else down because we haven't rectified the issue. That said, I'm done.

MS. LOE: Any additional comments, discussion? Seeing none. May we have roll call, please, Ms. Carroll.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. Stanton, Ms. Geuea Jones, Ms. Rushing. Voting No: Mr. MacMann. Motion carries 7-1.

MS. CARROLL: That is seven to approve, one to deny. The motion carries.

MR. STANTON: Okay. As it relates to Case 27-2021, Backyard Plat No. 2, final plat, and design adjustment, I move to approve the final plat subject to technical corrections prior to forwarding to City Council.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. Motion on the floor. Any discussion on that motion? Seeing none. May we have roll call, please, Ms. Carroll.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. Stanton, Ms. Geuea Jones, Ms. Rushing. Voting No: Mr. MacMann. Motion carries 7-1.

MS. CARROLL: The vote is seven to one; motion carries.

MS. LOE: Thank you. Recommendation for approval on the requested design adjustment and final plat subject to technical corrections will be forwarded to City Council.

IX. PUBLIC HEARINGS

MS. LOE: That brings us to Public Hearings. The first case of which 08-2020, a request by Anderson Engineering on behalf of -- actually, are any Commissioners wanting to recuse themselves from this case? Mr. Stanton?

MR. STANTON: I do, Madam Chair.

MS. LOE: Anyone else? All right. Thank you.

Case Number 08-2021

A request by Anderson Engineering (agent), on behalf of P1316, LLC (owner), for approval of a PD (Planned Development) plan to be known as “Discovery Park-Endeavor Center West PD Plan” that proposes the creation of three separate development lots for commercial uses, the extension of Nocona Parkway from its current southern terminus, and a new street extension. This request also includes a design adjustment from Section 29-5.1(f)(3) to allow a new lot line through a structure. The approximately 6.08-acre site is located at the southwest corner of the intersection of Nocona Parkway and Endeavor Avenue.

MS. LOE: 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 Discovery Park-Endeavor Center West PD Plan and associated design adjustment to Section 29-5.1(f)(3).

MS. LOE: Thank you, Mr. Smith. Before we move to Commissioner discussions, I would like to ask any Commissioner if they've had any ex parte related to this case to please disclose that now so all Commissioners have the benefit of the same information related to this case in front of us. Seeing none. Are there any questions for staff? I see none. In that case, we will move straight to public comment. If you can give your name and address for the record.

MR. WOOTEN: Good evening. Tom Wooten with Anderson Engineering, 4240 Philips Farm Road. I don't have anything to add and can answer any questions.

MS. LOE: Any questions? I see none. Thank you, Mr. Wooten.

MR. WOOTEN: Thank you.

MS. LOE: Any additional speakers on this case? Seeing none, we'll close public comment. Commission discussion? Ms. Geuea Jones?

MS. GEUEA JONES: I had the same problem with the development across the street that mirrors this. And I was having a bit of déjà vu, but I think that third floor is just too much given that you've got the retail below and I -- I have the same reservations about this as I did at the one across the street, and I understand that that won't stop it going forward, but what can I do but vote my conscience?

MS. LOE: Any additional comments?

MR. TOOHEY: I'll go ahead and -- are you ready to make a motion?

MS. LOE: Mr. Toohey?

MR. TOOHEY: In Case number 08-2021, approval of the Discovery Park - Endeavor Center

West PD Plan and associated design adjustment to Section 29-(f).5 -- or sorry, 29-5.1(f)(3).

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing.

MR. ZENNER: Two motions.

MR. SMITH: Can we break it into two motions? I apologize. I should have put that on the recommendation.

MS. LOE: All right. So we're going to approve the plan and then do a separate for the associated design adjustment?

MR. TOOHEY: All right. I can go ahead and do it again.

MR. SMITH: Design adjustment first and then --

MS. LOE: Okay.

MR. TOOHEY: All right.

MS. LOE: You really did write that down confusing us.

MR. TOOHEY: You want the design adjustment first?

MS. LOE: Yes.

MR. SMITH: Yes, please.

MR. TOOHEY: Okay. I make a motion to approve the design adjustment to Section 29-5.1(f)(3).

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Everyone understand what we're voting on? Any discussion on that motion? Ms. Carroll, may we please have roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Ms. Geuea Jones, Ms. Rushing. Abstention: Mr. Stanton. Motion carries 7-0-1.

MS. CARROLL: We have seven votes to approve and one abstention. The motion carries.

MR. TOOHEY: Okay. In the Case number 08-2021, I make a motion to approve the Discovery Park - Endeavor Center West PD Plan.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on this motion? I see none. Ms. Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. Stanton, Mr. MacMann, Ms. Rushing. Voting No: Ms. Geuea Jones. Abstention: Mr. Stanton. Motion carries 7-1-1.

MS. CARROLL: The vote is six to approve, one to deny and one abstention. The motion carries.

MS. LOE: Thank you. Recommendation for approval of the plan and associated design

adjustment will be forwarded to City Council.

Case #09-2021

A request by Crockett Engineering Consultants (agent), on behalf of Wendling Development, LLC (owner), for a major amendment to the Providence South Plaza C-P/O-P development plan for Lot 3 of the Providence South Plaza Plat 1. Revisions include adding multi-family dwelling units to the updated statement of intent and a revised layout. A design modification from Chapter 29-4.3 is requested to permit a drive-through window in the front yard adjacent to Green Meadows Road. The PD (Planned Development) zoned property is located on the east side of the intersection of Green Meadows Road and Carter Lane and is addressed 651 E. Green Meadows Road.

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

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends approval of the revised PD Plan for the Lot 3 of Providence South Plaza, Plat 1, the associated revised Statement of Intent, and the associated design exception to Chapter 29-4.3(i)(2)(iii).

MS. BACON: Pat, do we need two votes for a design exception?

MR. ZENNER: No. It --

MS. BACON: I don't think we do. Right?

MR. ZENNER: Yeah. That was what I was going to comment on. The -- in the description of the project, we referred to design modification. Errantly, it should have been a design exception. So, no, your approval of the development plan statement of intent and the design exception are consistent with what the procedures are for the approval of a PD development plan in general. Design exceptions are typically associated with subdivision related matters only. While the PD plan serves as the preliminary plat, the item being sought to be waived is not a subdivision matter, it is more of a zoning standard. As Ms. Bacon pointed out, the bypass lane provisions in our other use specific standards for drive-throughs are not being sought to be waived, so all of that will be considered as a part of the actual permitting for that particular structure at such time that an application is made. So one vote covering all three elements: Plan, SOI and exception will be fine.

MS. LOE: How very efficient. Before we move on to Commissioner questions, I would like to ask any Commissioner who has had any ex parte related to that case to please share that so all Commissioners have the benefit of the same information. Seeing none, are there any questions for staff?

MS. GEUEA JONES: Sorry. Very quickly, if you can go back to the picture of the plan, where is the entrance to get into all that? How far away is it from the roundabout?

MS. BACON: Okay. So the roundabout is kind of going off the screen. Maybe this other one is better.

MS. GEUEA JONES: It was -- yeah.

MS. BACON: Okay.

MS. GEUEA JONES: We all know it's there.

MR. ZENNER: Immediately to the north of --

MS. BACON: Yeah. So if you come in and then you --

MS. GEUEA JONES: So it is right at the roundabout?

MR. ZENNER: No.

MS. GEUEA JONES: No?

MR. ZENNER: It is up -- if you are familiar with where the existing building is right now that is the multi-tenanted office structure, it's probably 500-plus feet away, if not greater, from the roundabout, which is just off this page.

MS. BACON: Yeah.

MS. GEUEA JONES: Got it.

MR. ZENNER: So --

MS. GEUEA JONES: And then the other one is down to the -- that corner. Yeah. Okay.

Thank you. That's all. I -- for some reason there were too many motions on the thing, and I couldn't see it, so thank you.

MS. LOE: Any additional questions for staff? If there are not, we will open the floor to public comment.

PUBLIC HEARING OPENED

MR. GREENE: Andy Greene with Crockett Engineering, offices at 1000 W. Nifong Boulevard, Building number one. I had a great presentation for you guys, but it's getting a little late here, so I'll just offer to answer any questions. Really what we have is just a -- an update to the current plan, and simply reconfiguring the buildings a little bit and then adding that multi-family two-story units above the retail space as requested. Pretty simple. Again, here to answer any questions.

MS. LOE: Any questions for Mr. Greene? Mr. Stanton, then Mr. MacMann?

MR. STANTON: Beautiful presentation.

MR. GREENE: Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: Mr. Greene, can you talk to me about storm water a little bit? What are our challenges here as we slip off to the right there?

MR. GREENE: Right. Exactly. If Rachel wouldn't mind going back to the plan view? So as you see in the northeast corner there is the tree preservation that, you know, slopes down the hill pretty good.

MR. MACMANN: Right.

MR. GREENE: So in between the building and that buffer there, there is storm water management full detention and water quality features provided in that space right there.

MR. MACMANN: Okay. All right. And we're picking up -- was it 44 beds, something like that?

MR. GREENE: It's 28 units, and --

MR. MACMANN: Twelve and sixteen. Right?

MR. GREENE: Yes.

MR. MACMANN: Forty-four. Okay.

MR. GREENE: One bed and two bed. Yes, sir.

MR. MACMANN: All right. Just tell me, Mr. Greene, it's all going to be fine. The sewer is going to handle it fine.

MR. GREENE: Wonderful.

MR. MACMANN: Okay. That's -- that's what I -- we'll -- we will hold you to that. You know that. I'm done.

MS. LOE: Mr. MacMann personally will hold you to that.

MR. MACMANN: Yes, I will.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: Just very quickly. My compliments on the underground parking. I think that is a creative solution.

MR. GREENE: Thank you.

MS. LOE: Any additional comments or questions? I see none. Thank you, Mr. Greene.

MR. GREENE: Thank you.

MS. LOE: Any additional public comments? If not, we're going to close public comments.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. Stanton?

MR. STANTON: If my colleagues don't have anything else to say, I'd entertain a motion. As it relates to Case 09-2021, Lot 3, Providence South Plaza Plat 1 PD plan, statement of intent amendment, I move to approve -- move for approval of the revised PD plan for Lot 3 of Providence South Plaza Plat 1, the associated statement --

MR. MACMANN: Of intent.

MR. STANTON: -- statement of intent, and the associated design exception to Chapter 29-4.3(i)(2)(iii).

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on that motion? I see none. Ms. Carroll, may we have roll call, please.

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

MS. CARROLL: The vote is eight to approve. Motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. Our next case is Case #10-2021 on behalf of P1316, LLC. Do we have any recusals for this? Mr. Stanton? Anyone else? Seeing no one else.

Case Number 10-2021

A request by Anderson Engineering (agent), on behalf of P1316, LLC (owner), for approval of a PD (Planned Development) plan to be known as Discovery Business Park PD Plan that will include 3 separate development lots, the extension of Nocona Parkway to Discovery Parkway, and an additional new public street. Additionally, a revision to the existing Statement of Intent (SOI) is sought to add Self-service Storage Facility as a permitted use as well as a design adjustment to Sections 29-5.1(f)(3) to allow a new lot line through a structure. The approximately 8.39-acre site is currently located at the northwest corner of the intersection of Discovery Parkway and the future extension of Nocona Parkway.

MS. LOE: 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 Discovery Business Park PD Plan, the revised Statement of Intent, and the associated design adjustment to Section 29-5.1(f)(3).

MS. LOE: Thank you, Mr. Smith. Before we move to Commissioner questions, I'd like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission now so we all the benefit of the same information. Seeing none. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: Just real quick, Commissioner -- Planner Smith, often with these things we get blowback from property owners. You didn't get anything from -- I mean, it's generally an undeveloped area, but I just -- you know, we often get blowback, and the fact that we didn't get blowback, I'm just redirecting, that's all.

MR. SMITH: No. That's a great question, and I should have mentioned that earlier. I did have two conversations with neighboring property owners. One was a representative for the property to the east on the other side of Discovery Parkway. I think it's an insurance group that owns a piece of property there. They had some concerns with the self-service storage facility, and after me explaining some of the conditions that were going to be applied to that, they seemed to -- that seemed to kind of relieve some of their concerns. I won't necessarily speak for them, but they did share that. And I did speak with a representative for the high school, and generally -- generally the same concerns about the self-storage, but again after conversations, they didn't seem to have too many objections to it.

MR. MACMANN: But neither of those --

MR. SMITH: Were formal objections.

MR. MACMANN: -- filed a letter or anything like that? All right. I just wanted to make sure because we often get that stuff.

MS. LOE: Any --

MR. MACMANN: Thank you.

MS. LOE: -- additional questions for staff? Seeing none. We will open the floor to public comment.

PUBLIC HEARING OPENED

MR. WOOTEN: Tom Wooten with Anderson Engineering. I would like to expand and reiterate a little bit of what was in the staff report with regard specifically to the self-storage. It will be entirely interior accessed units, no exterior access, and no strip mall of garage doors or anything like that. There will be no exterior storage at all as it is a self-imposed that we added in the statement of intent. I don't believe that was specifically mentioned in the staff report, so that's another thing. It also mentions if we exceed 14 feet in height, there are some additional building form and material requirements. It is the intent of the developer, even if we don't exceed that, that they will most likely follow those. And I do have some images of a similar facility that they toured, and they will be sort of modeling this after, if you would like to see those, I can load them up and show them to you.

MS. LOE: Would Commissioners like to see the -- yes.

MS. GEUEA JONES: Yes.

MR. MACMANN: Yes, ma'am. I'm just thinking we might see this in the future, you know.

MS. LOE: We've looked at self-storage, so -- we like looking at self-storage.

MR. MACMANN: How nerdy are we? Thank you, Madam Chair.

MS. LOE: Our secrets are coming out. Yes.

MR. MACMANN: We're all going to go home and look at pictures of self-storage.

MR. WOOTEN: And actually, this is a -- Beyond Storage is the company. They are in Chesterfield. I'll disclaim that this is not intended to be a franchise of this organization, just a sampling. I've got two --

MS. LOE: So the mixed materials, is that part of the plan for the exterior?

MR. WOOTEN: It will be. They will do a brick or stone exterior similar to this is what their intent is. They -- as you probably know, this developer owns everything down here that they are developing. They will continue to maintain -- own and maintain it for some time, so they wouldn't put anything here they wouldn't want in their own backyard.

MS. LOE: Any questions?

MR. MACMANN: And speaking of backyards, they continue to live here. Right?

MR. WOOTEN: I'm sorry?

MR. MACMANN: Never mind. It's not germane.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: Hi. Sorry. I'm the one who is over here in the corner. Would I be correct in assuming that part of the reason for this is because you're putting 88 units like literally next

door, and you're thinking that that's probably your primary market?

MR. WOOTEN: They -- they do believe their -- one of their primary markets will be the residents, not only there, but the rest of --

MS. GEUEA JONES: In the area. Yeah.

MR. WOOTEN: Yes. Correct.

MS. GEUEA JONES: Thank you. That -- that's what I thought and that makes sense.

MS. LOE: Any additional questions? I see none. Thank you for the graphic.

MR. WOOTEN: Thank you.

MS. LOE: Any additional comments on this case? Seeing none. We'll close public comments.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann? Ms. Geuea Jones?

MR. MACMANN: I -- Ms. Geuea Jones, do you have a question?

MS. GEUEA JONES: I just had a quick comment. I am very concerned about the three-story 88 units with no real -- it seems like no real consideration of how many people we are putting out here. This is starting to seriously feel exactly like all the luxury student housing that we are now having problems with. Yes, they need the self-storage because they are putting so much density in without a good plan, this is their backup plan. I will probably be supporting it because I think you need the release valve, but I think we need to understand it's a consequence of the rest of the PD being so densely built up without any real forethought other than how many studio apartments can we put on top of a retail center. That is all.

MS. LOE: Any additional comments? Mr. MacMann?

MR. MACMANN: I'll just -- before I make my motion, I just want to say I think it is a very valid concern, and we need to pay attention to that. I take a little bit of solace in that at least there is retail on the first floor, which we didn't get that downtown, but we need to -- it's so big and there is so much money, you know -- it's all going up, but it's -- I drove by there every day for three weeks because I was working past there. It's huge and it's going to be huger.

MS. GEUEA JONES: Yeah.

MR. MACMANN: Pardon my grammar. And we need to be cognizant of, you know, storm [sic] and diversity and sewer and stuff like that. And I'm glad you brought that up because it's going to become an issue ten -- five, ten years down the line we're going to have these issues. That said, I'm going to make a motion. Two motions, Mr. Smith? One for the design adjustment and then the PD and the SOI? In the matter of 10-2021 -- sorry, my glasses are fogging up here -- I move to approve the design adjustment, a lot line through a structure, 29-5.1(f)(3).

MR. TOOHEY: Second.

MS. LOE: Second by Mr. Toohey. We have a motion on the floor. Any discussion on that motion? I see none. Ms. Carroll, may we please have roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Ms. Geuea Jones, Ms. Rushing. Abstention: Mr. Stanton. Motion carries 7- 0-1.

MS. CARROLL: The vote is seven to approve, one abstain, motion carries.

MS. LOE: Mr. MacMann?

MR. MACMANN: In the matter of 10-2021, approval of the PD plan and modification of the statement of intent for P1316, LLC, I move to approve.

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we please have roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Ms. Geuea Jones, Ms. Rushing. Abstention: Mr. Stanton. Motion carries 7-0-1.

MS. CARROLL: We have seven to approve. Motion carries.

MS. LOE: And one abstention.

MS. CARROLL: I'm sorry.

MS. LOE: Recommendation for approval of the plan, revised statement of intent and associated design adjustment will be forwarded to City Council.

Case Number 24-2021

A request by Timothy Meyers (member), on behalf of Mr. G's Properties, LLC (owner), to permit the use of Personal Services- General, such as a barber shop or salon, on the site generally located at the northeast corner of Warwick Street and Vandiver Drive. The 0.58-acre property is zoned M-OF (Mixed-Use Office) and is addressed 1809 Vandiver Drive.

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the proposed conditional use permit to allow establishment of "Personal Services, General" uses, upon the subject site.

MS. LOE: Thank you. Before we move on to questions, I would like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission now so we have benefit of the same information. Seeing none. Are there any questions for staff? Good report. All right. In that case we will move straight to public comments.

PUBLIC HEARING OPENED

MS. LOE: Would anyone like to make any comments on this case? Please give your name and address for the public record.

MR. MEYERS: Hello, Commissioners. Tim Meyers. I've been the owner of this property for around 30 years.

MS. LOE: Thank you. Mr. Meyers, can you give us your address as well?

MR. MEYERS: 1809 Vandiver Drive. I've -- I just wanted to ask for a continued use of the property as we have been using it for 14 years. It's been great for not only the neighborhood, and I've gotten nothing but positive responses from 11 homes in -- directly behind me. I've had lots of positive response from them. A lot of people use the property and the services in there. And also, it's been great -- most -- my property has been almost exclusively with minorities that are trying to start businesses, and they love it there. The response has been good, the services are excellent, and we would just like to continue. That's all.

MS. LOE: Thank you. Are there any questions for Mr. Meyers? Ms. Rushing?

MS. RUSHING: Mine is not a question, but I did go out and walk around this property, and everything that Mr. Meyers says about it is accurate. I'm -- I've loved this building because it is made up of a lot of small businesses giving their owners an opportunity to make a go of it, and I wish we really had more places like that. It's -- I want to use the word cute. I don't know if you use that for a building, but I was really impressed with what was going on there.

MS. LOE: Thank you. Any additional comments or questions? I see none at this time. Thank you, Mr. Meyers.

MR. MEYERS: Thank you. Thank you very much. Thanks, Brian.

MS. LOE: Any additional public comments?

MS. ALVAREZ: Hello, Commissioners. I just want to make a comment for my daughter, Alaina Alvarez. She rents one of the --

MS. LOE: If you can -- sorry, if you can just give us your name and address for the record.

MS. ALVAREZ: Marie Alvarez, 406 Alexander Avenue --

MS. LOE: Thank you.

MS. ALVAREZ: -- Columbia, Missouri. My daughter rents one of the units, and she is a minority Hispanic. And she is 21 and just starting up. And this has given her an awesome opportunity to -- business owner as a woman. And in that building, there's a lot of women, so it's helping minorities and women in that building.

MS. LOE: Sounds great.

MS. ALVAREZ: And a lot of people in the building who come to use the services have said that they have really appreciated that there's -- they're giving the services on the north side, so they don't have to go on the south side.

MS. LOE: Thank you.

MS. ALVAREZ: Thank you.

MS. LOE: Are there any questions? Thank you. Any additional comments? If not, we'll close the public comment period.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann?

MR. MACMANN: If fellow Commissioners have no comments, in the matter of Case 24-2021, Mr. Meyer's cute and diverse property. He is requesting a change of use permit, and I submit that we should give it to him.

MS. RUSHING: Second.

MR. STANTON: Second.

MS. LOE: I'm going to give it to Ms. Rushing. A second by Ms. Rushing. We have a motion on the floor. Any discussion on that motion? I see none. Ms. Carroll, may we have roll call, please.

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

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

MS. LOE: Recommendation for approval will be forwarded to City Council. That brings us halfway through our agenda, just about. All right.

Case Number 28-2021

A request by Crockett Engineering Consultants (agent), on behalf of Timeless Treasures, LLC (owner), to rezone approximately 0.3-acres from district R-MF (Multiple-family Dwelling) to M-OF (Mixed-use Office). The subject property is addressed 1106 N. College Avenue

MS. LOE: Are there any recusals on this case? Ms. Rushing? Anyone else. I see none. May we have a staff report, please.

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the requested rezoning from R-MF to M-OF.

MS. LOE: Thank you. Before we move on to Commissioner questions, I'd like to ask any Commissioner who has had any ex parte to please share that with the Commission now so the whole Commissioners has benefit of all information. This is getting shorter and shorter as it goes on. I see none. Any questions for staff? Mr. MacMann?

MR. MACMANN: Just real quick. This is one of the houses that's pretty much right up on the street. When they redevelop to M-OF, what's the setback there from the street? They're going to give up right-of-way and easements and stuff like that, so it's going to go back. I just don't know how far.

MR. KELLEY: It's a legal lot, so they wouldn't have to --

MR. ZENNER: Twenty-five.

MR. MACMANN: The new building.

MR. ZENNER: Twenty-five-foot setback.

MR. MACMANN: Twenty-five foot from the right-of-way line?

MR. ZENNER: Right-of-way.

MR. MACMANN: All right. I thought most of those houses are like right up on the road. Thank

you, Mr. Kelley.

MS. LOE: Any additional questions for staff? If not, we will open the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: If anyone would care to make public comment on this case? If not, we will close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. Stanton?

MR. STANTON: If my colleagues don't have anything else to say, I'll entertain a motion. As it relates to Case 28-2021, 1106 North College Avenue, zoning map amendment. I move for approval of the requested rezoning from R-MF to M-OF.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on that motion? I see none. Ms. Carroll, may we please have roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones. Abstention: Ms. Rushing. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve with one abstention.

MS. LOE: Recommendation for approval will be forwarded to City Council. That brings us to Case 30-2021 on behalf of P1316, LLC. Any recusals on this case? Mr. Stanton? Mr. Stanton, the next case is also a P1316, so you have a little time. You can go hang out. Yeah. All right.

Case Number 30-2021

A request by Anderson Engineering (agent), on behalf of P1316, LLC (owner), for approval of a PD (Planned Development) plan to permit the construction of four, 4-story multi-family apartment buildings, to be known as Aria Boulevard Phase 2. The site is split-zoned and includes a small portion of M-C (Mixed Use-Corridor) zoning that coincides with some accessory parking and a garage. The 7.99-acre site is located along the east side of Nocona Parkway, north of Fremont Avenue (private) and south of Kentsfield Lane (private).

MS. LOE: 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 Aria Boulevard Phase 2 PD Plan.

MS. LOE: Thank you. Before we move on to Commissioner questions, I would like to ask any Commissioner who has had any ex parte related to this case to please share that with us now so the whole Commission has benefit of that information. Seeing none. Mr. MacMann, did you have a question?

MR. MACMANN: Just real quick for Mr. Zenner or Mr. Smith. I thought we were getting away from split zone.

MR. SMITH: We would -- we would most likely really like for that to happen. Unfortunately, there is a lot of split zoning properties in town. This whole project was zoned prior to any lot boundaries being in place. And unfortunately, there's nothing necessarily in the UDC that compels anyone to rezone their property to fall within the boundaries of existing zoning or to rezone their --

MR. MACMANN: But all the uses are consistent despite the split zone. Correct?

MR. SMITH: Say that again?

MR. MACMANN: All of the uses are consistent despite the split zone. Is that correct?

MR. SMITH: Yeah. The uses that are in the building -- in the apartment building -- the residential uses --

MR. MACMANN: So we no conflict like we did over on Scott or whatever?

MR. SMITH: No. There's no conflict.

MR. MACMANN: All right.

MR. SMITH: So the uses in the PD are permitted in PD.

MR. MACMANN: I just didn't want something to be piggybacked in there. That's all. Thank you.

MR. SMITH: Yes.

MS. LOE: Any additional questions for staff? If not, we will open the floor to public comment.

PUBLIC HEARING OPENED

MR. WOOTEN: Hello again. Tom Wooten with Anderson Engineering. Questions?

MS. LOE: Any questions? We've got to have -- we're getting a little better, aren't we? No. No. We're running out. Sorry, Mr. Wooten.

MR. WOOTEN: All right. Thank you.

MS. LOE: Any additional comments? If not, we'll close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: I'm getting tired.

MS. LOE: I am too. Commission discussion? Ms. Geuea Jones?

MS. GEUEA JONES: Thank you. This is what I was talking about. We are feeding the beast. This is turning into massive apartment complexes that are not welcoming, they're not attractive. It's the major entryway into the city, and it's just going to keep getting worse, especially if we don't require any sort of creative thinking on part of -- PD plans like this one. I mean, the point of PD plans and the point of Discovery Parkway is to have a creative vibrant area south of town. This is not creative. This is not vibrant. This is stacking people in as close as we can without a lot of thought or creativity. And it's just going to keep getting worse in that area.

MS. LOE: Mr. MacMann?

MR. MACMANN: To that end I agree with Commissioner Geuea Jones, and I think we need to communicate that to Council if for no other reason about future plans, so I plan to vote no, despite what

you all do just so Council is aware that we've got a thing.

MS. LOE: Mr. Smith, this is a plan that is based on a PD -- when was this approved originally?

MR. ZENNER: 2005.

MR. SMITH: '04 or '05?

MR. ZENNER: '04.

MS. LOE: Yeah. So this was approved prior to UDC and under previous, which is why we are not seeing some of the features that would currently be required for --

MR. SMITH: No. I -- not necessarily. If there is something specific you had in mind, they do follow the current landscaping requirements. They'll follow the current design guidelines for multi-family when it is constructed. So most of the UDC requirements, since it is a new PD plan, unless it is accepted in some way by the zoning ordinance or statement of intent, they do have to meet the current UDC regs.

MS. LOE: So previously and on the one that just came through, we were at least getting some entrances facing the streets, whereas this one, we are not. You know, we're just getting the pedestrian connections at the very ends of those long blocks. So, I mean, to me, that is something that we were starting to incorporate into the fabric. Can you explain that's something we were looking for in the other plans and then this one it is not being --

MR. SMITH: So residential -- multi-residential doesn't have that requirement for an entrance to face the street. That is a retail --

MS. LOE: That's right.

MR. SMITH: -- office -- I forget the exact permitted uses.

MS. LOE: Yeah.

MR. SMITH: But that's more of a commercial retail requirement.

MS. LOE: Ms. Carroll?

MS. CARROLL: I've supported the previous cases where there is mixed use with residential above. I support mixed use in general. I think that it is a good use of our land. I don't support a four-story apartment building in this place. I think that the area can easily sustain mixed use. I do worry about overbuilding of PD plans. I do worry about continuing the trend of high-rise apartment buildings that may not have the longevity that we hope for.

MS. LOE: Ms. Burns?

MS. BURNS: I feel like since we've had such a significant case load tonight and have been represented by P1316 in several of our cases, I'm not sure if we're being consistent and that concerns me. I understand moving forward. I don't know what the answer is to looking for a better plan or what we feel would be a better plan. I'm not sure what we truly can require or ask for, but I plan on supporting this because I don't -- I can't in my mind justify that we're not being consistent in saying I just -- I finally reached my breaking point, and this is where I'm going to decide it is.

MS. LOE: Any additional -- Ms. Geuea Jones?

MS. GEUEA JONES: I would say this is different than what we have been supportive of in the past. What we've been supportive of in the past as the exception is retail on the bottom floor and then two stories of living space above that. This is four four-story buildings stacked on top of each other with no retail on the bottom, so I do think this is different than other things that have been approved tonight.

MS. LOE: Ms. Carroll?

MS. CARROLL: And I believe that mixed use gives buildings a little bit more longevity because if the demand for apartments change, they still have -- these were primarily retail with studio apartments above. Demand changes they still have retail and vice versa. I think that is a good use that I support, and this is different use that I don't support. I don't -- it's not that it's a long night and I've reached my limit, it's there is one use that I support and there's a different use that I personally don't support at this juncture.

MR. ZENNER: Madam Chairman?

MS. LOE: Yes?

MR. ZENNER: While I can understand, I think the concern that Commissioners are expressing and I think some of that at times has been expressed by staff as well with this particular development company, they are entitled under the 2005 zoning to develop this property legally the way that they are presenting. There is no obligation in the authorization of the zoning to this property that they had to do mixed use. And directly across the street from this in the Aria project, we have got multiple four-story buildings stacked on top of each other providing residential housing that appears to be occupied. And they're legally following the rules. And if we like it or not, they are following the rules and they are entitled to be able to submit a plan that does so. I think what you're suggesting, and I think what can be communicated clearly to Mr. Wooten to his client is that we would like to see something different. I would suggest that where Ms. Burns' position is is inconsistency in disapproving this because it's not what you would like may not be appropriate given the fact that they are authorized through the zoning to do exactly what they are doing. And they have submitted us a plan compliant with our regulations, if not meeting more of the standards that are in today's development requirements than were in the development requirements that existed in the mid-2000s. I think we, as a staff, share some of the same concerns in this particular area that is monolithic development, that it is not possibly dynamic enough to deal with the unique position that this property has within this community. Unfortunately, we don't own it. We have a set of regulations that we must apply to it, and they have to comply with those. And they have done that. So I would suggest that Mr. Wooten could probably take back to his clients that there is some concern, and we may appreciate seeing something that was a little bit more sustaining, possibly.

MS. LOE: I'm going to go in order of who hasn't spoken the most yet. So Mr. MacMann, then Ms. Geuea Jones, then Ms. Carroll.

MR. MACMANN: A couple things to respond to Mr. Zenner. We are also under obligation, in our roles, to look over the health, safety and welfare of the entire community. That said, I've counted

numbers; it will be close. And if I could be pragmatic as all pragmatic, this will go through Council. I could be wrong, but I think it will. I don't see a problem with us expressing our concern. Mr. Zenner is shaking his head. As long as --

MR. ZENNER: No. No. I agree you should.

MR. MACMANN: As long as we -- if we don't vote -- people look at the vote. That's what they look -- you know, that's what people look at. You know, the vote is 9 -- or 8-0, yes, that's all anybody cares about. If the vote is 4-4 or 5-3 or something like that, that may be a little more communicative. And I don't think anyone here is doing anything untoward. And I think it is fair to express our concerns. And as long as everyone is being above board, I think we are fine. And I do want to give -- and it has been a long night, and I don't want to pick on these folks. And I thought about this the entire week when I was thinking about this agenda giving each of these cases, each of these 18 or 17 or how many we have, their due diligence and not rubber stamping yes or no or anything like that is really important. And I -- to Ms. Carroll's point and to Ms. Geuea Jones' point, this is not -- it's not what we wanted in the UDC. Yeah, it is what they were approved in 2005. We don't like it now. You know, we would rather it not be now. I know many of you guys maybe get the same point. I understand Ms. Burns' point. You know, they've been good actors. They follow the rules, yada, yada, yada. Sometimes that is not enough. That said, I'm willing to make a motion whenever you guys -- which I will make in the affirmative and I will vote no, but I'm willing to make a motion whenever everyone is done speaking.

MS. LOE: I would just like to remind everyone we're not quite -- or we're just over halfway through, so new points only. Ms. Geuea Jones, Ms. Carroll, then Ms. Rushing.

MS. GEUEA JONES: I would just point out that if they were able to do this today, we wouldn't have to vote on it, so they can't do it without our approval. So we do get to have a say in it. And the point of a PD plan is character and purpose, not just doesn't meet the code.

MS. LOE: Ms. Carroll?

MS. CARROLL: I'm happy to let comments stand as they are.

MS. LOE: Ms. Rushing?

MS. RUSHING: Well, I have been a strong proponent of the idea that I have a vote and I can cast it any way I feel is appropriate. With that said, with regard to this development, my attitude has been more there are no surrounding properties that are adversely affected by whatever they do, and even if I think what they are planning to do is ill-advised long term for the developers, I probably will go ahead and support this application for the same reasons that Ms. Burns gave.

MS. LOE: Any additional comments? Mr. MacMann?

MR. MACMANN: If my fellow Commissioners have spoken their piece, in the matter in Case 30-2021, a request by Anderson Engineering on behalf of P13116 [sic], approval of the PD plan, I move to approve.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we please have roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Loe, Ms. Rushing. Voting No: Ms. Carroll, Mr. MacMann, Ms. Geuea Jones, Abstention: Mr. Stanton. Motion carries 4-3-1.

MS. CARROLL: We have four to approve, three to deny, and one abstention. The motion is carried.

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

Case Number 31-21

A request by Anderson Engineering (agent), on behalf of P1316, LLC (owner), for approval of a one-lot PD (Planned Development) plan to permit the construction of parking areas that will be accessory to a 3-story office building, to be known as Discovery Professional Offices. This request also includes a design adjustment to Sections 29-5.1(f)(3) a to allow a new lot line through a structure. The site is split-zoned between M-C (Mixed Use-Corridor) and PD zoning. The office building will be located on the M-C zoning and the parking will be located within the PD zoning. The 4.4-acre site is located along the east side of Nocona Parkway, west side of Ponderosa Street, and approximately 500 feet south of the intersection of Ponderosa and Nocona.

MS. LOE: 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 Discovery Professional Offices PD Plan and associated design adjustment to Section 29- 5.1(f)(3).

MS. LOE: Thank you, Mr. Smith. Is this one or two motions?

MR. SMITH: We'll do two motions on this, as previous, first being for the design adjustment.

MS. LOE: Thank you. Before we move on to staff questions, I'd like to ask any Commissioners who have had any ex parte on this case to please share that with the Commission so we have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Seeing none. I'll open the floor to public comment.

PUBLIC HEARING OPENED

MR. WOOTEN: One more time. Tom Wooten with Anderson Engineering. I can answer any questions, if you have any.

MS. LOE: This is the last option, isn't it -- or last opportunity. Any questions. He said any questions.

MS. GEUEA JONES: Do you hate me yet?

MS. LOE: All right. I see none. Thank you. Any additional speakers. If not, we'll close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner discussion? Mr. MacMann?

MR. MACMANN: If you all have no questions, in the matter -- in the Case of --

MS. CARROLL: Oh, I did have a comment. Sorry. I thought you were commenting.

MR. MACMANN: No. No. No. I was going to move. Please, I don't mean to interrupt.

MS. LOE: Ms. Carroll?

MS. CARROLL: I could have commented on the motion, but I'll comment now. I actually approve of this one. I think the professional offices are in keeping with the area. I would only comment because of the previous round. Go ahead and make your motion.

MR. MACMANN: Thank you. In the matter of 31-2021 -- design adjustment first. Right, Mr. Smith?

MR. SMITH: Yes. Please.

MR. MACMANN: Okay. -- approval or the allowance of a lot line through a structure and parking lot, design adjustment of Sections 29-5.1(f)(3), I -- (inaudible).

MS. RUSHING: Second.

MS. LOE: Second by Ms. Rushing. Any --

MS. CARROLL: Can't hear.

MS. GEUEA JONES: I think you need to make the motion again.

MR. SMITH: Yeah. Would you repeat the motion one more time maybe? I think --

MR. MACMANN: Oh. In the matter of 31 -- I'm sorry. I'm not -- to me I'm really loud with the mask on. If I'm not -- I've drifted away from the microphone a couple of times. In the matter of 31-20 [sic], a request by Anderson Engineering on behalf of P1316, LLC --

MS. RUSHING: 2021.

MS. LOE: 13 -- 31-2021. Approval --

MR. MACMANN: What I said --

MS. LOE: You left off the 21. Approval of the associated design adjustment to Section 29-5.1(f)(3).

MR. MACMANN: (f)(3).

MS. LOE: I think we should all get that tattooed on our --

MR. MACMANN: What Madam Chair said. I move to approve.

MS. LOE: And it was seconded by Ms. Rushing.

MR. MACMANN: That's all right. Maybe the first time I got it, but the second time I didn't.

MS. LOE: All right. Any discussion? We have a motion on the floor. Any discussion on that motion besides getting 29-5.1(f)(3) tattooed. Ms. Carroll, may we please have roll call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Ms. Geuea Jones, Ms. Rushing. Abstention: Mr. Stanton. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve. The motion carries. One abstention.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. On to the C-2 cases.

MS. GEUEA JONES: Second vote?

MR. SMITH: You need a motion on the --

MS. LOE: Oh, sorry.

MR. SMITH: -- plan.

MS. LOE: I was getting excited here. Michael?

MS. GEUEA JONES: One more motion.

MR. MACMANN: I'm sorry.

MS. LOE: You have to make the second part of the motion.

MR. MACMANN: Oh, I was -- I'm sorry. I have inappropriately motioned you in. I was confused by all of the motion in front of me. I wasn't sure what was going on there.

MS. LOE: Chaos.

MS. RUSHING: My fault again.

MR. MACMANN: Okay. Where was I? I was on the previous page. In the matter of 31-2021, a request by Anderson Engineering on behalf of P1316, LLC, approval of a one-lot PD plan. We have no change of SOI here, do we? No. I move to approve.

MR. TOOHEY: Second.

MS. LOE: Second by Mr. Toohey. We have a motion on the floor. Any discussion? May we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Ms. Geuea Jones, Ms. Rushing. Abstention: Mr. Stanton. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve and one abstention. Motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council. Now we're moving on to the C-2 cases.

MR. TOOHEY: Can those be a consent agenda?

MR. MACMANN: Actually -- no, they have to be individual motions.

MR. ZENNER: They have to be individually voted on. I apologize -- not really.

MS. GEUEA JONES: Abbreviated staff reports?

MR. MACMANN: I like that idea though, Commissioner Toohey. I really do.

MS. GEUEA JONES: Yeah.

MR. TOOHEY: Trying to make the most use of our time.

MS. LOE: I agree.

MR. MACMANN: And also the way that clerk -- that Sheila would read them because she just

reads the numbers twice and they yay or nay them.

MS. GEUEA JONES: Uh-huh.

MS. RUSHING: Patrick, what do I need to do? Are you going to do it one at a time all the way through?

MR. ZENNER: Yeah. We'll do one at a time.

MS. RUSHING: Okay.

MR. ZENNER: So when you come to yours that you need to recuse, you'll get your opportunity.

MS. LOE: Which -- which number are you recusing, Joy?

MS. RUSHING: 20-2021.

MS. LOE: Okay.

MR. MACMANN: The first one.

MS. RUSHING: No. The second. 501 Fay Street.

MR. MACMANN: All righty, then.

MR. ZENNER: I have figured out what your maximum limit is. It's a baker's dozen, and only three and a half hours. So let's go ahead and we'll see if we can't get through these last five and send you all home for a long, long break.

MS. LOE: You get a vote out of us.

MR. ZENNER: I'll send you to the Sports --

MR. TOOHEY: It's different than listening to public comments until 3:00 in the morning.

MR. ZENNER: All right.

MS. LOE: It is.

MR. TOOHEY: We can handle that just fine.

MR. MACMANN: Yes, it is.

MR. ZENNER: So we are starting the C-2 requests. I guess I'm --

MS. LOE: All right. All right. All right.

Case Number 20-2021, Map Area #2 - Columbia College Rangeline Parking Lot

A request by the City of Columbia to correctively rezone a parking lot located on the Columbia College campus north of property address 710 Rangeline Street from district C-2 (Central Business) to M-N (Mixed-use Neighborhood). This action is proposed so the subject parcel is zoned similarly to its surroundings and in advance of the deletion of the C-2 district from the Unified Development Code.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject parcel to M-N.

MS. LOE: Thank you, Mr. Zenner. Do we have to ex parte on these?

MR. ZENNER: It depends on who has been talking.

MS. LOE: Ex parte. Who's been talking. Can we just say that? Has there been any ex parte?

MR. MACMANN: We can do ex parte on all of them at the same time?

MS. LOE: Could we.

MR. MACMANN: If someone has -- Commissioner Rushing has an issue on one of these, does she not?

MS. LOE: Has any -- oh, this true. She's going to recuse. You know what, we're wasting more time. Has any -- if any Commissioners has had any ex parte please tell us. All right. Questions for staff? Good job, Mr. Zenner.

MS. LOE: Public comments?

PUBLIC HEARING OPENED

MS. LOE: Close public comment period.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann?

MR. MACMANN: Procedural question. What do we call this in the motion?

MR. ZENNER: Columbia College Rangeline parking lot.

MR. MACMANN: Parking? All right.

MR. ZENNER: Yeah.

MR. MACMANN: If my fellow Commissioners do not have any comments or questions, I'll just add before I make this motion, they've been good neighbors, stuck to their master plan and always talk to us. In the matter of 20-2021, Map Area #2 - Columbia College Rangeline Parking rezone from C-2 to eliminate same to M-N, I move to approve.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we please have roll call?

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

MS. CARROLL: The vote is eight to approve. The motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. That brings us to 501 Fay Street. Recusal in this one, Ms. Rushing?

Case Number 20-2021, Map Area # 2 - 501 Fay Street

A request by the City of Columbia to correctively rezone 501 Fay Street from district C-2 (Central Business) and HP-O (Historic Preservation Overlay) to district M-N (Mixed-use Neighborhood) and HP-O (Historic Preservation Overlay) and approve of all conditional and "conditional accessory" uses permitted in the M-N district as shown in Table 29-3.1 of the Unified

Development Code. The subject property is located at the northwest corner of Hinkson Avenue and Fay Street and is commonly known as the Mule Barn. The existing historic structure is a mixed-used building housing residential lofts and office uses.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject parcel to M-N with all permitted conditional and "conditional accessory" uses allowed in the M-N districts as shown in Table 29-3.1 of the UDC.

MS. LOE: Thank you, Mr. Zenner. Before we move on to Commissioner questions, I'd like to ask if any Commissioner who has had any ex parte related to this case, and if so, to please share that with the Commission so we have the benefit of the same information. Seeing none. Mister -- questions? Mr. MacMann?

MR. MACMANN: For Mr. Zenner, Mr. Ott nor the guys at the brewery had any problem with this?

MR. ZENNER: Mr. Ott?

MR. MACMANN: Yeah.

MR. ZENNER: Mr. Ott contacted me. He was the property owner to the south. He owns the Acropolis building now, and, no, he did not.

MR. MACMANN: I have a question, a procedural question, and this might be a Ms. Thompson question. Typically approving CUPs require a public hearing. Does this meeting qualify for that? We're giving a CUP. Right?

MR. ZENNER: We would be granting the authorization for a CUP without an actual application, and they've -- criteria typically associated with that is, yes, you hold a public hearing.

MR. MACMANN: That's what I'm saying. I'm just --

MR. ZENNER: Yeah. So this --

MR. MACMANN: Have we covered our base? That's all I want to make sure.

MR. ZENNER: This would cover that base of holding a public hearing. You also would need to make a finding of conformity with the comprehensive plan, and that is generally driven by having an actual application.

MR. MACMANN: So this is two motions?

MR. ZENNER: Pardon me? No. I would say you could have it as one motion as that was how it was advertised.

MR. MACMANN: All right. I just don't want it chopped down because someone says you didn't, you know --

MR. ZENNER: If we would like to -- and I see your point. And if it is -- I would have no objection to doing two motions; one for the principal zoning, and one for approval of the (a) through (j) conditional

uses that were identified on the prior slide. And we can then --

MR. MACMANN: That might allow us a little more --

MR. ZENNER: Latitude.

MR. MACMANN: Yeah.

MR. ZENNER: Thank you.

MR. MACMANN: Thank you. Just make sure everybody is getting their due here.

MS. LOE: Thank you, Mr. MacMann. Any additional questions of staff? If not, we'll open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: We are limiting discussion to three minutes today, Mr. Hollis.

MR. HOLLIS: Robert Hollis, VanMatre Law Firm, 1103 East Broadway, here on behalf of the property owner. I'd like an additional 15 minutes. I'm just kidding. I have no presentation. I'm happy to try to answer any questions you might have.

MS. LOE: Mr. Zenner covered the bases.

MR. HOLLIS: I agree. Thank you.

MS. LOE: Thank you. Any questions for Mr. Hollis? I see none. Thank you.

MR. MACMANN: Thank you, Mr. Hollis, for doing that.

MR. ZENNER: I prepped him for it earlier.

MR. HOLLIS: I got burned on this one.

MR. MACMANN: He's been waiting for four hours to clean -- to clean the podium.

MS. LOE: Mr. Toohey?

MR. TOOHEY: I've got a question for staff. So -- I can't remember how --

MS. LOE: Oh, wait. Let me close public -- any more public comment? No. Close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion?

MR. TOOHEY: I can't remember how this works, but if the property was to be conveyed to a new owner, would the CUP transfer with it?

MR. ZENNER: That is correct.

MR. TOOHEY: All right. Just want to clarify and make sure that's the case.

MR. MACMANN: That's why I asked the question that I did. I probably wasn't clear that it's portable. All right.

MS. LOE: Any additional questions or comments? Mr. Stanton?

MR. STANTON: I'd like to entertain a motion as it relates to 20-2021 --

MS. LOE: Microphone.

MR. STANTON: Map Area #2, I move to approve M-N --

MS. LOE: 501 Fay Street.

MR. STANTON: Oh, okay. -- 501 Fay Street rezoning, I move to approve M-N zoning and staff --

MS. LOE: No. Just the zoning.

MR. STANTON: Oh, just the zoning? Okay.

MS. LOE: We're going to do two on this one.

MR. STANTON: Okay. I move to approve M-N zoning.

MR. ZENNER: That's it.

MR. STANTON: Is that it? Yeah. I'm burnt up. Yeah. That's it.

MS. LOE: Do I have a second.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on that motion? Ms. Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones. Abstention: Ms. Rushing. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve and one abstention. Motion carries.

MS. LOE: Eight -- six. Six to approve. There's only --

MR. ZENNER: No. Seven.

MS. LOE: Oh, wait. Seven to approve.

MR. ZENNER: Seven and one abstention.

MS. LOE: I'm sorry. I'm deducting from --

MR. MACMANN: Mr. Zenner, how would we word -- I'm sorry I interrupted you, Madam Chair. My apologies.

MS. LOE: No. I'm just babbling at this point.

MR. MACMANN: Okay. I'm going to ask Mr. Zenner a question if that's all right with you.

MS. LOE: Please. Mr. MacMann?

MR. MACMANN: Mr. Zenner, how would we word that second motion?

MR. ZENNER: I would probably suggest that the motion be made to recommend approval of all -- recommend approval of all conditional and conditional accessory uses permitted in the M-N zoning district and as presented within the staff's report.

MR. MACMANN: And that meet with Columbia Imagined. I think that's my motion right there. Does anyone want to give me a second?

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones. Abstention: Ms. Rushing. Motion carries 7-0-1.

MS. CARROLL: The vote is seven to approve, one to abstain. Motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council.

Case Number 20-2021, Map Area # 2 - 316 N. Tenth Street

A request by the City of Columbia to correctively rezone 316 N. Tenth Street from C-2 (Central Business) to R-MF (Multiple-family Dwelling). The subject property is located approximately 325-feet south of the intersection of N. Tenth Street and Rogers Street and is presently improved with a residential structure owned by Columbia College and identified on its 2017 Master Plan as "Long-term Holding".

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject parcel to R-MF.

MS. LOE: Thank you, Mr. Zenner. Before we move to questions, I'd like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission, so we all benefit from the same information. Seeing none. Are there any questions for Mr. Zenner? We've lost our public. I will open it up for public comment.

PUBLIC HEARING OPENED

MS. LOE: Then I'm going to close the public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann?

MR. MACMANN: If none of my fellow Commissioners have anything to say, I have a motion. In the matter of Case 20-20 [sic], Map Area #2 - 316 North Tenth Street, rezoning some property from C-2 to R-MF for Columbia College, I move to approve.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. Motion on the floor. Any discussion? Seeing none. Ms. Carroll, may we have roll call, please.

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

MS. CARROLL: The vote is seven to approve. The motion carries.

MR. MACMANN: The vote is eight.

MS. LOE: Should have eight.

MS. CARROLL: Eight to approve.

MS. LOE: It's not just me. All right. Recommendation for approval will be forwarded to City

Council.

Case # 20-21, Map Area # 2 - 310 N. Tenth Street

A request by the City of Columbia to correctively rezone a portion of the existing parking lot associated with the Columbia College Tenth Street Center from C-2 (Central Business) to IG (Industrial). The subject property is located approximately 300-feet north of the intersection of Tenth Street and Park Avenue.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject parcel to IG

MS. LOE: Thank you, Mr. Zenner. Before we move on to questions of staff, I'd like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission now so we have the benefit -- we all have the benefit of the same information. Seeing none. Are there any questions for staff? Mr. Zenner, I have a question. Given the property -- given there's a structure over the property line, does this property already have an exception to 29-5(f) --

MR. ZENNER: .1(f)(3).

MS. LOE: (3)(1) -- .1 -- I'm trying to do it from memory. 5.1(f)(3).

MR. ZENNER: Well, since we are not platting, it's not relevant.

MS. LOE: Okay.

MR. ZENNER: So at this point --

MS. LOE: But we are rezoning. So it doesn't matter if we rezone a parcel under a building --

MR. ZENNER: Not where -- not where we've got a structure lying over a property line --

MS. LOE: Okay.

MR. ZENNER: -- for a zoning action. It only deals with platting actions, and maybe after January we won't ever have to deal with that section again.

MR. MACMANN: Well, we shall see.

MS. LOE: I've already got the tattoo now.

MR. ZENNER: Hopefully it was just a -- it was a stick-on one.

MS. GEUEA JONES: Or a Sharpie.

MR. ZENNER: All right.

MS. LOE: All right. Any other questions? Public comment?

PUBLIC HEARING OPENED

MS. LOE: Close public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann?

MR. MACMANN: If you are opened for commission comments, I have a motion -- and my fellow --

MS. LOE: Yes. Yes. We are on to Commission --

MR. MACMANN: In the matter of 20-2021, Map Area #2 - 30 North Tenth Street, a corrective rezone for Columbia College to get all of our maps up to date from C-2 to IG, I move to approve.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we have roll call, please.

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

MS. CARROLL: The vote is eight to approve. Motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council. I'm going to hedge bets we get the next one through too.

Case Number 20-2021, Map Area # 2 - 715 N. Eighth Street

A request by the City of Columbia to correctively rezone property addressed as 715 N. Eighth Street from district C-2 (Central Business) to M-N (Mixed-use Neighborhood). This action is proposed so the subject parcel is zoned to accommodate its present retail use and in advance of the deletion of the C-2 district from the Unified Development Code.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested rezoning of the subject parcel to M-N.

MS. LOE: Thank you, Mr. Zenner. Has any Commissioner had any ex parte related to this case, and if so, please share that with the rest of the Commission so we all have the benefit of the same information. Seeing none. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: I'll save them for a moment, and just -- yeah.

MS. LOE: All right. Any other questions, comments? If not, we'll open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: And then we'll close the public comment.

PUBLIC HEARING CLOSED

MS. LOE: Commission discussion? Mr. MacMann?

MR. MACMANN: I do have a motion. FYI, Mr. Zenner, I lived next door to this property for 10 years. I'm not sure in '82 it was a garden. I'll see if I can find pictures. And it does have screening, of all crazy things. Not sufficient, but it does have screening. The north -- the house north of that for you history geeks is the original guitar house. Anyway, in the matter of Case 20-20 [sic], Map Area #2 -715 North Eighth Street, corrective rezoning for the City of Columbia for The Wardrobe, from C-2 to M-N, I move to approve.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? I see none. May we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Rushing. Voting No: Mr. Toohey. Motion carries 7-1.

MS. CARROLL: We have seven to approve and one to deny. The motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council. We're done. We're done.

MR. STANTON: Oh, no. Not so quick.

X. PUBLIC COMMENTS

MS. LOE: No. Check that one off. Staff comments? Be nice to us, Pat. Come on, please.

MR. MACMANN: Just real quick.

XI. STAFF COMMENTS

MR. ZENNER: It has been a very long night. I thank you for your attention. I will never try to do this again. Your next meeting is January 7. You guys get a well-deserved break after the marathon tonight. I should have brought in an auctioneer. But you do have cases on the 7th, as we were discussing in work session this evening, and they are as follows. We have a preliminary plat off of Rangeline Road. We'll have a public hearing and a subdivision item combined off of Scarborough Drive. This is -- I can't remember the name of the project anymore, but it is a rezoning from an existing PD to R-1, and then the preliminary plat corresponding to that is for a -- if I recall correctly, a seven-lot preliminary plat to basically replat the PD portion, the last developable portion of a subdivision. And then two public hearings. This is a redevelopment request to amend the PD plan for the Ruby Tuesday on the corner of Bernadette and Stadium. It is a proposed Culvers restaurant drive-through. So that will be a PD with a design exception, I believe, associated with it for the drive-through. And then we have another major revision on East Sexton, and this is the Kinney Point project, which is a CHA development on the corner of Sexton and Garth, if I recall correctly -- the south -- northeast corner. So our projects, you're only going to see four maps because the map on the right-hand side represents two. This is the Rangeline project, corner of Rangeline and Blue Ridge. It is a simple platting action. The rezoning request then for the McNary Properties. This is the Scarborough address. That is the exact same boundary that the preliminary plat will have. And then the last two projects are the Columbia Plaza South PD major amendment for Culvers, which will result in the removal of the Ruby Tuesday building. And then the major amendment to the Kinney Point project for CHA. Those are your projects for December -- for January 7th, 2021. It has been a wild year for all of us. I appreciate your attention, your efforts. You know, sometimes the dialogue we have can be tense, but hopefully we all walk away understanding that we're in this collectively. My staff appreciates the effort that you put forward. I appreciate the effort

that they do as well as you do. I wish you all a Merry Christmas, a Happy New Year. Please stay safe.
And with that, that's all we have.

MS. LOE: Thank you, Mr. Zenner.

XII. COMMISSIONER COMMENTS

MS. LOE: Any Commissioner comments? Mr. --

XIII. ADJOURNMENT

MR. MACMANN: This Commissioner moves to adjourn.

MR. STANTON: Second.

MS. LOE: We are adjourned.

(The meeting was adjourned at 11:36 p.m.)

(Off the record.)