



# City of Columbia, Missouri

## Meeting Minutes

### Planning and Zoning Commission

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Thursday, September 22, 2016  
7:00 PM

Regular Meeting

Council Chambers  
Columbia City Hall  
701 E. Broadway

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#### I. CALL TO ORDER

**Present:** 9 - Tootie Burns, Dan Harder, Sara Loe, Joy Rushing, Lee Russell, Anthony Stanton, Rusty Strodtman, Brian Toohey and Michael MacMann

#### II. APPROVAL OF AGENDA

Approved with no revisions

#### III. APPROVAL OF MINUTES

Move to approve the minutes from the September 8, '16, meeting.

#### IV. WITHDRAWN ITEMS

##### Case # 16-86

A request by Crockett Engineering (agent), on behalf of Ridgemont Development, LLC (owner), seeking approval to rezone approximately 12.34 acres from R-1 (Single-family Dwelling) to PUD 2.9 (Planned Unit Development maximum of 2.9 du/ac) and approval of a development plan to be known as "Ridgemont Park". The 12.34 acre subject site is located at the east end of Ridgfield Road, lying south of Ridgemont Road. **(This application has been withdrawn at the applicant's request).**

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval.

MR. STRODTMAN: Thank you, Mr. Zenner. And also with that, Mr. Zenner, may I ask -- that means we need no vote; correct? Since the applicant withdrew it, it's really out of our control?

MR. ZENNER: That is correct. No vote required.

MR. STRODTMAN: Okay. So they just probably -- this is to let the public know

about it and we're moving on. Okay.

## V. TABLING REQUESTS

### Case # 16-178

A request by Crockett Engineering Consultants (agent) on behalf of Tompkins Homes & Development, Inc. and Glen Smith Trust and Lillie Beatrice Smith (owners) to annex 90.8 acres into the City of Columbia, and to permanently zone the property R-1 (One-family Dwelling District). The subject site is located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard. **(A request to table this item to the October 6, 2016 meeting has been received)**

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

MR. SMITH: Yes. The applicant has requested to table it and we support it at this point. We're still working through some items left on the plat and the additional review time the applicant has requested, so we support the tabling request.

MR. STRODTMAN: And this is their first request; correct?

MR. SMITH: Correct. I note the slide is incorrect. There is no PUD zoning being asked -- or requested at this point. It's all R-1. That was a typo. Apologize.

MR. STRODTMAN: Thank you for noting that typo. Commissioners, any further discussion needed on this tabling request? Would anybody like to make a motion and such? Mr. Stanton?

MR. STANTON: As it relates to Case 16-178, request to table this item to the October 6, 2016 meeting.

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

MS. RUSSELL: Second.

MR. STRODTMAN: Ms. Russell, thank you for that second. Is there any further discussion needed on that motion? We have had a motion made and seconded to approve this table request to our October 6 meeting. May we have a roll call, please?

MS. BURNS: Yes.

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

**Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell,**

**Mr. Toohey, Ms. Burns. Motion carries 9-0.**

MS. BURNS: We have nine in the affirmative.

MR. STRODTMAN: Thank you, Ms. Burns. If you were here -- if you are in the public and you are here for the Case 16-178 that we just discussed tabling, we would please recommend that you're welcome to speak at the end during the public comment section or we will -- or you can come back on the October 6 meeting to give us that information, if possible.

**As it relates to Case 16-178, request to table this item to the October 6, 2016 meeting.**

**Yes:** 9 - Burns, Harder, Loe, Rushing, Russell, Stanton, Strodtman, Toohey and MacMann

**VI. SUBDIVISIONS**

**Case # 16-145**

A request by Crockett Engineering Consultants (agent) on behalf of Fred Overton Development, Inc.(owner) for approval of a 29-lot preliminary plat on R1 (One-family Dwelling District) zoned land, to be known as "Creek Ridge, Plat No. 2", with an associated variance to Section 25-47 regarding street length. The 21.04acre subject site is located west of the western terminus of Waltz Drive, south of the southern terminus of Heath Court, and addressed as 5420 Heath Court.

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

Staff report was given Mr. Clint Smith of the Planning and Development Department.

Staff recommends:

- Denial of the variance to Section 25-47
- Denial of the preliminary plat for "Creek Ridge, Plat No. 2".

MR. STRODTMAN: Are there any questions of staff, Commissioners? I see none.

Even though this isn't a part of the public hearing portion of our meeting, if there is anyone in the audience that would like to speak on this matter that would give us more information, we would welcome that. Just please give us your name and address and please step forward.

MR. CROCKETT: Mr. Vice Chair and members of the Commission, Tim Crockett, Crockett Engineering, 2608 North Stadium. I'm glad -- I appreciate the opportunity to have one of my projects here tonight anyway. With me tonight is Fred Overton, who is the applicant and the developer of the property in question. And, again, I would like to just do a brief overview of some of the items that I think several items Clint has already talked about, but I would like to cover them again. Current zoning is R-1, it's 22.6 acres in size, and we're proposing 24 additional single-family lots. Within that, one of those lots, we are working with the Parks & Recreation Department to acquire that as a City park, so that will push down to 23. And there is some confusion with regards to some replats that had previously taken place, not related to this development -- or, excuse me - - to this plat whether or not they're buildable lots or not buildable lots. I'm here to -- to reiterate and to commit that we're not going to have any more than 100 lots within the development, so all that matter can get cleaned up, we can work that out however it needs to be worked out. We can talk about that a little bit more with regards to the Park Department. Now, when this project started going through the approval process, again, one of the -- one of the departments that gets a copy of the preliminary plat is the Parks & Recreation Department. They saw the plat and they liked the plat. They contacted us about acquiring about 20, 21 acres of property within this development for a City park. We did not reach out to them, we did not go to them, and say, hey, this is a great place for a park, would you come and please buy it from us. They approached us and said, hey, we would like to -- like to talk to you about that. So I think that's kind of important. We don't want to have the impression that we're trying to use the parks as a sugarcoating for this development. It's something that they approached us on. Again, I believe Mr. Smith had a copy of the preliminary plat that you have looked at. I would like to -- it's -- one thing I would like to say is that Waltz Drive that's along the east side of the development, it is a public street. I think Mr. Smith called it a private drive, but it is a

public street. It is owned and maintained, snow plowed and maintenance and everything else by the county, so that is a county street. However, we don't have access to Waltz Drive. We worked really hard with the county trying to acquire that access, trying to see if we could have that access. We simply can't get that access. It actually falls short of our property line. We had an arrangement with the property owner to the south to acquire an easement to come around to have connectivity so we could tie into it. We would do something like emergency access or something along those lines. She initially agreed and then she decided not to pursue that option with us, so we don't have direct access to that -- to that road. And again there is also another street, I -- Ridgewood - excuse me -- Ridgewood to the south that also comes up that's adjacent to this property. So there's roads to the south that aren't built that are fairly close to the development. And again I think we're going to focus around mainly the variance request that's before you tonight. It's obviously a request for a cul-de-sac length. We -- the purpose of that is that we don't have access to adjacent roads. If we did, we would not be seeking this -- this variance. And what I really want to reiterate tonight, really want to show tonight and try to pass on is that this is not the typical variance that you typically see for a cul-de-sac. It's not a permanent situation. We're setting it up for future connectivity. We're setting it up for future extension. The property to the south will have access to this street, so we're not going to install a cul-de-sac that's 1,500 feet in length that's going to have lots all the way around it and never be able to be extended. That's not the case. It's not permanent; it's a -- it's a temporary situation until property to the south develops adjacent to our site. It does not create an unsafe situation. When this was submitted to the fire department, the Assistant Fire Chief -- or, excuse me -- the fire marshal called me and wanted to discuss this project a little bit. He had concerns over the 10-percent grade. Where are they located? Are they at the cul-de-sac? I said, no, they're not at the cul-de-sac, they're in the middle of the length itself. Oh, well, 10 percent is our maximum grade. Absolutely. Will you have adequate vertical curves located along that stretch of road? Absolutely.

That's a requirement by Public Works. He said okay. If it's not at the cul-de-sac, we're fine with it. As long as you meet all subdivision regulations, we don't have an unsafe situation. Fire and safety won't have a problem with it and we're fine. So he -- he personally told me that, so I don't see that that creates a -- any health and safety issue with regard to emergency response. Secondly, we have two locations to turn around at the end of the plat. And if you notice the plat, we have a temporary turn-around at the very end that stubs to the property to the south, and we also have an eyebrow located on the property, as well, and think that's somewhat important, as well. It allows for multiple locations to turn around. Again, here's the overview. And again the pointer never works on the screen, and I apologize for that. But you can see the development that's developed to the south. They have a street that stubs up to our -- close to our development that's not built. We have Waltz Lane that's -- or Waltz Drive that's on the east side that almost stubs into our property, and then you have a relatively large piece of property to the south that's undeveloped that will develop in the near future. You know, we have been asked here recently to develop within the urban service area. You know, let's not extend and keep on going out. This is an infill development if you look at it being inside the urban service area. So we have been asked to look at locations and look at properties that are -- you know, think outside the box a little bit and try to locate -- develop properties that already have the infrastructure in place. I want to show you something that has similar developments. When I say similar, it's not exact. They're all just a little bit different. But here's a development in the north part of Columbia that's called Lakeshire Estates that has a length -- it could be said that has a long, lengthy cul-de-sac. It's about 1,800 feet in length, and it serves 54 lots. Again, stub on the far south is stubbed to the property for future extension. So that's not going to be a permanent situation at that location. Here's another one that's not too far from our subject site. This was in the Highlands. It's about 1,700 feet in length. It serves about nine lots. And, again, you can see the two developments there that there's a piece of

property that's undeveloped between the two that don't have a road between them. So it's going to be connected at some point in the future, but it wasn't cul-de-sac'd, it wasn't held back. It was allowed to be extended for that purpose. Here's another one out in Bluff Creek. Again, this is -- you know, it doesn't cross the creek. It falls short. It has varied to 10-percent grade. This one is hard to see. This was Bellwood. Again, very similar situation. Twenty-six hundred foot in length, but there's a stub to the south for future development. So the length of cul-de-sacs will be greatly minimized once that property to the south develops. Again, property to the south is going to be very difficult to develop, but, again, I think Planning staff at the time thought that it would -- it was achievable and it could be done, so a similar type of situation. And then I think this is the last one. This is East Pointe. Now, I'm not promoting this one as what we are doing. This is what we're not doing. This is a cul-de-sac length and about 1,600 feet in length, and it's a permanent cul-de-sac bowl. It goes down there and stops. It will never be extended. This is not what we want. We want the other -- the other situations that I presented before you. Of course, there's other ones. Lynnwood Drive in Woodrail, Cimarron Drive in Woodrail, Stonehaven Drive in The Highlands. Stonehaven Drive is a good example because, not only was it a lengthy cul-de-sac, but it was also one that got extended in the future. So now then it was built with a lengthy cul-de-sac, but it was extended finally to have a point of connection. That will bring us to the park acquisition. This is about the 21, 21 and a half acres of land that the Parks Department is asking for. I believe that there's some verbal agreements in place right now. They've approached us about buying that. They're buying it at a steeply discounted rate. With their current situation, we agreed to work with them on that. One item that they are really wanting, they really want connection to our future street that we are building through there. They want that connection adjacent to a public street. That's one thing that they've asked for. That's what we're trying to provide them with. Here's a little overview with an aerial. You can kind of see the park and the surrounding area. The reason why they came to us and

asked for that is they've been looking for a park planned in this area for quite some time and they think that this is a great location. It's a great piece of property, and I think they're looking more of the park, and more of a nature preserve, a nature setting, and that's what they want to do at this location. We think that adding that is a great amenity. I do argue a little bit with staff -- not argue -- I disagree with staff respectfully with regard to Section 25-47 and terminal streets. I don't believe this a permanent terminal street. This is a temporary terminal street. We think that it will get extended in the future and, therefore, it's not going to be a long-term situation with a permanent cul-de-sac bulb. We believe it's going to provide connectivity. You know, Mr. Smith talked about Section 25-42 that talks about avoiding cul-de-sacs. Well, the City regulations also talk about trying to provide connectivity. And this is a situation that we can provide a whole lot of connectivity to the south area down here by providing this connection and have an access to a park, have an access -- a more direct access to Forum Boulevard and other portions of town. So does it go across a steeper slope? It does -- the slope is a little steeper through there. Certainly, it's something no steeper than we've ever done before. It's nowhere even remotely close to that actually. A 10-percent grade street, we do them all over town. They are numerous. They are -- we design them on a regular basis. There's never any issues with them. I think there are some concerns -- I think you'll hear concerns over steepness of grade. Certainly, there are many streets in the City of Columbia that are far in excess of 10 percent. These are the older streets, typically; they're not the newer ones that -- with the regulations. So, again, we -- we respectfully request your favorable consideration of this request. It's -- we believe that it's a temporary situation. It's going to allow for long-term connectivity and a better environment for the whole area. So with that, I would be happy to answer any questions that the Commission may have.

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

MR. TOOHEY: Do you know why some of those property owners changed their

minds when they had agreed to allow you to have that easement on that -- is it the south side?

MR. CROCKETT: Yes. It was the south side. I mean, she -- I think she didn't want to encumber an easement across her property was the only reason. She is the owner of the larger piece, the larger tract of land to the south that will develop at some point in the future, I believe. I just don't that she -- she didn't -- she's an older lady. I don't think she wanted to be bothered. I don't think she quite understood the situation, didn't understand the easements. You know, folks like that sometimes just prefer not to be -- you know, not to be bothered with it.

MR. STRODTMAN: Yes, ma'am. Ms. Burns?

MS. BURNS: Mr. Crockett, so my understanding is that in talking with that property owner, you recognized the better situation in having connectivity or having -- but now that that's not available, here we are?

MR. CROCKETT: Correct. That is correct. We talked to that neighbor. She agreed. Some of the neighbors on Waltz Drive don't want a connection of any sort, of any type. We understand their concern. We -- actually, we were saying, okay, well, maybe we just do an emergency only access so we don't put traffic on Waltz Drive. We're completely fine with that if we could have just a secondary access for emergency services. But given that the road doesn't go all the way, they were not agreeable to that situation and we have no way to force it, nor do we desire to.

MS. BURNS: Thank you.

MR. CROCKETT: Thank you. And I would like to state also that was one thing that Parks & Rec really would like to try to desire, try to work with is an access coming from Waltz Drive. Most likely, a pedestrian access that would have access to the park if they can get it, but they feel that that connectivity through there is relatively important.

MR. STRODTMAN: Ms. Loe?

MS. LOE: Mr. Crockett, you mentioned you were working with the county on getting

access?

MR. CROCKETT: Yes.

MS. LOE: Because it looks like through Lot 12, you're actually within a few feet.

MR. CROCKETT: No. It was actually we were working -- we were working with the county to see if we actually had -- if Waltz Drive actually was contiguous to our development.

MS. LOE: Right. And it looks like not -- you're not quite, but you're within a couple feet at Lot 12?

MR. CROCKETT: Let's go back here.

MS. RUSHING: It looks like there's a lot -- undeveloped lot between here?

MR. CROCKETT: Yes. Lot 12. You are correct. Lot 12 is the -- originally, what we had was, we had -- instead of coming down and stubbing to a property to the south, we were sweeping it to the east and tying directly at the end of Waltz Drive. However, we don't have access, so we cannot do that. So what we have done at the City's request is to provide additional right-of-way so that should Waltz Drive ever be extended, should the property or when the property to the south develops, they can grant half the right-of-way, we grant half the right-of-way, and then Waltz Drive could be connected if that little -- that little section that we don't have access to, if that was ever granted, then this plat would allow that we would have access to Waltz Drive at that time. So it's not completely cutting Waltz Drive off forever, it's just until that actual little section at the end that's currently there that we don't have access to, if it's ever obtained by the county or the City.

MS. LOE: So there is no current right-of-way beyond the existing stub-out?

MR. CROCKETT: That is correct.

MS. LOE: And if you provided the right-of-way, the county -- this is a county road?

MR. CROCKETT: That is a county road. We can provide the -- we can provide the

right-of-way on our property, we cannot provide the right-of-way off of our property. There is no -- it is -- it is -- the road is there by -- on prescriptive purposes, meaning that it's a county road. They own and maintain the road itself. There is no officially dedicated right-of-way. At some point, I'm sure there will be. But because the road itself stops and falls short of our property line, we don't have access to it.

MS. LOE: Thank you.

MR. STRODTMAN: Any additional questions for this speaker? I see none, so thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Yes?

MR. SMITH: I just want to clarify real quick what Mr. Crockett had said to -- as far as that Waltz Drive. And that was -- was our understanding with our conversations with the county is that there is a road there that is maintained, but there is not public right-of-way. So because the physical street, the pavement ends before it reaches the subject property, there is no manner in which, with public right-of-way in place, you could go on and actually build roadway. So there is no manner for us to actually make a physical connection between the two roads. So with that in mind, that was part of our evaluation as to whether or not this should connect directly to Waltz. We saw a lot of value in making that connection to Waltz. We did -- I did specifically talk with several residents out there during our public information meeting, and I can verify what Mr. Crockett had said. They do not wish to have connection, but I did explain what the purpose of that would be and what the goals of the City would be as far as making a connection through Waltz Drive. But at this point, we're under the impression that that could not happen -- at this point.

MR. STRODTMAN: I'll just kind of follow up with a question then, Mr. Smith. Is then -- what is the City and the county's plan?

MR. SMITH: I don't think there is a plan right now. I think there's -- if the property

owners ever seek to do anything additional with property or if the property to the south of -  
- this is a generally a road that is on the south side of several county lots which are on  
the north side. So if the property owner on the south side of where Waltz is possibly  
redevelop that site, then you could see requiring them to dedicate right-of-way to make a  
public road through there. So -- but that's not necessarily the cleanest method either, so  
it's -- I don't know if there's a perfect way to obtain that.

MR. STRODTMAN: So the Ridgewood Road is a City street?

MR. ZENNER: County.

MR. SMITH: That's county.

MR. STRODTMAN: So both of the streets that we're talking about on the south side  
are both county controlled?

MR. SMITH: Currently located in the county, yes.

MR. STRODTMAN: And they don't have a plan as to what and where those roads  
are going?

MR. SMITH: Not that I'm aware of. I don't think they have any type of capital  
improvement projects right now. It would all be development driven.

MR. ZENNER: And if I'm correct, Mr. Smith, what you are seeing on the graph that  
is in front of you does not accurately or adequately depict from where the dark red line is  
that runs north-south and then runs west. There is actually a spite strip between what is  
shown as a right-of-way and the property line of the subject tract of land. So the roadbed  
that is shown there actually is not at the property line.

MR. SMITH: For a small portion of it.

MR. ZENNER: For a small portion of it.

MR. SMITH: Or from the western -- approximately this location here.

MR. ZENNER: I mean, there was -- there has been some extensive conversation  
with the county's planning staff and planning director as it relates to Waltz, as it relates  
to the extension of Ridgefield or whichever road that is -- Ridge whatever --

MR. CROCKETT: Ridgewood.

MR. ZENNER: Ridgewood. So it at one point had travelable surface. You could drive from Ridgefield to Waltz. You can't anymore. The county has, yes, been maintaining and because of that maintenance has the -- has the prescriptive responsibilities for that. Expansion of the road right-of-way and its capacity to carry any additional development traffic on it was brought up at the very beginning of the project, which this has not been a recent submission. This has been quite some time in our -- you know, in our queue. So there's been a lot of discussion as it relates to the inability for Waltz to serve adequately as an access that would meet any public street standards whatsoever, and that was causing great concern of the county's planning staff as it related to their responsibility for the maintenance of the road since it is still in their jurisdiction.

MR. STRODTMAN: Thank you. Any -- is there any additional speakers in the group or anybody that would like to speak on this matter? None? Did you have a question right there?

MR. CROCKETT: I just have one point.

MR. STRODTMAN: Will you come back up and state and name and address, and make it quick, Mr. Crockett.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 2608 -- I'll make it very brief. Mr. -- Mr. Zenner is correct with regards to Waltz Drive and Ridgewood Road. But, Mr. Smith, if you would go back a couple of slides. Really, the point of stubbing the property to the south is not to really necessarily to provide connectivity to two county streets, it's really to provide it to that section that's already in the county right below immediately south of this -- that whole area right there. I believe if -- I'm going off memory here -- it's 60, 70 acres in size. Eventually, we believe that that has city utilities and that that property will probably develop, and it will develop inside the City of Columbia. So that's what the piece of property that we're really trying to stub to and provide connectivity to.

Not necessarily two county roads that may or may never extend. It's a large piece of developable property that will probably, you know, have a connection at some point in the future. So I just wanted to clarify that.

MR. STRODTMAN: And, Mr. Crockett, since you've come forward.

MR. CROCKETT: Yes, sir.

MR. STRODTMAN: On Route K, there is no access currently -- there's no road coming off that Route K that would service that 60-some acres that you're referencing?

MR. CROCKETT: There is not right now. There are locations that could have access.

MR. STRODTMAN: But none today?

MR. CROCKETT: There are none right now. Right. So when that develops, they would have roads that would come back at that point.

MR. STRODTMAN: Okay. Thank you.

MR. CROCKETT: Thank you.

MR. STRODTMAN: Thank you, Mr. Crockett. Okay. Commissioners, any discussion on this matter? Any thoughts, comments, motions? Yes, Ms. Burns?

MS. BURNS: There seems to be a lot of uncertainty with this project about what would happen moving forward and that's what concerns me. And I understand the desire to develop this property, but it seems like there are too many -- there's too much reliance on what will happen in the future that we have no guarantee of what will happen.

MR. TOOHEY: But at the same time, I feel like they've done all they could to try to avoid that. And if the other property owners aren't willing, you know, they're letting this property owner not have full enjoyment of their property.

MS. BURNS: Well, there may be the need for no variance to be raised, coming back with a different project.

MR. STRODTMAN: Ms. Loe?

MS. LOE: You raised a few examples, Mr. Crockett, including East Pointe. But in counting the houses that are along East Pointe, I'm seeing there's only about 50. So there seem to be some discrepancies.

MR. CROCKETT: On my calculations on East Pointe, I've got 25.

MS. LOE: Okay. So even fewer?

MR. CROCKETT: And East Pointe -- yeah. We have -- we have 23 in this -- well, 23

--

MS. LOE: You said 100. I mean --

MR. CROCKETT: Well, no. This is for the entire development. East Pointe is just the -- just that cul-de-sac portion. So if we wanted to look at somewhere that links a cul-de-sac, like I said, Lakeshire has 54 being served by the -- the --

MS. LOE: I was counting the whole length versus the 100 along the whole length.

MR. CROCKETT: Well, we -- if we look at the entire development, other developments are well in excess of the numbers that were presented. They're not just that many. The 100 is for the entire development that's already -- you know, the vast majority of it, the other 74 or 73, 74, 77 lots have already developed. And so, you know, if we look at the entire development of these other ones, you know, East Pointe had much more than just 25 lots. It was --

MS. LOE: Fifty. Correct.

MR. CROCKETT: -- closer to 50. Right. And so --

MS. LOE: So half the size of what you're proposing?

MR. CROCKETT: That's correct.

MS. LOE: Right.

MR. CROCKETT: And what it -- but it has no future connection where this one would, so I think that was kind of my point.

MS. LOE: I understand.

MR. CROCKETT: Sure.

MS. LOE: But it's also half the size?

MR. CROCKETT: Right.

MS. LOE: Yeah. So I appreciate and I -- your bringing up those examples, but they do -- there do appear to be differences. And I have to agree with Ms. Burns that I am uncomfortable that -- I agree you've explored opportunities for making a connection probably because that connection is so vital. And the fact that we don't have a very positive outlook at this time does not put me in a position to be supportive of the variance.

MR. STRODTMAN: Other Commissioners? No one? I've got a question for Mr. Smith. Mr. Smith, would the City be in any way agreeable to grant a portion of the lots to be developed, but not the entire 23 lots until connectivity to the south was had, or is that not even an option of consideration?

MR. SMITH: I think our main points of concern with granting the variance is really accessing down the slopes and then back through the creek. It seems to be kind of in contrast to how you should be using a cul-de-sac link. So at this point, no. I don't think we would consider kind of a phasing plan if it meant needing to access through that area. I think that's kind of the main point of contention.

MR. STRODTMAN: But if you would -- if they were able to get access to either one of those road -- county-controlled roadways, you would still not be in agreement to it because you would still have the same access?

MR. SMITH: No. If they were able to access to the south through Waltz or through some other manner, obviously, we wouldn't have the variance, so we wouldn't necessarily have a method to object to that. So it kind of solves the problem on their point, it's not necessarily still a best practice as far as developing a street on steep slopes, but I think they wouldn't necessarily need to seek a variance to do that. They could -- they could move forward with that, so --

MR. STRODTMAN: Thank you. Commissioners? Mr. Harder?

MR. HARDER: I live in the East Pointe Subdivision, and we really don't ever have any problems with the length of the cul-de-sac. It kind of keeps those -- it keeps us a little bit more close-knit. I also like that Parks & Rec noticed this site for a park, as well, too. I know some areas of Columbia, they have a hard time tracking down a certain location. And so for them to have a spot for a park I think would be beneficial, as well, too. It doesn't look like it's going to permanent. It may be a while until they connect to it, but I don't think any -- any problems. I tend to feel like I would probably support it.

MR. STRODTMAN: Thank you, Mr. Harder.

MR. TOOHEY: I've got a question for staff. So if -- if it's even approved, are the chances of this becoming a park going to released?

MR. SMITH: I can't speak to that. I would leave that to the Parks Department and the property owner. So we're not necessarily involved in the negotiation of that.

MR. ZENNER: From a technical perspective, Mr. Toohey, however, the F1 lot that is shown here on this graphic and the additional acreage that was shown on Mr. Crockett's graphic that the Parks Department has asked for would have roadway frontage. Does it have accessible roadway frontage given the fact that that is Old Plank Road, potentially not -- not to serve their purposes, but it does not -- a denial of this plat does not eliminate the ability of the Parks Department through a platting action to acquire the acreage that is shown in the red-lined area and combine it with the F1 property that has adequate roadway frontage to meet our subdivision standards.

MR. SMITH: Yeah. I should point out, this area here is actually a -- a current lot, so this -- this is part of that discussion, and that could be transferred now with no issue. That would be the additional acreage that's within this subject site. And I think as we touched on, as Mr. Zenner touched on, I think there's manners in which to accomplish the sale of the property without having to approve the preliminary plat and the variance.

MR. ZENNER: And to the points that have been raised by the Commissioners and

the concern of the accessibility of the lots that would be created for building purposes, again, it is a timing matter as to how the property to the south does develop which would then obviously address connectivity issues. Not all property is developable at the time that it is wanting to be developed, that it wants to develop. Sometimes it has to wait for the infrastructure to get to it in order to make it a more developable parcel. The mere fact that the Parks Department would like to be able to purchase a portion of it and they desire internal subdivision access, I would suggest it is not limited. They can have pedestrian access off the end of the existing cul-de-sac of Heath Court in the interim period of time and then have the ability to be able to have street access at a point when it is platted in the future. That is something that the Parks Department and the property owner would need to negotiate as to how that easement may be created if it's not part of the transferred property.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, would someone like to move forward with a motion? Okay. Can't all do it once. It's hard for her to keep track of it that way. No?

MS. BURNS: No. I'm waiting.

MR. STRODTMAN: Ms. Loe, yes, ma'am?

MS. LOE: Mr. Smith, can you bring up the other slide actually that this includes the other recommendation, the denial -- thank you. Case 16-145, I'd like to move for denial of the variance to Section 25-47 for Heath Court. Do we need -- are we doing these as two separate votes or --

MR. SMITH: If you deny the variance, then I don't think you could approve the preliminary plat at this time. So you can -- you can still take a vote on it, but you would vote on the variance first.

CITY COUNSELOR: You can take up both of these in one motion. That would be appropriate.

MS. LOE: All right. Okay. -- and denial of the preliminary plat for Creek Ridge Plat

No. 2.

MS. BURNS: Second.

MR. STRODTMAN: Ms. Loe made a motion for denial, and

Ms. Burns seconded. Is there any discussion on this motion? I see none. May we have a roll call, please.

MS. BURNS: Yes.

**Roll Call Vote (Voting "Yes" is to recommend denial.) Voting Yes: Ms. Loe, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Ms. Burns. Voting No: Mr. Harder, Mr. Toohey. Motion carries 7-2.**

MS. BURNS: That is seven votes in the affirmative, two votes negative.

MR. STRODTMAN: Thank you, Ms. Burns. That motion -- that motion has been approved for denial of Case 16-145.

**Move for denial of the variance to Section 25-47 for Heath Court and denial of the preliminary plat for Creek Ridge Plat No. 2.**

**Yes:** 7 - Burns, Loe, Rushing, Russell, Stanton, Strodtman and MacMann

**No:** 2 - Harder and Toohey

**Case # 16-158**

A request by Brush & Associates (agent) on behalf of Donald Mattingley (owner) for a two-lot subdivision to be known as "Mattingly Subdivision, Plat 1". The 0.75-acre subject site is located at the northwest corner of the intersection of Wren Wood Drive and Ballenger Lane, and is addressed as 4703 and 4705 Wren Wood Drive.

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

Staff report was given by Mr. Pat Zenner of the Planning and development

Department. Staff recommends:

- Approval, subject to the storm water and sidewalk plans being approved prior to forwarding to Council.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, is there -- are there any questions for Mr. Zenner?

MR. STRODTMAN: Yes, Ms. Rushing

MS. RUSHING: Access to the newly created lot, is that going to be off that that existing driveway.

MR. ZENNER: Until we were to see a development plan, Ms. Rushing, we are not sure. We would imagine it would be probably at a private driveway location --

MS. RUSHING: Okay.

MR. ZENNER: -- further to what would be to the west on Wren Wood from the existing driveway location itself. It could be shared. That's not uncommon in a duplex scenario. But given the orientation of the existing duplex, it probably will be unlikely. But, again, the site plan hasn't been submitted, so we are not sure.

MS. RUSHING: And it just looked like there was a beginning of a drive off to the side, so I was curious.

MR. STRODTMAN: Any additional questions for Mr. Zenner? I see none. As in past practices, anyone in the audience that is here to speak on this matter, though it's not a public hearing, we will give you an opportunity if it would help us in our decision. I see none. Commissioners, any comments? Any further discussion needed, any motions? It seems like it's a fairly -- splitting a lot into two. I mean, that's fairly simple, cut and dry.

MS. RUSSELL: I'll do a motion.

MR. STRODTMAN: All right. Ms. Russell. Thank you for a motion, Ms. Russell. Yes, ma'am, go ahead.

MS. RUSSELL: In regards to Case 16-158, Mattingly Subdivision Plat 1, I move to approve the final plat minor subject to the storm-water and sidewalk plans being approved prior to forwarding to Council.

MR. STRODTMAN: Thank you, Ms. Russell.

MS. LOE: I'll second.

MR. STRODTMAN: Ms. Loe, thank you for that second. With that, we have a motion that has been made and a second has been put on it. And is there any further discussion, Commissioners, on that motion? Pretty clear. Ms. Secretary, may we have a roll call, please.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 9-0.**

MS. BURNS: Nine votes in the affirmative.

MR. STRODTMAN: Thank you, Ms. Burns. That motion -- that will be sent to -- will be forwarded to City Council for their review.

**In regards to Case 16-158, Mattingly Subdivision Plat 1, I move to approve the final plat minor subject to the storm-water and sidewalk plans being approved prior to forwarding to Council.**

**Yes:** 9 - Burns, Harder, Loe, Rushing, Russell, Stanton, Strodtman, Toohey and MacMann

**Case # 16-189**

A request by Grimes Consulting, Inc. (agent) on behalf of Sigma Nu House Corporation (owner) for approval of a one lot final plat to be known as "Sigma Nu Fraternity", and an associated variance to Section 25-43 regarding right of way width. The 0.915-acre subject site is located on the northeast corner of College Avenue and Bouchelle Avenue.

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

Staff report was given by Mr. Clint Smith of the Planning and Development

Department. Staff recommends:

- Approval of the variance request to Section 25-43, subject to the property owner granting to the City or MoDOT, upon request, any Temporary Construction Easement on the subject property for the purposes of sidewalk construction within the City's right of way.

MR. STRODTMAN: Thank you, Mr. Smith. Is there any questions for staff? I see none. As in past cases this evening, if there is anyone in the audience that is here for this matter, even though it's not a public hearing, we would welcome that information be brought forward for our help in making our decision. So if anybody is here, please come forward and give us your name and address, we would appreciate it.

MR. GRIMES: Ladies and gentlemen, my name is Kent Nurnberger with Grimes Consulting, St. Louis, Missouri. I just want to come before you. Our clients are trying to redevelop this site. They had an older building that was there and because of the requirements that the City for the new code, they now have to consolidate the lots to be able to develop it and have their parking on the same site as their building. So we try to work with the City as much as we can. We -- we've granted them all the -- all the right-of-way that they've asked for. We're desiring to be good neighbors with the City, and we just ask that you would kindly consider this variance request for the right-of-way along College Avenue. So thank you.

MR. STRODTMAN: Any questions for this speaker? I see none. Thank you, Mr. Grimes (sic). Any additional speakers who would like to come forward? I see none. Commissioners, any comments, discussion on the -- on this Case No. 16-189? It seems fairly -- combine two lots into one and redeveloping it. Ms. Loe?

MS. LOE: It appears the applicant is working with the City and the City is recommending approval of the variance request, so I plan to support it.

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

MR. LOE: If there isn't any additional comments, I'll go ahead and make a motion.

MR. STRODTMAN: Thank you, Ms. Loe. We will take that motion.

MS. LOE: Case 16-189, Sigma Nu Fraternity, final plat variance. Mr. Zenner, is this two votes or one?

MR. STRODTMAN: Two. Two, please.

MR. ZENNER: Two, please.

MR. STRODTMAN: So we need the variance first.

MS. LOE: So I'll move to -- for approval of the variance to Section 25-43 for right-of-way with condition that the TCEs be granted to the City or MoDOT upon request.

MS. STRODTMAN: Thank you, Ms. Loe, for the motion.

MS. RUSHING: Second.

**(Motion One)**

MR. STRODTMAN: Ms. Rushing, thank you for that second. We've had a motion made and seconded. Is there any questions or further dialogue needed on this motion? I see none. Ms. Burns, may we have a roll call, please?

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 9-0.**

MS. BURNS: That is nine in the affirmative. Motion carries.

**(Motion Two)**

MR. STRODTMAN: Thank you, Ms. Burns. That will be approval for the variance to Section 25-43. Now we move into the final plat. Recommendation for approval or denial of the new final plat. Commissioners? Mr. Stanton?

MR. STANTON: As it relates to Case 16-189, I move to approve the final plat for Sigma Nu Fraternity.

MS. RUSHING: Second.

MR. STRODTMAN: Thank you, Mr. Stanton, for that motion. Ms. Rushing, thank you for that second. Is there any other further discussion or questions on this motion? I see none.

Ms. Burns, may we have a roll call, please.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 9-0.**

MS. BURNS: It is nine in the affirmative. Motion carries.

MR. STRODTMAN: Thank you. Approval for the Sigma Nu Fraternity final plat will be forwarded to City Council for their review and recommendation.

**Motion One (variance) - Move to -- for approval of the variance to Section 25-43 for right-of-way with condition that the TCEs be granted to the City or MoDOT upon request. (Loe/Rushing)**

**Motion two (final plat) - As it relates to Case 16-189, I move to approve the final plat for Sigma Nu Fraternity. (Stanton/Rushing)**

**Yes:** 9 - Burns, Harder, Loe, Rushing, Russell, Stanton, Strodtman, Toohey and MacMann

## VII. PUBLIC HEARINGS

### Case # 16-182

A request by D & M Leasing, LLC (owner) to rezone land from R-3 (Medium Density Multiple-Family Dwelling District) to C-1 (Intermediate Business District). The 0.3-acre subject site is located on the west side of College Avenue, approximately 250 feet south of Business Loop 70, and is addressed 1201 N College Avenue.

MR. STRODTMAN: May we have a staff report, please? Oh, we've got a new one on there.

MR. MACINTYRE: Yes, I am.

MR. STRODTMAN: Hello.

MR. ZENNER: Well, he's not sick, so we'll be okay now.

MR. STRODTMAN: That's good. We don't want to be sick. Mr. MacIntyre, are you doing staff report, it looks like maybe?

MR. MACINTYRE: I am.

MR. STRODTMAN: Well, it's all yours.

MR. MACINTYRE: I'm going to do it. As my two-year-old says, going to do it.

Okay.

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. Staff recommends:

- Approval of the proposed rezoning from R-3 to C-1.

MR. STRODTMAN: Thank you, Mr. MacIntyre. Are there any questions for staff? I've got a quick one. On the aerial that you show now, that red line, are those cars, are those vehicles that are parked along that northern red line, are those with the business that we're discussing or does that go with -- do those vehicles go with the building to the north; do you know?

MR. MACINTYRE: I believe those --

MR. STRODTMAN: I think my question is, is do they have -- is that some kind of a parking relationship with that owner that has been established? Is that not part of the parking? Do they have -- do they have ample parking for this site as it is?

MR. MACINTYRE: I saw that the applicant's surveyor put his hand up. So I'll --

MR. STRODTMAN: We'll learn more in a minute, I guess.

MR. MACINTYRE: I'll let him answer the question, if that's all right with you, but I --

MR. STRODTMAN: Well, I'll wait, than have incorrect information, so we'll wait.

MR. MACINTYRE: Thank you.

MR. STRODTMAN: We'll wait for that question answered.

MR. MACINTYRE: I'll save you, but --

MR. STRODTMAN: Any additional questions for staff? I see none. As this is a public hearing item, I will open the hearing to the public.

#### **PUBLIC HEARING OPENED**

MR. STRODTMAN: If you would like to please come forward. Please give us your name and address.

MR. LUKE: Good evening. I'm Ron Luke, Luke Surveying, 914 North College. I'm just up the street from this place on the opposite side. Schilby's Tire & Wheel on the corner is the owner of this particular lot. They own both halves of the lot. It's in two different halves on their deed, but they own both halves and as well as the entire tire and wheel place down at the corner. In answer to your question about the cars, they are cars from Schilby's. They have been backed up there when they took the photo. Those have been serviced and not much employees park around there, but the employees will park behind this building when they were using it. There is a asphalt lot a little bit behind the building that they'll park in -- or gravel lot back behind the building.

MR. STRODTMAN: Behind as in the west?

MR. LUKE: Yeah. To the west of this.

MR. STRODTMAN: Thank you. Yeah.

MR. LUKE: This is a metal-frame structure that was built in 1960, four years prior to zoning being implied -- being implemented for Columbia. The thing has got a concrete-block structure around it. There's a metal door -- garage door on the back, metal siding in back. I mean, it was built as a commercial building in 1960 and been used as such. They most recently ran camper truck tops out of that place and had them stored outside on the south side of the building and inside, both, and they're just selling that off to create an opportunity for a business for somebody. And I've heard electronic appliance repair on it. I've also heard Robinson Cleaners is interested in it, and they're diagonal to the northwest of there. The parking behind it, if they use it, they'll have to get an easement through Schilby's remaining property, but you see those cars parked about a 30-foot-wide easement right through there. The staff's view and our view is that somehow it fell through the cracks when rezoning -- or when zoning took place, and it came in. It was an R zoned. If you've got any other questions, I can answer those maybe.

MR. STRODTMAN: Thank you, Mr. Luke. Are there any questions for this speaker?

I see none. Thank you, Mr. Luke.

MR. LUKE: Thank you.

MR. STRODTMAN: Are there any additional -- any additional speakers for this item?

I see none.

**PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, any discussion on this matter? Mr. Stanton?

MR. STANTON: Mr. Chair, I would like to move this forward if there isn't any more discussion. I would like to recommend --

MR. STRODTMAN: I see no one fighting for discussion, so move forward, please, sir.

MR. STANTON: As to Case 16-182, I move to approve rezoning from R-3 to C-1.

MS. RUSHING: Second.

MR. STRODTMAN: Thank you, Mr. Stanton, for that motion. Ms. Rushing, thank you for that second. Any discussion on this motion? I see none. Ms. Burns, may we have a roll call, please.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 9-0.**

MS. BURNS: It's nine in the affirmative. The motion carries.

MS. STRODTMAN: Thank you, Ms. Burns. That motion -- that recommendation will be forwarded to City Council for their consideration.

**As to Case 16-182, I move to approve rezoning from R-3 to C-1.**

**Yes:** 9 - Burns, Harder, Loe, Rushing, Russell, Stanton, Strodtman, Toohey and MacMann

**Case # 16-184**

A request by the City of Columbia (owner) to rezone two lots from C-P (Planned Business District) to R-1 (One-Family Dwelling District). The subject site includes property addressed 107 Lynn Street (9,866 sq. ft.) and 115 Lynn Street (10,885 sq. ft.), both located on the north side of Lynn Street, between Oak Street and Garth Avenue.

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

Staff report given by Mr. Steve MacIntyre of the Planning and Development Department. Staff recommends:

- Approval of the requested downzone to R-1.

MR. STRODTMAN: Thank you, Mr. MacIntyre. Are there any questions of staff?

MR. TOOHEY: Yeah. Can you say that -- so across the street, there's actually even a few more newer houses, like on the corner and then that empty lot in between those two with the green roof and the black roof. And those from your first map, those were still all R-2?

MR. MACINTYRE: Yes.

MR. TOOHEY: So can you say again why you think R-1 should go across the street as opposed to making those R-2 also?

MR. MACINTYRE: Because it's the proposed use as R-1. We don't believe there is any need to have R-2 on lots that are substandard in size to where they could support single-family -- or, pardon me -- to where they could not actually support duplexes, and so we are -- we're also trying to put forth a very transparent request. And so for the sake of concerned stakeholders within the neighborhood, we want to be absolutely clear that this is what -- this is what the intended use will be.

MR. STRODTMAN: Mr. Toohey, additional questions? No.  
Ms. Loe?

MS. LOE: Mr. MacIntyre, is there any intended use or proposed use for the remaining C-P lot that's on the corner of Sexton and Garth?

MR. MACINTYRE: That is a defunct C-P plan. It's, I believe, been acquired by -- it's

not been acquired. Okay. No plans for that right now. Just to the west of it, though, there are some plans for, I think, a community garden or some sort of park space, and that was one of the items I alluded to that I think Randy could fill you -- fill you in on a little bit more with some good information.

MR. STRODTMAN: Not that yours wasn't good information, but we'll wait for Randy. Any additional questions for Mr. MacIntyre? I see none. As this is a public hearing, so I'll go ahead and open the public hearing.

**PUBLIC HEARING OPENED**

MR. STRODTMAN: And if there is anyone in the audience that would like to come forward and give us some information, give us your name and address, and we appreciate that.

MR. COLE: Thank you. I'm Randy Cole; I'm the City's Housing Program Supervisor. Our offices are over at 500 Walnut in Suite 108. Thanks for letting me share a little bit about what is going on. If I could, I'd like to talk about all the great things going on over here. I'm really excited about where we've come so far and where we're headed. On the south side of Lynn, as Steve mentioned, we had 106 and 110 Lynn that were vacant dilapidated homes. Those since have been removed and redeveloped with new affordable housing. We did that with the use of Job Corps labor, so I would encourage you to drive down that street. It looks a lot different. Not only did we get new houses, but because of our development, Water & Light has been able to underground all those utilities, as well as put in some new street lights. We also had sewers relined along that street, so we have a lot of good infrastructure improvements in place, as well as affordable housing. On the corner there at Central Latino, we also just had Council approve an agreement with CDBD funds to improve the exterior of that building, so I think that's really going to help selling those houses and really help the way that the corner looks there. They're also going to build a landscaping lawn in the rear of that building, so it will really help that facility keep looking well maintained. The properties north to the on Sexton, we held a

series of meetings from October 2015 through March 2016. We did four of them with the neighborhood and had a lot of attendance. If you look at unduplicated counts, we saw about close to 40 people. And through the series of meetings, the main concern we heard from the neighborhood was storm water. There's a lot of issue with flooding at the intersection of Garth and Sexton. So we went through a whole planning process with them and also partnered with MU and some of their architectural study students to do some mock site diagrams and then also got some feedback from the neighborhood. It was a great process. It was really great to involve the neighborhood before we come up with any plans to make sure they're a part of that. And what we've come up with, along with the help of our Public Works staff, is we're going to have two large bio-retention basins on those Sexton lots, and some input from the neighborhood also requested we include some green space, as well as a space for a community garden, which we intend to do. Also a lot of feedback from that -- the -- that experience, those four meetings encouraged us to have owner-occupied single-family housing on Lynn Street. That's what our intentions here are with these two lots. We do have funds that our Community Development Commission approved us -- approved for us to start the process of beginning our RFP. So on these two lots, we will likely have Habitat for Humanity on one of them, Job Point on the other. And then the property that is zoned R-2 to the east, we'll have CMCA working on that. And then Lynn Street Cottages, we plan to use a private developer. So we -- what's great about this is we'll have all these lots being developed at a pretty similar time period over the next year here. So really excited about what we have going on here. Feedback from the neighborhood that I got was very good about downzoning it to R-1. They thought that was a great way to do this. So if you have any other questions, I'd be happy to answer.

MR. STRODTMAN: Thank you. Are there any questions for this speaker? I see none, so I appreciate it. Thank you.

MR. COLE: You're welcome.

MR. STRODTMAN: Are there any additional speakers on this matter? I see none.

**PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, any discussion on this matter? Mr. Stanton?

MR. STANTON: This is in my neighborhood and makes some really good improvements to this and this a win-win across the board. So if there's nothing else to say, I can go ahead and form a motion and --

MR. STRODTMAN: I see some nods of approval. So, Mr. Stanton, the floor is yours.

MR. STANTON: As it relates Case 16-184, I move to -- I move for approval of the proposed rezoning from C-P to R-1.

MS. RUSSELL: Second.

MR. STRODTMAN: Mr. Stanton, thank you for that motion. Ms. Russell, thank you for that second. A motion has been made and a second has been put on that motion. Is there any discussion of this motion from the Commissioners? I see none. Ms. Burns, may we have a roll call on this matter, please?

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Rushing, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 9-0.**

MS. BURNS: That's nine in the affirmative. The motion carries.

MR. STRODTMAN: Thank you, Ms. Burns. Our recommendation approving zoning will be forwarded to City Council for their consideration. That's looks to be the end of our session.

**As it relates Case 16-184, I move to -- I move for approval of the proposed rezoning from C-P to R-1.**

**Yes:** 9 - Burns, Harder, Loe, Rushing, Russell, Stanton, Strodman, Toohey and MacMann

**VIII. COMMENTS OF THE PUBLIC**

MR. STRODTMAN: If there is anyone in the public that would like to come forward, we welcome you. Just please give us your name and address and the floor is yours.

MR. TEEPLE: Good evening. My name is Phil Teeple; I live at 4206 Savoy Drive. And what I wanted to discuss tonight was the Uniform Development Ordinance that's being prepared and proposed. In full disclosure, I am an engineer for the City. I work for Mr. Teddy in the Community Development Department, but I'm here as a private citizen tonight. In the '64 zoning ordinance, they established a definition of a legal lot. It's fairly cumbersome, but I think cumbersome for a reason. In particular, single-family and agricultural uses don't have to meet a high -- as high of a standard to qualify as a legal lot, so you're seeing family home, if it was a leftover tract or had a survey or was described by deed a long time ago, you can still build a house, build a garage, do an attachment. The proposed ordinance changes that to make it very simple where it's basically a platted lot or not. I currently own a property that was described by deed in 1834. That was before the University of Missouri. And if the ordinance passes as is, I could -- I could not build a garage, I could not build a -- build a shed over 200 square feet, or do an addition to my structure. So I just wanted to make you guys aware of that and as you're reviewing the ordinance, if you could consider the potential taking of property rights from making this complex item very simple. And I would just also like to quote H.L. Mencken, the famous journalist, "For every complex problem, there's a solution that's simple, neat, and wrong." So if you have any questions.

MR. STRODTMAN: Commissioners? Mr. Stanton?

MR. STANTON: What's your solution?

MR. TEEPLE: My solution would be to retain the language from the 1964 ordinance for A-1 and R-1 uses. Any higher uses, I would say that the new -- require -- requiring the platting or the planning process would be more appropriate.

MR. STANTON: Have you made your comments public, like,

in, you know, as to the language of this ordinance and as we've revised all these --

MR. TEEPLE: Yes.

MR. STANTON: So you've made it official in the --

MR. TEEPLE: I have submitted comments to the Planning staff, and I have also -- and that's why I'm here tonight. I hear the ordinance is up for a re-release with a lot of changes, so I'm hopeful to look through that and see what has changed. But I think there's also public comment October 20th, which I may not be able to attend, so I wanted to be here tonight to speak in front of you.

MR. STRODTMAN: Appreciate it. Is there any additional questions? Thank you, Mr. Teeple. We do appreciate you coming out on your own personal time. Any additional public comments? I see none.

## IX. COMMENTS OF THE STAFF

MR. STRODTMAN: We're always -- can count on staff for some comments. Staff?

MR. ZENNER: Sometimes they can be more colorful than others.

MR. STRODTMAN: Some -- true. True. Tonight might be the exception.

MR. ZENNER: No. I'm going to be subdued for you since I'm exhausted because I'm trying to complete a code. But we do have your next meeting is scheduled for October 6. It will start at seven p.m. We will give you fair warning the October 20th meeting does start at six p.m., so put that into your calendar, your Blackberry, your Outlook calendar, and just be here at 5:30 on the 20th for your work session and then a half an hour worth of meal time, and then we go into our public information or our public hearing session at six p.m. on the 20th.

MR. STRODTMAN: Mr. Zenner, a real quick clarification. So for October 6, there is no work session?

MR. ZENNER: There is a work session.

MR. STRODTMAN: Okay.

MR. ZENNER: We've got a work session. You think I'm going --

MR. STRODTMAN: I thought we got the night off a little bit.

MR. ZENNER: No. No. No. No. I don't give you all the night off unless I get one as well. But October 6, you do have a work session at 5:30. I need to take one; is that what you're telling me. So 5:30 is your work session on the 6th. It will be basically a session where we will talk about the October 20th public hearing for the UDO, and potentially any comments that we have received up to that point after the release of the document in its final public hearing draft state, so be prepared for that. Come with questions that you may have as it relates to process or items that you have identified potentially through your review of the document as well that we may not have addressed quite the way we had thought we were going to through all of our supplemental meetings. And that will be, again, 5:30 on the 6th, with your regular meeting starting at seven p.m.. And then the regular meeting agenda is stacked. We do have a couple of subdivisions that we are tentatively scheduling, and this is in light of trying to lighten the hearing load on the October 20th agenda, which we have received a number of applications which are in the queue that we do not believe we will be able to move forward. So the two subdivision items you see here were scheduled for the October 20th meeting, but we believe, due to their more simplistic nature, we will be able to move them up one meeting cycle, but we're not confident at this point. We haven't gotten all of our comments back. That is why we are listing them as tentative. The public hearing and subdivision items, however, are a fairly good guarantee that we will have them, and they are dual projects. The Breckenridge project this evening, which we tabled the annexation and R-1 permanent zoning request has a corresponding preliminary plat with it, and those two will be handled as a joint staff report with separate votes. And then we have another request that is in similar fashion, the JR2 development which is a R-1 annexation request off of Route PP in the northeast portion of the City, and a subdivision plat to be known as Fox

Creek, which basically goes along with that annexation and permanent zoning. So you have a little bit of a pictorial understanding of where we are, the Anthony addition replat is over in the east -- in Benton-Stephens -- I apologize. And then our Cunningham Place and Mitchell Court is actually over in -- I think I have that reversed. I have it reversed. Anthony is in East Campus, and then Cunningham Place and Mitchell is in Benton-Stephens. Both of these properties are seeking to be replatted into a single lot. They are both zoned R-3, allowing multiple structures to exist on the lots. This is in anticipation of the platting changes that we will be making as it relates to the new UDO requiring that if you don't have a single lot and you propose to redevelop, you would need to plat, so they are just trying to get ahead of that. At this point -- again, these are both zoned R-3. Square footage to unit count to ensure that we have an adequate allocation of land area will be conducted as part of our review. And these are being processed through our -- more of our preliminary platting process where we do have a public information meeting on these next week. Given the locations of the two parcels, being in East Campus and Benton-Stephens where we generally have a heightened interest by the neighborhood residents to know what platting action is occurring. At this point, there is no desire that we are aware of by the applicant to do any type of redevelopment of these sites, so the existing structures will remain. They will just remain on a single consolidated parcel of land. And then our applications for Breckenridge, again, these are the correct maps. We apologize for the error we had when we were tabling it. Same area, 90 acres -- just a little bit over 90 acres at the end of Smith. There is no PUD associated with the proposed annexation at this point, which was in the southern portion of the property in the annexation graphic. It is all an R-1 annexation request at this point for 140 total lots within the preliminary plat. And then our JR2 development for the annexation is R-1, and its corresponding preliminary plat area. They are identical, and these are basically to facilitate a lower density, more environmentally friendly type of development, originally desired to be a lead development from a residential development

perspective, but could not meet the lead standard requirements in order to be able to do so, so they're coming in with a standard subdivision that may have a couple of unique aspects associated with it, and Mr. MacIntyre will provide the report on that one on the October 6th agenda. Just as a -- you know, Mr. Teeple was here to speak this evening. I didn't notice him when we started our meeting tonight, or I would have provided on his behalf the comments that Mr. Teeple made in order to allow the Commission to at least react to them. Staff had been approached as it related to the issue that Mr. Teeple brought up, by one of our local land surveyors as it related to a similar issue. We will go back, we will look at what we are producing. I believe what Mr. Teeple is suggesting is not something that we could not accommodate, especially with the caveat that anything beyond R-1 or R-2, so the current is A-1, R-1, R-2, has the exemption that he was referring to. I think that that is possible to accommodate that, and we still generally achieve our objective. The bigger concern that we have always had with the way that our definition is has to deal with redevelopment within our downtown area, which is zoned C-2 to be MDT, where we have multiple parcels that are parts of pieces of former subdivisions from 1826 when the original City of Columbia's plat was approved, and it just makes it for an extremely complicated process of determining legal lot, development area, and we would like to be able to, in instances, be more contemporized platting, and to do so, to allow us the opportunity to change the definition would accomplish that. Our three development parcels, for example, in Benton-Stephens or East Campus, if, as Mr. Teeple has suggested, would not be exempt, but would be required to comply with that definition, I think will also facilitate a greater amount of public comment as it relates to a minor subdivision plat which will, through the revised UDO, be required to come before the Planning Commission for a hearing and then be presented to City Council. I believe it achieves what we want. So I will confer a little bit more with Mr. Teeple and make sure I understood what his suggestion was and we can see if we can't accommodate that in for the draft that we will be releasing on the 26th. So as we talked today in work session,

and for the benefit of the public, we are wrapping up the revisions to the UDO, and it will accommodate or it will combine many, if not -- many of the comments that have been made over the last about four months of review. We will have a link available on the City's website to the new UDO. There will be two hard copies available at the public library for the public to review. The public hearing is scheduled for October 20th. That hearing will begin at six p.m. It'll be the first item on the agenda. And as we have discussed, the public hearing will not end until we have served all of the customers that have come to speak. We will have a lengthy staff report that will not be six hours in length like it was when we presented each of the modules. It will be half of that. So we will basically provide you an overview of those changes and try to summarize for the latecomers that may be just now hearing about a development code update what is in the document. And in all seriousness, no, it won't be three hours; we'll try to get it to about an hour. But there is a lot of material to cover, as you all know. And we do encourage the public to review that document and we encourage you, as Commissioners, to review it. We have left the formatting the way that the formatting is today as footnotes which represent what Clarion produced as part of its contracted engagement with the City of Columbia. Side margin notes then, as we introduced them through the May information sessions, will be denoted as being made in May. And then we will have any comments, again in a side margin note, that have been made as a result of your supplemental work sessions and the public in comments sessions that were captured in the comment and issue spreadsheet noted as being addressed within that side margin note as a 9/16 comment so people realize that we have maybe made changes and we have identified and responded to issues that were brought up over the last four months. We realize, based on the volume of the document, there may be particular items that could be overlooked. I will apologize for that in advance. If you do notice something we do request that you provide us written observation of that prior to the October 20th meeting so we are aware and we may be able to produce or be prepared to make revisions at that time or respond

to, if it was actually omitted or if it was an item that we as a Commission and a staff had discussed that we chose not to include. So just as an overview to that process, but, again, October 26, the public release of the final public hearing draft will be available for viewing, and the public hearing again is October 20th at six p.m. We are done with what we have to offer you this evening. We thank you for your attention tonight and look forward to being able to release the document on Monday of next week.

MR. STRODTMAN: Okay. And just for clarification, you had mentioned October 26th, you meant September 26th.

MR. ZENNER: Yes.

MR. STRODTMAN: We understand you're getting a little tired, so --

MR. ZENNER: I'm getting a little bit tired.

MR. STRODTMAN: Belong together. Mr. Toohey, did you have a question?

MR. TOOHEY: Is there anything else scheduled for October 20th?

MR. ZENNER: Yes, there is, unfortunately. And given the fact that we have a published calendar a year in advance, those projects that we can move forward, we will. So what I showed you for the October 6th meeting, we may have a couple more if we can get them there. However, given that the projects that were submitted, other than the two plats that I showed you, were actual planned district plan revisions or plan approvals. I do not believe, based on the way that our review cycle runs, that it will be possible to move them off of the 20th. Again, in respect for the public's coming out to see us that evening possibly for the code, we were not going to move any regular business items ahead of the code discussion, and our applicants have been made aware of that, that it will be potentially a very long evening before we get to their items. We do not have a second meeting in November, so I am having to do agenda management at this point. The potential that the Commission does not act on the 20th for the code does not then make delaying a project to the first meeting in November any better. So just taking care of the

items that are in the queue on the date that they were supposed to be scheduled is, in my opinion, probably the best route to go at this point, unless we obviously identify a major problem and then if that necessitates at least a single tabling, we may recommend that it be tabled to the first meeting in December just based on the fact that I do not know what the Commission -- what the outcome of the October 20th meeting will be. And I do not want to get into the same situation in October the first meeting in November to where we're -- we still have a backlog. I can't -- at this point, unfortunately, I cannot stop people from submitting projects.

MR. TOOHEY: No. I understand. I'm just wanting to make sure that the applicants knew what they're getting into.

MR. ZENNER: And they are. They're well aware.

MR. TOOHEY: Thanks.

MR. STRODTMAN: Any additional comments from staff?

MR. ZENNER: No. Not this evening. Oh. Other than the fact that I would like to add -- actually, I should probably mention that is as -- unless you were going to under the comments of the Commission.

MR. STRODTMAN: Go ahead.

MR. ZENNER: But I'll steal your thunder maybe, first, Mr. Chairman. We did hold elections this evening for our executive officers for the Planning and Zoning Commission. You'll notice a little bit of a shift in the lineup on our dais. Commissioner Strodtman has been elected to the position of Chairman after serving the last several months as our Vice-Chair, but chairing our meetings. Ms. Loe has been moved to our Vice-Chairman's position from Secretary. And then we welcome Ms. Burns to the Secretary's role for the 2016-17 term. And, hopefully, we will be able to provide you all the services that you're accustomed to.

MR. STRODTMAN: Raises for everyone.

**X. COMMENTS OF THE COMMISSION**

MR. STRODTMAN: Any Commissioners' comments?

MR. STANTON: I would like to adjourn this meeting as soon as possible.

MS. RUSSELL: I second that.

MR. STRODTMAN: Just real quick before we do adjourn the meeting. Mr. Toohey and I may not be present at the October 6th meeting. Is there any other one that -- any other Commissioners aware of their absence on October 6th for a quorum matter? Everybody else should be here? Okay. Thank you for that.

**XI. NEXT MEETING DATE - October 6, 2016 @ 7 pm****XII. ADJOURNMENT**

MR. STRODTMAN: And with that, we have a motion and a second somewhere in there for adjournment.

MS. LOE: Move to adjourn.

MR. STRODTMAN: Yes. So thumbs up on the adjournment? Thank you. Everyone have a nice evening.

(The meeting adjourned at 8:44 p.m.)

**Move to adjourn.**

Members of the public may attend any open meeting. For requests for accommodations related to disability, please call 573-874-7214. In order to assist staff in making the appropriate arrangements for your accommodation, please make your request as far in advance of the posted meeting date as possible.