



City of Columbia, Missouri

Meeting Minutes

Board of Adjustment

Tuesday, March 12, 2024

7:00 PM

Regular Meeting

Council Chambers

Columbia City Hall

701 E. Broadway

I. CALL TO ORDER

MR. NORGDARD: The March 12, 2024 Board of Adjustment meeting will come to order.

II. INTRODUCTIONS

MR. NORGDARD: Mr. Liaison, would you please call the roll?

MR. ZENNER: Yes, I will. Mr. Norgard?

MR. NORGDARD: Present.

MR. ZENNER: Ms. Hammen?

MS. HAMMEN: Here.

MR. ZENNER: Ms. Olsen?

MS. OLSEN: Here.

MR. ZENNER: Ms. Rogers?

MS. ROGERS: Here.

MR. ZENNER: Mr. Crew?

MR. CREW: Here.

MR. ZENNER: You have five; you have a quorum, sir.

MR. NORGDARD: All right. Thank you.

Present: 5 - Janet Hammen, Peter Norgard, Kittie Rogers, Jefferson Crew and Linda Olsen

Excused: 1 - Randy Minchew

III. APPROVAL OF AGENDA

MR. NORGDARD: Is there a motion and a second to approve the agenda?

MR. CREW: So motioned. Crew.

MS. HAMMEN: Second.

MR. NORGDARD: All right. Is there any discussion? Seeing none. Let's take a voice vote. All in favor say aye. All opposed say nay.

(Unanimous voice vote for approval.)

MR. NORGDARD: All right.

Move to adopt as presented

IV. APPROVAL OF MINUTES**December 12, 2023 Regular Meeting**

MR. NORGDARD: All right. So the December 12, 2023 minutes were distributed to the members of the Board. Are there any corrections or additions to the minutes? I have one. On page 21, marked -- the page marked 21, there is an exchange between Mr. Kriete, Mr. Minchew, Mr. Kriete, myself, Mr. Kriete and myself. And that last one involving myself states, An original curb? and then there's a response that Mr. Kriete gave which is attributed to me.

MR. ZENNER: We'll get it corrected.

MR. NORGDARD: I want to keep it really clear -- good, clean records. Any other corrections? Is there a motion to approve?

MS. HAMMEN: So moved.

MR. CREW: Seconded. Crew.

MR. NORGDARD: All right. All in favor, say aye. Opposed?

(Unanimous voice vote for approval.)

MR. NORGDARD: All right. Would the court reporter please swear in staff?

(Staff sworn.)

Move to approve, as amended

V. PUBLIC HEARINGS**Case # 90-2024**

A request of Daniel S. Simon (attorney), on behalf of the Roxie Grant Revocable Trust (owner) and Hemme Construction, LLC (contract purchaser), seeking Board of Adjustment authorization to use the "cottage" optional development standards on the 14.47-acres of property within the Amberton Place subdivision that is zoned R-2 and addressed as 3705 W. Gibbs Road to facilitate the development of a 54 homesites with reduced setbacks and lot area as required by Section 29-6.4(j) of the Unified Development Code.

MR. NORGDARD: Have any Board members had any ex parte conversation regarding this case? Okay. Mr. Liaison, has the notice been properly advertised?

MR. ZENNER: Yes, it was.

MR. NORGDARD: Has it been posted with a public notice or a notice of public hearing?

MR. ZENNER: Yes, it has.

MR. NORGDARD: And have parties of interest been notified?

MR. ZENNER: Yes, they were.

MR. NORGDARD: And were there any inquiries?

MR. ZENNER: No, there were not.

MR. NORGARD: All right. Would the person making application to the Board, please come forward, state your name and address for the court reporter, and be sworn in?

MR. SIMON: Hi. I'm Dan Simon; I'm an attorney hired by the -- the trustee of the Roxie Grant Trust, owner of the property, to make this application. My address is 2635 South Providence Road, Columbia, Missouri 65203, and I'm an attorney licensed in Missouri to practice law.

(Witness sworn.)

MR. SIMON: So with me today is Tim Crockett of Crockett Engineering. He prepared the attachments to the -- to the application, and he'll make our presentations for us, if that's okay.

MR. NORGARD: Please continue.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong.

(Witness sworn.)

MR. CROCKETT: Members of the Board, again, representing Jeff Hemme and the Roxie Grant Revocable Trust. For Amberton Place, we're requesting the cottage standards for an R-2 zoning of this property. The piece of property is roughly 14 and a half acres. It's currently zoned R-2 inside the city limits. It is a -- unlike some of the similar cottage projects that you've seen in the past, this one is a small piece of a larger development, so it's kind of embedded within the overall development, and we'll go through that in more specifics here in just a little bit. But we are looking for single -- for 54 single-family detached residential homes in the cottage development standards, which is required to be under the R-2, which is the duplex, the two-family zoning district. Here recently, the property was annexed, zoned, and preliminary platted inside the city of Columbia, so it went through the Planning and Zoning process, it went through the City Council process. We asked for R-1, R-2 and R-MF zoning to get a mixed-use development that you'll see here in just a minute. Now that's -- it's a little bit different than what we've done before in the past. In the past, we have come to this Board asking for the cottage standards and then run -- we've gone through the Council to get our zoning, then we come back to this Board to get our cottage standard, then we run the preliminary plat through the process. A little bit different in this situation. I think we talked it over with staff, and I think this is a little better scenario. What we did was ran the annexation, zoning, and preliminary plat through the process, and then we're asking for the cottage standards for the R-2. So what are cottages? We've talked about this before. They're individual single-family residential structures. They're homes on individual

lots. They're basically your R-1 development just in a much smaller standard. You know, the houses are smaller, the lots are smaller. It helps us, you know, we sometimes get more density, sometimes not. But you can kind of see in the table here that's before you, the R-1 standards, the R-2 current standards, the R-2 cottage standards, and then what we're asking for in Amberton Place. And so now when you look at the minimum lot sizes under the cottages, the minimum lot size is 3,000. We're exceeding that a little bit to 4,000 square feet, and our setbacks are -- meet or exceed that of the R-2 cottage.

Here's the location of our property. Our property is -- of the 14 and a half acres that we're asking for cottage standards, the overall property is about 60 acres -- a little bit more than 60 acres. You can see that this is in the northwest part of Columbia. There's a CATSO road that runs through the property, Gibbs Road, so we're going to build Gibbs to City class collector standards. It runs through the property, and we did have a traffic study performed on the site, so that was done preliminarily, and talked about all the traffic items that would be related to this. Here is a copy of the preliminary plat. Again, this was approved by the City Council. It's a little difficult to tell, so I'll scroll through here. Here's the copy of it. The green, obviously, is the green space or open space, so you can see that we're only utilizing about half the property. All of the ground to the north is going to be -- we're going to have a detention basin on it, but other than that, it's all going to be undeveloped and left alone in its current state. The purple portion, this is what we got zoned to R-1, and so this is our standard single-family homes. This is the -- the blue here, this is what we're asking for, for cottage development, and so this is what we're asking for the -- for the smaller standards. And then what's in yellow, we got that zoned R-MF, multi-family, and what we want to do is we want to put in town homes. But all of these units for sale. We don't -- we're not looking to have a rental community. We're not -- we're trying to get that home price down. Everyone talks about affordable housing and how expensive homes are getting, and that's -- that's no lie. It's getting -- it's unbelievable what new homes cost. And so the purpose is is trying to get home prices down as much as we can. So the idea here is to have a mixed-use development within the development itself, all single-family homes for sale. Some may be single family, the standard residential lot, some may be on cottage standards, and some may be single-family attached in the town homes. But the idea there is is to get a varying wide range of price points within the same development. You can see here, this is a snippet of the zoning map that's out there. So you can see the yellow is either R-1 or R-S, which is single family. This is before we had it zoned in the City. There's a large portion of R-MF to the south, and there's some duplexes south of us. It's a mixed use out here. There's a lot of -- there's some larger acre tracts on A zoned property. There's some duplexes and

multi-family. There's some higher densities. If you look at the density overall, and even though we're asking for cottage, we're asking for attached single-family in the town homes and the R-1, our overall density is about 1.9 units per acre over our entire piece of property. And I think that's significant because that's less than most all the other developments that are developed out here, other than the large acreage tracts. And so I think it fits in very well with what's out here. So the purpose, you know, was to provide a small pocket of affordable small lot cottage-style homes. This is going to be embedded into the development that we talked about. We want a development in conjunction with the surrounding areas, and then also in conjunction with the other sections of our development itself, and then, of course, use the UDC to develop the tract to the best use. And so we want to use that UDC for this specific piece of property. So you kind of get an idea. Of course, we know it's single families what we're looking at for homes there. These are 60-foot-wide lots, so they're not large homes, they're not large lots, but they are a nice size home for what we're getting today. And, of course, the town homes, again, there will be zero lot line, attached single-family for sale units, and then the cottage style. This is what we're asking for here. Now most all of them are going to be probably a single-car garage most likely. Two-, maybe three-bedroom homes, you know, we're trying to get smaller than the single family, so that's what we're looking for for the cottage style. There's additional criteria that must be met when we go forward to ask for the cottage development. Per Section 29-6(j)(3) and it's the use of optional development standards that's consistent with the intended character of the area shown as and, you know, described in the City as adopted comprehensive plan. Well, the comp plan calls this area to be residential in nature. It is an existing area of mixed-use densities and mixed-use types, and so we feel that we fit in with that with what we're proposing. Also we made it by -- it's a livable and sustainable neighborhood with diverse and inclusive housing options, and I think this is a little bit different than what we've seen before in the past. Typically, we see a preliminary plat that might have, you know, 80 acres of all the same product or very similar product. This is a little bit different. We're embedding these within the development itself. And so we're trying to -- everyone wants to have large developments that's all the same, and this is -- this developer wants to do something a little bit different. He wants to build different options within the same development at somewhat of a smaller scale. And again, the use of the optionable -- the use of the optional development standards will provide adequate off-street parking. Of course, we're doing single-family attached and detached, and so we've had Planning look at this and, of course, they agree with it. Our parking out here will be off-street. It will be either in the garage or in the driveway. There will be on-street parking allowed, but our required

parking will all be off site -- or, excuse me -- off-street parking. The use of the optional development standards will not create adverse traffic congestion or risks to the public health and safety of the surrounding areas. And so we -- again, we had a traffic study that was performed on this property before the zoning and the preliminary plat went through. We hired a third -- third-party traffic engineer that did that work. That traffic study gets submitted to the City traffic engineer, and they review it. They came back and in our development -- we do have a development agreement with the City on our preliminary plat, and we are doing some not off-site improvements necessarily, but we're doing some preliminary off-site work. We're going to do -- we're going to provide a sewer line profile for Barberry or Gibbs Road for future construction, and we're also going to design a City sidewalk, that goes from this development to -- to the City park. So, in conclusion, we believe the development is appropriate for the area. Its density fits within the area. Again, we're about 1.9 units, which is a little bit less than most of those developments out there. We're going to meet all the City development standards. It would be an affordable, multi-price-point, multi-option community, and so we think that's important. It's a little bit different than what we have seen, and we're kind of proud of that. It's supported by Columbia Imagined and then, of course, the annexation, zoning, and preliminary plat have already been unanimously approved by both the Planning and Zoning Commission and Council. And with that, I'm happy to answer any questions that the Board may have.

MR. NORGDARD: Are there any questions?

MS. HAMMEN: I have some questions. Thank you.

MR. CROCKETT: Yes, ma'am.

MS. HAMMEN: So would you -- would you say where this is in relation -- what are the -- I see I-70 Drive Northwest --

MR. CROCKETT: Uh-huh.

MS. HAMMEN: -- but what are the other identifying streets?

MR. CROCKETT: Okay. Ms. Hammen, so the intersection to the -- to the -- in the lower right of what's -- the exhibit that I show you here, the lower right, that's the I-70/Stadium Boulevard interchange. And so going north is north -- so going up is north.

MS. HAMMEN: Okay.

MR. CROCKETT: And so it's going to be west of there.

MS. HAMMEN: Okay.

MR. CROCKETT: And so all those subdivisions over there, that's Sunflower, Sunflower Drive, there's Monterey Hills, there's -- I can't think of the subdivision names over there, but those residential developments north -- northwest of that interchange.

MS. HAMMEN: Yeah. We weren't given this whole big thing, so this completely identifies it.

MR. CROCKETT: I understand. Got you.

MS. HAMMEN: What are the ways in and out of this subdivision?

MR. CROCKETT: There's multiple ways in and out. So you can kind of -- it's on a -- I don't think I can point really here. Going down, I'll call it Barberry, it's the main road that comes through there, that goes back up into Sunflower, that goes into Primrose. There's another one that goes through the development -- there's two developments. There's one that goes up through Barnwood that goes through another development. Then there's another one that cuts south just -- just southeast of this, there is another road out. And then, of course, there's another route if you wanted to all the way around, you could go back to the west and go around that -- that location. So really there's four ways, four different ways in and out of the development.

MS. HAMMEN: So to the west all the way to Midway or another way up?

MR. CROCKETT: No, ma'am. No, ma'am.

MS. HAMMEN: Okay.

MR. CROCKETT: It -- it comes back into the outer road. The outer road doesn't cross the creek.

MS. HAMMEN: Oh, okay. Okay. I have some more. Do you have questions?

MR. NORGARD: Go ahead.

MS. HAMMEN: Okay. So the attached single-family --

MR. CROCKETT: Yes, ma'am.

MS. HAMMEN: -- and that doesn't have to do with the cottages --

MR. CROCKETT: Uh-huh.

MS. HAMMEN: -- are those attached across the -- attached front to back or --

MR. CROCKETT: They're side by side. They're like row houses, and so you -- so you own the upper and lower level --

MS. HAMMEN: Uh-huh.

MR. CROCKETT: -- if it's two stories. So you own -- you have a zero lot line.

MS. HAMMEN: Uh-huh.

MR. CROCKETT: And so the building code calls for them to be single-family attached if you put in a fire wall.

MS. HAMMEN: Yeah.

MR. CROCKETT: So you put a fire separation.

MS. HAMMEN: Yeah.

MR. CROCKETT: The UDC, the City Code only allows us to -- have six -- six units

total, so we don't get real long rows of these attached units.

MS. HAMMEN: Yeah.

MR. CROCKETT: We have six before we have an open space, but then they are zero lot line that runs down that common -- that common wall, and then they can be divided off that way.

MS. HAMMEN: Great. So the lots are for sale or these are going to be built for sale?

MR. CROCKETT: They're going to be built for sale. The applicant is a builder. He builds quite a bit here in Columbia, and so his intent is to come in here and open up and sell -- build and sell the different price points himself.

MS. HAMMEN: So there -- okay. But somebody could, if they hear about it, buy a lot and have it --

MR. CROCKETT: Oh, absolutely. I think he would have -- you know, he -- a lot of his business comes from individuals that come and say, well, I would like to have this house, but on a different lot.

MS. HAMMEN: Yeah.

MR. CROCKETT: They select a lot, then he can build it for them. Yeah, absolutely.

MS. HAMMEN: What are the price points?

MR. CROCKETT: That's a great -- I asked the same question of my client, and we always get a chuckle when we ask builders what the price point is today, because tomorrow it changes drastically. But really what they really want to do is they want to get the cottage standards homes down in the 200s. That's where they really -- where they want to be. There's a -- there's a large market that's being untapped of home buyers that either can't qualify for a higher price, or simply don't want to pay a higher price. And so there's a large market down there in that -- in that two hundred range or above two hundred that they're trying to get to with new home construction.

MS. HAMMEN: And these would all be on a slab, of course?

MR. CROCKETT: Not all of them. The cottages, we try to get as many on a slab as we can, but there are going to be a few walk-out options on the cottage, as well.

MS. HAMMEN: All right. And square footage?

MR. CROCKETT: It's hard to say right now, but probably somewhere around that 1,500 square foot mark, somewhere in that range, maybe a little smaller, 1,400. There's kind of a push and some thought that maybe some two-bedrooms, you know, two-bedroom with a single-car garage might be something that's -- that's marketable. I'm not sure. For so long, no builder wanted to go with two bedroom simply because, oh, that's not marketable, it can't be sold. But I think there's some -- some desire -- strong

desire for having just a simple two-bedroom home. And so that might be a possibility out here.

MS. HAMMEN: Thank you.

MR. CROCKETT: Thank you.

MR. CREW: I had a clarifying question. You had asked about the town homes, but that's not a part of what we're voting?

MS. HAMMEN: No.

MR. CREW: Yeah. Okay. Yeah. You were just asking.

MS. HAMMEN: No, I was just nosy.

MR. CREW: I have a -- maybe a general question I'd like your thoughts on, and maybe I'll ask the same of Pat. What is the -- why has the City developed much more duplex in the R-2 versus this smaller, single-family home footprint. Like, in my mind, the idea of having a single-family home that's smaller, even if it's a one-car garage, is 100 percent better than a duplex.

MR. CROCKETT: Right.

MR. CREW: And that's just personal opinion, but --

MR. CROCKETT: Sure. Well, I think there's stuff for so long -- I think this just kind goes back to what the -- how, you know, what the market kind of drove. For so long, R-2 was strictly duplexes, so we were only going to do -- we would only develop typically two-family houses, two family units, duplexes, however you want to call it, in R-2 zoning. And so if we wanted to go with a single-family house, we went up to R-1. And the standards were 60 -- the minimum lot width for a single-family house was 60 feet wide. And for decades, 60 foot wide was a narrow, narrow lot, and nobody really wanted to go less than that, and that was hard to develop and hard to build with setbacks and two-car garage, and, you know, getting the square footage, everything on a 60-foot-wide lot. Well, times are changing, land is more expensive, development is more expensive, land is more expensive. Density is not quite the issue that it once was, and so people are starting to rethink that a little bit and say, hey, it's okay. Just like you said, Mr. Crew, it's okay to have -- what about having a smaller house simply on a smaller lot. I don't need all that land. I don't want all that land. I don't need a large yard for multiple reasons. And so I think just the -- the thought process of people are starting to change and more people are starting to accept a smaller lot on a -- a smaller house on a smaller lot. That just wasn't what we, as society in central Missouri --

MR. CREW: Right.

MR. CROCKETT: -- believed here ten, fifteen years ago.

MR. CREW: Yeah. Well, housing prices weren't what they were --

MR. CROCKETT: Right. Right. I mean, it wasn't, you know, well, let's just -- you know, let's just say 15 years ago, a small lot was \$70, \$75, maybe \$80. You know, we didn't think about doing 60-foot-wide lots. And now then 60s are fitting \$600,000, \$700,000 houses on them. And so I think people are just -- you know, and -- and I think people are just having a change of heart saying we don't need that. I don't want that. I need something smaller.

MR. CREW: Right.

MR. CROCKETT: So I think it's just a -- a frame of mind that we're thinking now.

MR. CREW: Thank you.

MR. NORGARD: So I would -- I'm wondering what the square footage of the R-1 homes are that you're proposing.

MR. CROCKETT: Those are probably around -- those are around 1,700, plus or minus. I think some of them -- I think some of the floor plans are 1,625, somewhere in that range. I think some of the -- you know, there might be a story and a half that might be a little bit more -- a little bit larger than that, might be pushing 2,000 square feet. There will be some of those that will have walk-out basements, and some of the walkouts will probably be unfinished with the idea that they can be finished. And so if someone comes in and finishes the basement themselves, or has a contractor finish those basements, then they can obviously get more square footage that way.

MR. NORGARD: Okay. And so I see on this table that you've included in your submission, 35-foot building height -- max building height?

MR. CROCKETT: Yes.

MR. NORGARD: So I take that to mean that's a two-story house?

MR. CROCKETT: That would be a two-story or a story and a half, yes. Yeah. There's no three stories or anything like that. Yeah.

MR. NORGARD: Any further questions for this applicant? All right. Thank you.

MR. CROCKETT: Thank you.

MR. NORGARD: Is there anybody else in the audience who wishes to speak in favor of this application, please come forward now.

MR. BUENANO: I have a question.

MR. ZENNER: Or if you want to come --

MR. NORGARD: We'll have you come up if you -- we'll take any -- we'll take anybody from the public who wants to speak for or against. Please come forward. State your name and address for the record, and be sworn in.

MR. CREW: Sorry. Everybody has got to do it.

(Witness sworn.)

MR. BUENANO: Good evening, everyone. My name is Noriel Buenano, and I live in

1011 Southpark Drive, Apartment 7, Columbia, Missouri 65201.

(Witness sworn.)

MR. BUENANO: Okay. It's actually just a question, rather than speaking in favor or against. It's towards you, sir. So I notice that it's basically sort of like a cluster development and you're giving back approximately half of the area in green space.

MR. NORGARD: Could you -- could you speak into the microphone.

MR. BUENANO: Sorry. Yes. Approximately half of the area back into green space. You didn't mention that it was going to be sort of like a mixed use. My question is, like, is this mixed use considered because of the different like R-1 and R-2, or like something else is going to be developing there?

MR. CROCKETT: No. Just the -- (inaudible).

MR. ZENNER: We'll call you back up.

MR. NORGARD: We'll have you come up and respond to that in a moment.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. To answer the gentleman's question with regard to mixed use, it's really just the -- the mix of residential uses. There is no mixed use with regards to office or commercial. There's enough other locations, and this isn't suitable for those -- that type use.

MR. BUENANO: Thank you.

MR. CREW: Thank you.

MR. NORGARD: Is there anybody else in the audience who wishes to speak for or against, please come forward, state your name, and address, and be sworn in.

MR. SMITH: Tanner Smith, 2606 Jonquil Place, Columbia, 65202.

(Witness sworn.)

MR. SMITH: Members of the Board, thanks for the time tonight. I wanted to come not specifically in favor or against, but to just voice some regard and kind of look at what has been already talked about a little bit with a little bit closer microscope, if you will, not necessarily to scrutinize, but just to go more in. I mentioned 2606 Jonquil Place is a neighborhood pretty adjacent to -- a little bit closer to the Stadium and I-70 intersection. And then I actually have grown up in the parcel that immediately touches the parcel that is being developed where my mother does still live. So I frequently do traffic the immediate spot that would be the shortest distance from I-70 Drive to Gibbs Road. So that is one of the primary concerns I would want to regard. The -- I haven't seen the traffic study that was conducted, so I appreciate that that has been looked into, the stuff that is available on public county websites. The 20 -- in 2021, there was approximately 217 cars that trafficked Gibbs Road. The units going in, 141, that is obviously going to heavily impact the traffic that goes across there. The Barberry was a little bit lower at 182 in

2018 was the most recent records on the public website, but obviously, we're not quite doubling, but potentially, depending on the number of cars and residents that go in there, so it is going to not just slightly increase, but drastically increase. I greatly appreciate the regard for off-street parking that's going into the neighborhood, however, the neighborhoods adjacent don't always observe or haven't had that, when they were being developed, as well. So the traffic in between I-70 going to the neighborhood does have, essentially, a single lane through the neighborhoods in many areas. You've got to really watch out when you're trading. So that is something that I don't know what future plans are in motion, and I don't know the specifics of the private study that was shared with the City, but would like to look at closely. The other environmental impact that I would like to look at with the density specifically in regards to tonight's meeting with the cottage use and the shorter setbacks and everything to regard with that -- pardon me. The riparian zone, in essence, that's not being developed to the far north of the property, approximately 24 acres less or half of it, with that taken out of the -- in consideration to the number of units developed, it's not 1.9 units per acre, but closer to 3.4 units per acre. So the impact on the part exposed of road that will be trafficked is heavier than it does sound. So the environmental impact, and, again, I do appreciate the riparian zoning and what it does have to offer and the detention basin put down there, but the number being that's going in and the higher traffic, what will be affected into that. I don't know if that riparian guard -- riparian zone is protected from future development. I know it was mentioned the mixed use is just for the residential plans discussed, but is there a protection from the homeowners' association or something big developed that would help ensure that there's not impact on that riparian zone leading to the creek, leading to my family's property, leading to the Perche Creek and moreover. So I know a lot of this has been looked at. I do acknowledge some of those points, and I would open a response to a couple of those contentions just to know that it has been fully vetted.

MR. NORGARD: Thank you. Are there any questions?

MS. HAMMEN: So you're not -- you just want answers, and then drawn -- you'll draw your conclusions and --

MR. SMITH: Right. With the assumption of a forward guard from the Board and myself, more information. I've learned more tonight than what is -- what I can readily access online. The minutes being available is very helpful, but it is at times hard to decipher. I try to familiarize myself even prior to this event of planning an ordinance for familiarity. Again, being in an adjacent property, I'm aware of a lot of development and such, and so it's -- that's something that I try to stay privy to. So I'm not here to stop something, but to make sure that the -- specifically, the environment impact and the

traffic impact are the two things that I can really see shifting with the neighborhood.

MR. NORGARD: Sorry. I was taking notes. Are there any further questions? All right. Thank you. We'll try to raise some of your concerns with staff.

MR. CREW: Thank you.

MR. NORGARD: Are there any further speakers? All right. Seeing none.

PUBLIC HEARING CLOSED

MR. NORGARD: Okay. I'll -- Mr. Zenner, would you like to give your staff report or provide some comment?

MR. ZENNER: I'll be more than happy to provide some comment. You have the report in front of you. Much of the information contained within it would only reiterate many of the points that Mr. Crockett has made this evening. Just so we are clear, we are talking about the 54 lots that are proposed to be developed with the alternative development standards. The development's zoning, its annexation, and its preliminary plat have been previously approved by City Council. So we are talking about the appropriateness of allowing optional development standards on the 14 and a half acres. The development is a mixed-use development. It is, as Mr. Crockett pointed out, unique in that respect. This is one of the first developments where we have integrated multiple zoning categories into a single tract of land. We have, in the past, done multiple lot topologies within a development, and the most current example of that is Legacy Farms off of Sinclair Road, which we do have our M-F, which is the multi-family side of it on a portion of that acreage. We also have neighborhood commercial within that development in order to support a commercial node which is again something that is from a livable and sustainable community's perspective a very important aspect to reduce trips, as well as to create services that support a development. Within the residential section of that particular project, it is zoned R-1 and the applicant chose, through the platting process, to do a lot spectrum in order to create some variability. So what we have here is a little bit more of a deliberate action. R-1, R-2, R-MF, R-MF being isolated in the center of this project, with the R-2 being in that southern portion and then eastern central portion of the project. The southern portion is more adjacent to multi-family development both within the county and within the city, as well as it is adjoining, if not just to the east, R-2 development related. So -- and those are duplexes. And I think that Mr. Crews' question, that was -- they were developed at a time when duplexes were the rage. Cottage standards did not exist. We didn't have a 3,000 square foot lot option within our development code at that point. As a part of the revisions of the Unified Development Code in 2017, we were looking at creating opportunities for creating community, and one way of creating community and creating diversity in the housing topologies that we see

within our community, as well as creating income integration, this was the means by which the consultant chose to allow this to happen. This particular process of cottage development approval, as we have previously discussed, is currently under discussion to be removed from the Board of Adjustment's purview and integrated into the general zoning code. We do not believe at this point, given this laborious process, that we are gaining a significant amount by creating uncertainty for members of the community when somebody has to rezone to a R-2 zoning classification which permits duplex, single family development, and this, however, only by special approval. We need to create a process that is more direct to be able to bring this type of lot topology into production. So we are getting some pretty clear vibe that creating this type of development is a desired outcome to address our attainable and affordable housing needs that are consuming the community. We do not have enough housing to be able to meet what the economic spectrum of our residents can afford, and therefore, this creates that option to do so. So as Mr. Crockett pointed out, this site does have some topography associated challenges with it. The northern portion of this property where the preserve area is proposed, as the last speaker referred to it as the riparian area, that is where we have our steepest grades. A portion of the lots that are proposed would be basically developing on the front portions of the lots along the public street network in order to be able to avoid impacting the grade fall-off which is about a 10- to a 15-foot slope. And then the front portion, which is along the southern end of this project site, is far less significant with probably grades of about five foot of fall running from north -- from southwest to northeast, south of what the extension of Gibbs Road would be. When we talked about the road infrastructure in this particular area, and Mr. Crockett referred to it, as well as our last speaker, there was a traffic impact analysis done, a TIA. This project, to be quite honest, does not generate enough traffic to really trigger the requirement for a TIA, pursuant to our development requirements. However, given the nature of Barberry as well as Gibbs, and the fact that we have a CATSO major roadway shown going through this property, our traffic engineer requested that a traffic study be prepared. That traffic study did not yield any significant findings. It actually is -- when we evaluated it, this development actually may improve traffic conditions is almost what it said, but it didn't say that, which is an odd, odd observation in a traffic study. Most of ours are, like, well, you've got to make all these improvements. The traffic study really identified some intersection improvements advised for site visibility, a study to be conducted based upon the vertical and horizontal curve changes going to the east of the subject site. It also recommended that we do a full realignment and a stop control situation as it relates to Barberry, Gibbs as it comes around the very southwest corner of the property and intersects to what would be the

extension of Gibbs through the subject tract. That was the extent of it. So the trip generation coming out of this project was not seen as a significant impact. There are other projects that are potentially going to affect the opportunity to be able to gain access to this project site. We do have the Gibbs Road extension which goes from east to west across the property, and then would extend further north along the eastern boundary of the subject property to Route E or Stadium Boulevard extended north. There is also an opportunity and is identified on our CATSO major roadway plan for a major roadway connection to the south just along the eastern property line extended of the subject site to I-70 Drive Northwest. So -- and then we also have with the I-70 project the potential that I-70 Drive Northwest may extend to Midway and Highway 40. Those are all projects that are still going on. So that would allow then obviously residents of this particular development the opportunity to either go to the Midway Exit if we get there, to come back up Gibbs, or you have the opportunity potentially to use I-70 Drive in the future just to the east -- or to the west, if I correctly, of Sorrel's overpass, as well. Those are future projects that would be potentially triggered by additional development. So this particular project is, yes, on the fringe of what is today the city of Columbia. It is likely not going to be currently the edge of the city of Columbia. As further development demands are created and infrastructure expansion is permitted, we will have additional opportunity for that. This site is fully serviced by public infrastructure capable of supporting not only the cottage-style development, the multi-family, as well as the single-family within the 60-acre total tract. I think as the application material points out, we are looking at a lot size that is slightly larger than what the minimums are. The minimum lot frontage is larger than what the minimum would be, as well. These are things that Mr. Crockett's office, as one of the principal presenters of cottage-style housing, I think have identified as they have gone through and refined on behalf of their applicants the actual development parameters that are necessary. The original project, the first cottage project that this Board ever dealt with was off of Ballenger Lane, if you recall. And it generally had similar lot sizes, if not slightly larger. Corriente Village, which is off of Mexico Gravel, was the second project the Crockett's office has worked on, and they further refined what we saw there from a lot frontage and a lot area perspective. So from what we have seen and observed, the lot sizes that are proposed here, they are 1,000 square feet less than what would normally be in the R-2 zoning district. However, they are consistent with what would be otherwise allowed, if not greater than the cottage style within the current district standards. With every foot of reduction in lot width and square foot reduction in lot area, you are spreading cost of infrastructure over a greater number of lots, and that is why density is part of the key here. In order to reduce entry cost into a single-family lot, you

have to figure out how do you reduce the linear foot cost, and this type of development does that. And while our last speaker indicated that the densities here, if you discount the reserve, are up at about three, three and a half units per acre, that is still far less than what you would see in an R-2 development if you were to develop -- if the property were capable of supporting that development. Common development densities within the city of Columbia are far too little in order to support public transportation. They are very consumptive as it relates to our utility services, as well. So there is a desire to be able to do what we would refer to as planned densification or moderate increases in density in order to be able to help better cost out infrastructure investments that not only we, the City, have made by having more people on that infrastructure, but also to allow the property owner/developer an ability to reduce their individual costs by creating these small footprint lots. Likewise, with the smaller footprint, you still have to hold out your buildable area. That's everything less than what the setbacks are. That requires then changing how you evaluate footprint. Footprints will go down. They'll be commensurate with generally the lot size. There is nothing within our code that specifically prohibits a developer from building building line to building line. That's not property line to property line, that's building line to building line, and building to the maximum height. As Mr. Crockett will probably attest to, due to his experience, and I think what we all observe daily as we drive around town, there are very few developments, if any, that have ever built to those maximums. People want to have a little bit of space, and on lots of this nature, you have to figure out how much room you have, As you bring lot sizes down, they become even more challenging, and then you have to be real creative as an architect to design your footprints. So when we look at the criteria that is required, there are three, as Mr. Crockett went through, and the staff report does identify them. We generally have found that the property is within a residential zoning district as defined on the comp plan. This does allow for this broad spectrum of housing. We do not specifically call out in the comprehensive plan one style of housing in residential. That is normally defined by the zoning category. The zoning categories in a residential district are from R-1 through our R-MF zoning district. It would be inclusive of the cottage in R-2. It also does have an M-N, which is our mixed-use neighborhood, as a permissible general land use to provide service and other means for folks to utilize -- to get daily needs met. Office development would also be something that would be considered an appropriate zoning district within the residential category, and those are not proposed here. We are looking solely at a residential development. There are assurances that the back riparian area will not be developed. The approved preliminary plat clearly identifies that as a common lot. Once a common lot, the only way that you convert that common lot to a development lot of any

nature is you must come back and replat the property and go back through the Council process. We will not allow a lot to just be built upon if it was identified as common. Furthermore, the acreage that is in the riparian area is very, very rough in terrain. It is not really conducive to development, hence the reason why the only improvement is to address stormwater related matters. That was supported by our stormwater staff in the evaluation of this project at the preliminary stage, and it was also concurred with by our City Council when they approved the preliminary. So we -- we still have a couple of other technical issues that we will need to address. Final platting requires construction plans. We are not at that stage yet. Applicant is seeking this approval before they go to that final stage. And this approval would allow the lots that you see in the diagram that have been submitted to be created. That is how they are currently platted as a preliminary, but we haven't physically changed the public record, so to speak. They haven't been created as lots that are available for sale. If this Board is to decide this evening that they are not supportive of the cottage standard on this acreage, Mr. Crockett would come back and he would have to a revised preliminary plat in order to create 60-foot-wide R-2 lots. At that point, those 60-foot-wide R-2 lots could be developed with either an attached single family, two 30-foot-wide lots, but it would be a single footprint with a common fire rated wall between them, or he could develop traditional R-2, or he has the option to develop 5,000-square-foot single-family homes. Those are the remaining options in the R-2 zoning district that he would have available to him. The benefit to what is being proposed here is is we have more income integration and housing-style integration into a neighborhood. It also helps to reduce those overall initial investment costs that get passed along to the end user or buyer of the lot. Hence, that is reason why we believe, from a staff perspective, that this proposal is consistent with the comprehensive plan and its goals and objectives to create livable and sustainable neighborhoods. So that is the first criterion. The second criterion is it meets all of our other regulatory requirements within the UDC. And the way that this particular criterion is addressed is looking at if there's adequate parking being provided. Each one of these lots is going to be required to provide the requisite two parking spaces per single-family dwelling unit that is on the property, that has to be provided on-site. We have seen many a project in the past where we've questioned if two spaces will actually be able to get there. I can tell you that this, given how these lots are structured, narrower but deep, this has the ability to do that. The road network within this project will allow some on-street parking. There will be no parking on Gibbs. That is a collector roadway and that is specifically prohibited. Once you get off of the collector and get back into the piece that's north of where the multi-family is, you can see some on-street parking there. Given that those are narrow

lots and given that you will have to have driveway placements being given significant consideration along with drainage features, inlets, and things of that nature, there are going to be some limitations, naturally. We do not have all of those details in front of us yet, but all of that will be worked out as a part of the more detailed plan review process we go through. So when we ask does it have enough parking, it will have enough parking, and we will do that verification check as we start to see individual site and plot plans for each of the developments. But what I can tell you is at 35 feet, there is sufficient room by which to put a single-car driveway that may be ten to twelve feet wide with a single-car garage, and you will meet your required parking on the driveway plus within the inside space that would be permitted. And then finally the third, it's -- we're not going to create any additional degradation of the area or impacts public health, safety, or welfare. And this would go to our last speaker's question as it relates to the traffic study. Obviously, with any new development, and a development in an environment such as this, there is going to be increases in traffic. Our traffic engineer, who is a former MoDOT employee, who dealt with traffic daily, has evaluated that traffic study, and based upon the findings within it, did not see that what was being proposed here was going to have a negative impact. That being said, our Council, as a part of the overall annexation of this property, was not satisfied that enough had been asked of the developer to address the issues of Barberry and Gibbs. Hence, the reason for the separate development agreement. The development agreement is designed to ensure that we are in a position, as this project is developing, that we will have information in front of us that we can propose or we can plan for future capital projects with. As Mr. Crockett pointed out, as a part of the development agreement, they are being required to provide us a preliminary center line of the improvements to Barberry/Gibbs as we come around to this -- around the southwest corner of the subject site itself, the overall 60 acres. We already have acquired through prior subdivision development south of Gibbs/Barberry additional road right-of-way as we head back to the east. And so what this center-line design is helping us identify is where may we need additional acquisition of right-of-way or easements that are currently not inside the city's corporate limits. The developer is required as a part of the platting process to dedicate additional road right-of-way, which was identified on the preliminary plat, and will be collected at the time of final platting. They are also obligated as a requirement of the CATSO major roadway, Gibbs going through the property to construct that accordingly. They will also be doing some offsite construction in order to tie Gibbs extended into Gibbs existing and then, of course, the realignment of the existing intersection as we come around the southwest corner. That's not to state that the applicant -- the project itself and the prior speaker's concerns as it relates to increases in

traffic are not real. We do recognize that, but they have not risen to the level that our traffic engineers believe that the system currently cannot handle that or an improved system at a later date, as we capitally budget accordingly for those improvements, will better address that. Barberry is a very windy road. That is another reason why the traffic study required a sight visibility study to ensure that we had adequate sight distances between intersecting streets. So that is also something that we will ensure will be taken care of as a part of the build out of this project. Again, that is not -- those requests or those requirements are based upon R-1, R-MF, and R-2, and as we went through this project, the cottage development was always an understood that that was what was proposed, and the lot arrangement shown as part of the annexation and the preliminary plat were with these smaller, narrower lots. So the transportation analysis took that into account. It wasn't based upon a 60-foot-wide lot now being reduced in almost half. It was with the lots that we see today, and that is how the traffic study was conducted. We would be more than happy to share that traffic study with our prior speaker or he can see that traffic study by viewing the Council agenda associated to the preliminary platting matter, and so we do have it available and it is a public document. So with that in mind, staff is giving consideration to what we are trying to achieve through our comprehensive plan, through our zoning code with our cottage development sized lots. This process may be a little bit awkward, but in this particular instance, it is the process that we have to follow. We believe that what is being proposed here is consistent with the underlying intent, goals and objectives of the comprehensive plan, as well as does meet the technical requirements of our subdivision standards, and we would support its approval.

MR. NORGARD: Thank you, Mr. Zenner. Are there any questions for staff?

MR. CREW: Pat, do you, by chance -- you answered my question there at the end, because I was going to ask if we could make the sight visibility study, the preliminary plat, and maybe the traffic study -- it sounds like at least the traffic study was a part of the public record of the approved Council -- the Council meeting where that was approved. You don't, by chance, know what day --

MR. ZENNER: The plat was approved on January -- or February 5th. The development agreement, which contains reference to the conducted traffic study and all of the criterion associated with it, was approved February 19th.

MR. CREW: Okay. So that information to the gentleman is available, yeah.

MR. NORGARD: Any further questions?

MS. HAMMEN: I don't know if this is for Pat or for Tim, but -- so -- and this is just an interest. Is -- does a homeowners' association, is there any requirement to have one when subdivisions are built, and would this have one?

MR. ZENNER: There is no requirement, however, when you do generally create

common lots and amenity features, you will normally have one established, but the turnover of that is -- the establishment of an association normally is triggered at a particular point of either lot sales from the developer, who will establish something initially while the project is being built out and garnering enough residents within the development to be self-sustaining. The developer may also in certain instances remain attached to the actual homeowners' association to guide it through possibly a period of time to ensure its viability. This particular project, as a whole, has common elements associated with it, so it has the common spaces, but it does also have just to the northeast of the multi-family, if I recall correctly, and I'll let Tim respond specifically to that, has an amenity area. So that amenity area would be serving the entire development that may include -- it could include a pool, it could include park space. Projects have a lot of open space with the northern third of the property basically not being developed. So, you know, we have looked at what other amenities exist within projects that propose cottage. This is one of them that will have that feature. It's interesting it has the feature, but it also has single family homes that will be conventional, that may not take part or utilize those features, and then it has the town house side of it that may benefit from that open space, as well, that common element where there may be a pool or other playground space. But we don't have anything in the Code, and even if we -- if one is established, the Code is very clear that we do not enforce private restrictions. We do ensure, though, that BMP management -- Best Management Practices for stormwater management that may be in a common area, all of that is established as a part of the acceptance of the drainage systems and all of the other features that would be receiving potentially runoff from public streets or things of that nature. So that's again, that's a component that comes when we get into the construction plan review and approval stage, and then finally is closed out as a part of the acceptance of the public infrastructure. Nothing here short of the common lots that are identified on the preliminary plat is not intended to be public. Stormwater features in the project will be privately maintained, but they will be receiving public water from the streets, so the conveyance system that goes into those private drainage facilities are what we would be maintaining, but the drainage facility and the purpose for that performance document are covenants is to ensure that those get maintained long term.

MR. NORGARD: So did I understand you to say that the City is moving towards removing these cottage standards oversight by the Board?

MR. ZENNER: That is correct.

MR. NORGARD: Okay.

MR. ZENNER: We are -- we are making way with our Planning and Zoning

Commission to examine the possibility of doing lot integration, what is referred to as lot integration, into our existing R-1, R-2, and R-MF zoning districts in order to create greater lot diversity by right. There would be use-specific standards similar to many other uses that we have within our Code that would establish particular criterion that would have to be met depending on the type and style of lots that would be being created. It is not a guarantee to any applicant should the amendment be approved. You still would have to go through the subdivision process in order to create the lots. The Council has brought purview under the replatting section of our current Code to deny plats, and then they also, from a more technical perspective as it relates to new development, would, basically, that is more of a technical review. And so if a project were to meet the criteria, the review of a more traditional preliminary plat similar to this would be more of a technical evaluation. Replatting is where the protective standards are likely going to come into play more so. So in our East Campus, or Benton-Stephens, our North Central environments, where potentially taking vacant acreage, replatting it into a single lot, and then re-subdividing it into something smaller could be viewed as detrimental to the land-use character. And so the -- the replatting provisions that are within our subdivision regulations today would help to mitigate that somewhat. But we are looking at trying to streamline the review process and create greater lot diversity. There are also -- we've made recently changes to our accessory dwelling unit regulations in order to open up opportunities for accessory dwelling units on existing parcels. And then several months ago, we changed our provisions as it related to substandard lots, lots less than 60 feet in width, in order to reduce consolidation platting in East Campus, Benton-Stephens, and North Central, as well, by allowing and acknowledging R-MF lots that are exactly, as they were previously described, to become legal without having to replat property together, or plat as they exist today in order to be able to obtain a building permit for a single-family structure at a minimum. And then if the lot is substandard but has enough lot area to move up to the next level of development, they would be allowed to do that, again, without having to replat to create larger lots that potentially would allow more density.

MR. NORGARD: I have another question. It relates to the off-street parking statements that have been made. I think I read in the staff report that on-street parking would be a permitted use in this neighborhood. Was that a correct --

MR. ZENNER: That is -- it would be allowed or would not be allowed?

MR. NORGARD: Would be or would not be is the question.

MR. ZENNER: Would be -- would be allowed, but it is going to be probably challenged in certain locations. It will not be allowed at all along the Gibbs Road extensions, since that is a collector street.

MR. NORGARD: Could you point -- I'm not really clear what the Gibbs Road extension is, so I've got --

MR. ZENNER: That is the diagonal -- that will be diagonal road that goes through the project site. So if you go to the southwest corner of the property, where there's the jug handle that goes north --

MR. NORGARD: So there's, like, a weird jutting out point at the far western edge?

MR. ZENNER: Yeah. So that is -- that's currently Barberry/Gibbs as it comes back up to Gibbs Road as it exists, and then heads further west. The straight section that goes through the center of the project, the southern center, that's the extension of Gibbs.

MR. NORGARD: And that's the part that will have no on-street parking from any --

MR. ZENNER: No on-street parking whatsoever. That is a collector, and collector and arterial roads, by code, are not possible to have driveway connections to them.

MR. NORGARD: And so then for the parts -- for the roads that are not collector roads, they would be challenged in the sense that there wouldn't be a whole lot of space from driveway apron to driveway apron; is that not --

MR. ZENNER: That is -- that is what I believe to be the case. However, creativity with the design engineer as to how you set your driveways up, you may be able to get enough space between driveway approaches and other drainage inlets and things of that nature to afford the opportunity to be able to put a vehicle or two between the driveways.

MR. CREW: But you -- sorry. I was just going to say, but you -- you did say, one, these are likely to have two-car garage, at a minimum, one-car garage?

MR. ZENNER: Single car garage is more likely on a lot of 35 feet in width. You're actually taking 12 feet out of that.

MR. CREW: Yeah.

MR. ZENNER: So you're -- you're dealing with a 23-foot-wide building envelope. While that is accommodating for a standard two-car garage, which is normally 20 feet in width, I don't think that these homes are likely going to be what we refer to lovingly as snout houses, that all you see is a garage door.

MR. CREW: Right.

MR. ZENNER: And that have a three-foot-wide entry door to the home. They're probably going to go with a single-car garage.

MR. CREW: But then they'll have two car driveways?

MR. ZENNER: You'll have -- you'll -- what we refer to as tandem parking, so you'll have a vehicle in the garage and a driveway space outside of the right-of-way or behind the setback line.

MR. CREW: Okay.

MR. ZENNER: So it would meet the technical requirements of the required parking. Now, you know, a lot of people have more than just two cars. So I think what Mr. Crockett will be challenged with, along with his client, is to make sure that those demands are being met and not impacting the safety of the internal roadway network. And some of the limitations on the roadway network may be also driven by are the roads residential streets or are they classed at a higher level. The only street right now within the development that is classified as a collector is the extension of Gibbs Road. All other streets, from what we have done the initial review on, would be classified as residential streets, which do permit on-street parking.

MR. CREW: Okay.

MR. NORGARD: I have one little more nit to pick. So throughout the staff report, the phrase smaller footprint, detached family -- or detached single-family home appears with some regularity. And so I'm wondering if there is any clear or quantifiable standard that defines what means smaller footprint. I hear the word "cottage," and I think something small. And I think where we're going with this cottage standard is actually just a smaller lot with a slightly smaller than normal large home. And so I'm just -- I'm kind of curious what the intent of this zoning district was.

MR. ZENNER: So the zoning district itself was probably light in the way of defining what a cottage would be. And trust me, come to a Planning and Zoning Commission meeting and you can hear the debate of how we wanted to define cottage. We finally gave up.

MR. NORGARD: Did it involve thatched roofs?

MR. ZENNER: No. We weren't going so far, but as we continued to explain to them, if you look at multiple codes and you look at definitions, a cottage home normally is ranging -- it maxes out, generally, from what we had researched at about 1,200 or so square feet. And so when you look at what the traditional house is in our central city area, North Central, Benton-Stephens, potentially even some portions of East Campus that were on substandard lots, we are -- we have done some analysis and you're looking generally, historically, the bungalows that have been constructed are anywhere between probably about 800 to maybe 1,100, 1,200 square feet. And so we're not trying to replicate existing development, and I want to make that very clear. The amendment that the Commission is working on is trying to create lot opportunity. We are trying to create a diversity of lots, not try to replicate what we have in the central city. However, in acknowledgment of the fact that we need to define, to some extent, the type of footprint that we are wanting, the proposal that is currently being considered by the Commission does have a ground floor square footage limitation, and then it also has a floor area

limitation as it relates to the total building, in order to be able to get scale properly associated with the smaller lot. And so what our current Code does not contain is that control. And so what we want to make sure of is that the scale of future housing on these smaller lots is truly smaller footprint, though we are offering the opportunity to build conventionally what is today being built. Somebody chose to build a 1,250 square foot footprint, and they wanted to do two stories. That's a 2,500 square foot home. However, if you put a FAR component on that, which is a floor area ratio, which is the percentage of the total lot, you do restrict that down to some extent. And so the proposal does get a gradation of lots which is based upon what currently is a potential buildable area of an R-2 lot as the mid-point in the full spectrum, 3,000 square foot lots all the way through what our 7,000 square foot lot is today for single family. A lot of background work has been done on that, but, no, we do not have and we tried to get a definition of what do they mean by cottage because people need to understand when you say cottage, cottage is equated to this. I don't think we will get there because we did not want to limit the ability of a developer or an architect to design something on a small lot that may be a small footprint home. That's why we do not use the term affordability within our Planning and Zoning Commission meetings. It is attainable. Affordability has a whole series of baggage associated with it, and we are not building affordable housing today in this community unless it is being underwritten 50 percent or more by some type of outside funding source.

MR. NORGARD: So to be clear, you're -- the Code that you're anticipating which is not -- not currently in effect --

MR. ZENNER: Correct.

MR. NORGARD: -- does not include square footage standards or anything of that nature?

MR. ZENNER: Uh-huh.

MR. NORGARD: Okay.

MR. ZENNER: The currently -- the current Code does include any of that.

MR. NORGARD: Current. Current. True. But in the future, what you are considering does have those floor to area ratios?

MR. ZENNER: Those controls, yes.

MR. NORGARD: Okay.

MR. ZENNER: And would have other supplemental use-specific standards for dealing with smaller lot sizes to ensure integration, as well as compatibility with the surrounding larger lot network that it may be being proposed within or adjacent to.

MR. NORGARD: Okay. I think that was my question. Tim, would you like to come

up and make some --

PUBLIC HEARING REOPENED

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. You know, we concur with -- with what staff has -- has indicated here. Again, you know, just kind of talk a little bit about the riparian corridor to the north. I mean, we have a tree preservation plan that's been submitted to the City that talks about those trees being preserved. We have a couple of standards here. First of all, we have a stream buffer that protects the riparian corridor -- the City of Columbia has. There's three different types of stream buffers that would protect, based on the size of the stream. There's a climax forest requirement, so we have to preserve a certain number of trees based on the climax forest protection standards. And then, you know, one of the things that we get when we do water quality, the highest level of service that we can get in those calculations is native preservation. And so it's advantageous to us to preserve as much of that area as possible for the stormwater quality, so we think that's important to add. And then, lastly, with regards to the HOA, as Mr. Zenner indicated, you know, not only are the common elements and the common spaces that get turned over to the HOA, but also the private BMPs, the Best Management Practices for the stormwater controls. Those are managed by the HOA, as well. Even though they are private, they are inspected yearly and with inspections given to the City. And so the City keeps tabs on them, but the HOAs are responsible for maintenance and upkeep of them. In this situation, being a dry basin is very, very minimal -- minimal upkeep really, but mainly the inspection is to ensure compliance year after year.

MR. NORGARD: I have a final question for you, actually.

MR. CROCKETT: Yes, sir.

MR. NORGARD: So in light of the final discourse between myself and Mr. Zenner, it sounds like the City is moving towards establishing a footprint standard of some sort around the 1,200 square foot mark range is what I think I heard, but it might be -- that's still being hammered out.

MR. CORRECT: Sure.

MR. NORGARD: You indicated that your footprints are around 1,400 to 1,500 square feet. I'm just wondering how you came to that number if that was the --

MR. CROCKETT: That's similar footprints that my client is developing in another cottage development that was approved here some time ago. Actually, it wasn't a cottage development, it was a PUD -- PD plan, but it is very, very similar to this situation. And so in that instance, normally, when we have a development that goes through the process, the neighbors want to make sure that we have minimum standards. Right?

And so in this case, that cottage development, the neighbors wanted to have a maximum standard. But to your point, Mr. Norgard, they wanted to make sure that the homes weren't too big for the small lots that they were being put on. And so what they agreed to, I believe, was a 1,525 or 1,550 limit, but those homes are smaller than that. And so that's what I came up with when we talked about that was when that project went through, they were mainly all three bedroom, one or two baths, and I think there's been a lot of discussion about a two-bedroom, one-bath, maybe a two-bedroom, two-bath unit, and so, obviously, those units would be considerably smaller on some of the lots then, as well. So that's -- that's where the square footage came from was other what we'll call cottage units on a similar project.

MR. NORGARD: Are you -- I guess the target clientele is going to be probably younger families?

MR. CROCKETT: Actually, it's really -- it's quite a wide range. You might get, you know, an older couple, they're retirees looking to downsize. You're looking at, you know, young -- young couple, a lot of singles, you know, single parents looking to make sure that they have a home for their kids, but they're single, so it's a wide mix of clientele. And so it's really a very wide-open market.

MR. NORGARD: I know in your last development, the one on Mexico, there was a playground or some sort of feature like that. Is there any plan for something like that on this?

MR. CROCKETT: Yes. Actually, there is, back to here. Here we go. So, Mr. Norgard, you see the green spaces, and right smack dab in the middle of the entire development, there's a -- a large green space lot. And so that -- that lot will have maybe a pool, maybe a little -- a little shelter house, a playground, elements like that, but we like to have it centrally located around all the units.

MR. NORGARD: I have nothing further. Anybody else? All right.

MR. CROCKETT: Thank you.

MR. NORGARD: Thank you.

PUBLIC HEARING CLOSED

MR. NORGARD: All right. Legal, do you have any comments that you would like to make?

MS. WIBBENMEYER: I wanted to put into evidence certified copy of Section 29-6.4, which is the ordinance that outlines what Mr. Crockett and Mr. Zenner outlined as the criteria. If you would like, I can read the three criteria to you all again, but I think you've heard it from both of them tonight.

MR. NORGARD: Does anybody want to hear them? No, we don't want to hear

them. We've seen them, heard. All right. I move to have those items added to the record.

MS. WIBBENMEYER: That's it. Thank you.

MR. NORGARD: Are there any comments from the Board members or discussion? Okay. Does anybody want to make a motion? I'll make a motion that we approve the request of Daniel Simon -- that we approve the use of the cottage optional development standard on this 14.47-acre property within Amberton Place Subdivision, zoned R-2, and address is 3705 West Gibbs Road. I guess we don't even have to say subjected to the preliminary plat, do we?

MR. ZENNER: No, we do not.

MR. NORGARD: All right. So that's my motion.

MR. CREW: Seconded. Crew.

MR. NORGARD: All right. Mr. Zenner, would you like to call the roll?

MR. ZENNER: Yes, I will. So a motion has been made and seconded to approve the use of optional development standards on the 14.47 acres within the Amberton Place Subdivision. It is zoned R-2, and addressed 3705 West Gibbs Road. Mr. Norgard?

MR. NORGARD: Can I pause for one second? I forgot to ask if there was any discussion on the motion?

MR. CREW: Well, I was just -- let me go through this for -- because I think we've had to do it before. So I intend to support this because it's consistent with the intended character of the area, not only as identified in the potential that the cottage is not even something that will come before our Board, but it will be permanently codified into the record now. That hasn't happened yet, but nevertheless, the preliminary plat has already been reviewed. The City Council has already looked at this and voted on this, and it's consistent with R-2 and in the square -- the lot square footages, they're actually exceeding the R-3 cottage standard. Secondly, it will provide, in my belief, adequate off-street parking, given the tandem design of minimum single-car garage and sort of, I guess, tangent driveway, as well. While not required or not triggered in the development request to have a study, one was done, and that study determined that it would not sort of -- I guess it was the third one, create additional traffic congestion or risk to public health and safety in the surrounding areas, not only within the streets, but then along Gibbs Road where it's prohibited to park anyways per City Code. So I think it sort of goes through all of the -- all of the criteria there.

MR. NORGARD: All right. I tend to agree. And I think the issue of stormwater management is out of purview on this matter, so -- but I do trust that the City's best management practices will adequately address the concerns of the last speaker, and I

don't really have anything further to say, so anybody else? Okay. Mr. Zenner, please carry on.

MR. ZENNER: With a motion made and seconded, Mr. Norgard?

MR. NORGARD: Yes.

MR. ZENNER: Ms. Hammen?

MS. HAMMEN: Yes.

MR. ZENNER: Ms. Olsen?

MS. OLSEN: Yes.

MR. ZENNER: Ms. Rogers?

MS. ROGERS: Yes.

MR. ZENNER: And Mr. Crew?

MR. CREW: Yes.

MR. ZENNER: Five votes to approve. Motion passes. Board order so issued.

MR. NORGARD: Thank you Jim and Dan. All right.

Approve the request of Daniel Simon to approve the use of the cottage optional development standard on the 14.47-acre property within Amberton Place Subdivision, zoned R-2, and address as 3705 West Gibbs Road.

Yes: 5 - Hammen, Norgard, Rogers, Crew and Olsen

Excused: 1 - Minchew

VI. GENERAL COMMENTS BY PUBLIC, MEMBERS AND STAFF

MR. NORGARD: Is there anybody from the public who would like to speak? Are there any matters or other items for the Board to discuss with staff or amongst themselves? Okay. We have Pat and Janet.

MR. ZENNER: Janet, go ahead.

MS. HAMMEN: So the first thing is, I would like to request that when the applicant puts in their application, they include, besides the exhibits, a map where we could tell exactly where this property is. And, you know, we didn't get -- Tim showed that one that showed the intersection of Stadium and I-70, and we didn't get that in our exhibit. And so in the future, I would request that it be added to their requirement that they show identifying -- enough identifying that somebody can look at it and go, oh, this is where this is in Columbia. Does that make sense?

MR. ZENNER: It makes much sense, Ms. Hammen. I think when you deal with a parcel on the scale of this, if you were to do a zoom-out of the nature that Mr. Crockett provided on an inner-city parcel, you'd have so much clutter. The maps that were provided in your packet, we can adjust those maps as it relates to the scale of the property, but we do not normally ask our applicants to provide locator maps. We produce

those ourself for the purposes of relevance. And prior to my beginning here, I don't believe the Board of Adjustment ever received maps, so --

MS. HAMMEN: We didn't get a lot of things --

MR. ZENNER: Yeah. So --

MS. HAMMEN: -- and it changed in the last six or eight, ten years, so --

MR. ZENNER: I'll be more than happy to try to make the maps a little bit more broad at scale. Occasionally, we don't -- we don't meet every criterion, and it's very difficult to try to mandate something for an applicant to meet until we get the application in and we have to look at what you would like to see. I understand what you're driving at, though.

MS. HAMMEN: So even then if, instead of -- I don't want to make this complicated, but a map of Columbia, and shows this is where this is, that would identify it's in the northwest quadrant of the city of Columbia.

MR. ZENNER: If that's what you're looking for --

MS. HAMMEN: Yes.

MR. ZENNER: -- plus the more zoomed in layer, we could handle that ourself.

MS. HAMMEN: Okay. Thank you. That would be great.

MR. ZENNER: We'll just have another map produced by our GIS staff.

MS. HAMMEN: Yeah. That would be great. And you say what it is you want, and I'll think of what the other thing was that I was talking about.

VII. NEXT MEETING DATE - April 9, 2024 @ 7 pm (tentative)

MR. ZENNER: And the only thing I wanted to let you know is we do have a meeting in April. It will be April 9th. It is a request that's off of Interstate 70 as it relates to Midway Golf and Games. They are seeking an animated advertising sign, which is a prohibited sign type, but they have the option to come before the Board with their argument, and that's what they're going to do even though I have advised them that it is a prohibited sign and they said thank you, but we still want to have our day before the Board. I'm, like, okay. So we will be here April 9 to discuss that at 7:00 p.m. And again, that is for Midway Golf and Games, which is just to the east of the I-40-70 interchange and the truck stop, which has a digital display board, though that is in Boone County. So we'll provide you some additional context and other information to go along for you to arrive at your decision. The other thing to just let you all be aware, you all have seen Rose Wibbenmeyer here before with us. Rose is on temporary loan. Ms. Thompson, our former staff attorney that was assigned to the Planning -- or to Community Development and to the Board, and Planning and Zoning Commission, is the inaugural director now of our Housing and Neighborhood Services Department. Therefore, we will be getting a new staff attorney from the law department. Rose is filling in, and I

don't know if we'll get her in April. She thinks that we'll have a new one on board by then, just -- just barely on board, so we'll probably see Rose again and we'll break the new one in gently, please.

MR. NORGARD: I think we seem to scare them off every two years.

MR. ZENNER: And when you have opportunities to move up the food chain within the governmental organization, you take them because they are far and few in between. So that is all I had to offer this evening from the staff perspective.

MS. HAMMEN: Well, so because of this April meeting, I have a question and I remember a sign controversy with the law firm at Stadium and Broadway. Is that an animated sign? Did that get approved?

MR. ZENNER: That is not an animated sign. That is behind glass. It meets an exception within the Code.

MS. HAMMEN: Okay.

MR. ZENNER: The animated sign that -- we have only had one other animated sign in the five or six years I've been your liaison --

MR. CREW: Boone Hospital.

MR. ZENNER: -- and that was for Boone Hospital, which died a very, very painful death. I have explained to the applicant what the potential is, and she's very well advised. The client wants this to be heard, though, and they believe, due to the location, and due to other factors, that there are conditions that would warrant potentially the Board granting the relief. Let me finish the report and we'll tell you what the findings are from our staff's perspective at that time.

MS. HAMMEN: And the Boone Hospital one was there on the ground at William and Broadway?

MR. ZENNER: And Broadway. That is correct. And it was --

MS. HAMMEN: Okay. Yeah. I do remember that.

MR. ZENNER: Yes. Well, that was -- we've only had one animated sign request since I have been here.

MS. HAMMEN: Thank you.

MR. NORGARD: Any further comments?

VIII. ADJOURNMENT

MR. NORGARD: All right. Is there a motion to adjourn?

MS. HAMMEN: So moved. Hammen.

MR. NORGARD: Second? Is there a second?

MS. OLSEN: Second.

MR. CREW: I thought -- I thought you just did.

MR. NORGARD: We'll take you.

MS. OLSEN: Okay.

MR. NORGARD: Thank you.

MS. OLSEN: Linda Olsen.

MS. HAMMEN: Yeah. Thanks, Linda, for being here.

MS. OLSEN: Absolutely.

MS. HAMMEN: Yeah.

MS. OLSEN: I wanted to tell you, I use Google Earth a lot at work.

MS. HAMMEN: Yeah. I know how -- I know how to do it.

MR. CREW: I usually pull it up in the middle of --

MS. OLSEN: That's what I did to see this one.

MR. ZENNER: Mr. Norgard, would you like to --

MS. HAMMEN: I'm of the firm opinion that we should have --

MR. ZENNER: -- hammer the gavel?

MS. HAMMEN: -- everything we want --

MS. OLSEN: Sure.

MS. HAMMEN: -- when we are reviewing this and not have to do other work.

MR. ZENNER: Thank you.

(Off the record.)

(The meeting adjourned at 8:26 p.m.)

Move to adjourn