



City of Columbia, Missouri

Meeting Minutes

Planning and Zoning Commission

Thursday, August 6, 2020
7:00 PM

Regular Meeting

Council Chambers
Columbia City Hall
701 E. Broadway

I. CALL TO ORDER

MS. LOE: I would like to call the August 6, 2020 Planning and Zoning meeting to order.

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

MS. BURNS: Yes. Mr. Toohey.

MR. TOOHEY: Here, but I don't have a microphone.

MS. BURNS: But I heard you, so good job. I am here. Ms. Carroll.

MS. CARROLL: Here.

MS. BURNS: Ms. Loe.

MS. LOE: Here.

MS. BURNS: Mr. MacMann.

MR. MACMANN: Yes, ma'am.

MS. BURNS: Mr. Stanton.

MR. STANTON: Here.

MS. BURNS: Ms. Geuea Jones.

MS. JONES: Here.

MS. BURNS: Ms. Rushing. Ms. Russell.

MS. RUSSELL: Here.

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

Present: 8 - Tootie Burns, Sara Loe, Lee Russell, Anthony Stanton, Brian Toohey, Michael MacMann, Valerie Carroll and Sharon Geuea Jones

Excused: 1 - Joy Rushing

II. INTRODUCTIONS

III. APPROVAL OF AGENDA

MS. LOE: Thank you. Mr. Zenner, are there any adjustments or additions to the agenda?

MR. ZENNER: No, there are not, ma'am.

MS. LOE: Thank you.

MS. RUSSELL: I move to approve the agenda.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. Can I get a thumbs up on the agenda.

Looks unanimous.

(Unanimous vote for approval.)

Approved Agenda.

IV. APPROVAL OF MINUTES

July 9, 2020 Regular Meeting

MS. LOE: Everyone should have received a copy of the July 9th regular meeting minutes. Were there any additions or changes to those minutes?

MS. RUSSELL: I'll move to approve the minutes.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. I'll take a thumbs-up approval of the meeting minutes. Unanimous. Thank you.

(Unanimous vote for approval.)

Approved Minutes.

V. SUBDIVISION

Case # 144-2020

A request by McClure Engineering (agent), on behalf of 1 Fyfer Place, LLC (owners), for approval of a 1-lot final minor plat to be known as "Fyfer Place Plat 1." The plat combines two lots at the southwest corner of Fyfer Place and East Broadway into one, 0.38-acre lot for the purpose of developing the property with up to 4 residential units. The property is currently zoned R-MF (Multi-family Residential).

MS. LOE: That brings us to our first section for the evening, Subdivisions, Case 144-2020, request by McClure Engineering on behalf of 1 Fyfer Place, LLC, for approval of a one lot final minor plat to be known as minor -- to be known as Fyfer Place Plat 1. The plat combines two lots at the southwest corner of Fyfer Place and East Broadway into one .38-acre lot for the purpose of developing the property with up to four residential units. The property is currently zoned R-MF, multi-family residential. May we have a staff report please.

MR. PALMER: Yes. Thank you, Madam Chair. Real quick, the public notice for this, we sent the advance public info notices via postcard to 17 property owners. We're doing that in place of our public info meetings due to COVID, so you'll see a lot of those tonight. Here's the location. This is actually a view looking to the southwest. You can see Boone Hospital in the rear there. There's a multi-family unit to the east -- or sorry, to the west --

and then duplex units I believe or quadplex units actually to the east. Access on two different levels there. Here. And then on the subject site there's a, I believe initially it was a duplex, but it's been split into multiple units now, I believe four, and then a single-family home. And those two are the lots that will be combined by this plat. So, the reason for the replat would be for the development of a four-unit multi-family structure. Approval would grant legal lot status. That's actually required for a redevelopment as there is a lot line in the middle there; they can't build over that lot line at the moment. So, the nature of redevelopment proposed is single-family attached kind of townhome-style single family, but because it is going to be located on one individual lot, it's considered multi-family. So, it's got the character of single-family townhomes, but technically considered multi-family. Again, the existing on this plan shows the existing quadplex and the single-family home. So, the proposed development would actually decrease the number of units on the parcel from five to four. Density is consistent with context as I showed you on the aerial. There's single family along Fyfer generally, but at the intersection with Broadway it jumps up in density and in use. Access will be maintained on Fyfer and there will be no access on Broadway. The plat shows an additional five feet of right-of-way along Fyfer which is required and along with the standard ten-foot utility easement on both street frontages. There's an existing utility easement depicted on the south end of the property there. I believe it is a sewer easement that was initially an alley that was vacated but maintained for utility purposes. The proposed plat does meet requirements of the UDC, so Staff's recommendation would be for approval of the final plat Fyfer Place Plat 1. Happy to answer any questions. And just so you know, Ryan Fuller is here representing McClure Engineering, the engineering on the case and then also Mark Timberlake's here representing the owner. So, they would be happy to answer any questions as well.

MS. LOE: Thank you, Mr. Palmer. Are there any questions for staff? Mr. MacMann.

MR. MACMANN: Thank you, Madam Chair. Mr. Palmer, I'm not sure about this particular property. The properties to the south of here have had stormwater issues. Do you know any history of stormwater problems with this particular property?

MR. PALMER: I don't, but I -- visually I think it's at the top of the hill, so it probably wouldn't have.

MR. MACMANN: Well, I'm wondering about the neighbors is what I'm wondering.

MR. PALMER: Yeah. Fair enough. Not that I know of.

MR. MACMANN: All right. I'll ask Mr. McClure when he's up here. All right. Thank you.

MS. LOE: Any additional questions for staff? Seeing none, we will open up the floor to public comment. If you do have any comments that you would like to share on behalf -- I forgot to ask about -- I'm sorry about that. Ex parte. So before we move on any further, I'd like to ask any commissioner who's had ex parte prior to this meeting related to this case to please disclose that now so all commissioners have the same information to consider on behalf of this case in front of us. I see none. All right. Now we'll open up the floor to public comment. If anyone does have a public comment that they would like to share on behalf of the case in front of us, please come up to microphone. We need your name and address for the record.

MR. FULLER: Good evening. Ryan Fuller, 1901 Pennsylvania Drive. I'm with McClure Engineering. In response to your question, we have not begun looking at the site from an engineering standpoint for stormwater. The site will be looked at with staff as part of the normal submittal process for site plan to see if there are any critical -- what we call critical downstream locations where there would be stormwater issues and that will be addressed at that point.

MR. MACMANN: That's just something I tend to do each and every time.

MR. FULLER: Gotcha.

MS. LOE: Ms. Geuea Jones.

MS. JONES: I'm sorry. Question for you if you would. How different will the footprint be? I know it has to cross boundary lines, but are you going to basically be paving everything there, or is it going to be sort of in the same place as the buildings are now or do you even know yet?

MR. FULLER: Well, we've not finalized our plan yet. As Rusty indicated, this will be an attached single family so as opposed to seeing two separate structures there, they will -- the structures will be connected and they will have -- they have will have, at this point we believe two shared drives, the same number of drives that's now on Fyfer. There are required setbacks and restrictions on how much can be paved and we've not asked for any exceptions to the requirement. So, to answer your question, no, I don't see the entire site being paved or being a large amount of pavement.

MS. JONES: Thank you.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. Any additional speakers on this case? I see none. We'll close public comment. Commissioner discussion. Mr. Stanton and then Mr. MacMann.

MR. MACMANN: I do not have a question.

MR. STANTON: If there's no questions from the Commission, I would like to entertain a motion.

MS. LOE: All right.

MR. STANTON: I move as relates to Case 144-2020 Fyfer Place plat, final plat, I move to approve the final plat for Fyfer Place Plat 1.

MR. MACMANN: Second.

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

MS. BURNS: Yes. Mr. Toohey.

MR. TOOHEY: Yes.

MS. BURNS: My vote is yes. Ms. Carroll.

MS. CARROLL: Yes.

MS. BURNS: Ms. Loe.

MS. LOE: Yes.

MS. BURNS: Mr. MacMann.

MR. MACMANN: Aye.

MS. BURNS: Mr. Stanton.

MR. STANTON: Yes.

MS. BURNS: Ms. Geuea Jones.

MS. JONES: Yes.

MS. BURNS: Ms. Russell.

MS. RUSSELL: Yes.

MS. BURNS: Eight to zero. Motion carries.

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

Move to approve the final plat for Fyfer Place Plat 1

Yes: 8 - Burns, Loe, Russell, Stanton, Toohey, MacMann, Carroll and Geuea Jones

Excused: 1 - Rushing

VI. SUBDIVISION & PUBLIC HEARING**Case # 135-2020**

A request by McClure Engineering (agent), on behalf of Boone Electric Cooperative (owner), for a one-lot final minor subdivision plat and design adjustments from Section 29-5.1 of the Unified Development Code relating to requests for an alternative location for the required utility easement on State Route 763 (Range Line Street) and to allow a structure (driveway) to be built over lot lines. The "Boone Electric Plat 2" includes approximately 19.22 acres of land located on the west side of Range Line Street, north of the Business Loop 70 and south of I-70 and addressed 1413 Range Line Street. The plat is desired to facilitate improvements to the Boone Electric Campus in accordance with their master plan.

MS. LOE: That brings us to Subdivision and Public Hearing. The first case is the only case. This Case 135-2020, a request by McClure Engineering on behalf of Boone Electric Cooperative for one lot final minor subdivision plat and design adjustments from Section 29-5.1 of the Unified Development Code relating to a request for an alternative location for the required utility easement on State Route 763, otherwise known as Rangeline Street, and to allow a structure, otherwise known as a driveway, to be built over lot lines. The Boone Electric Plat 2 includes approximately 19.22 acres of land located on the west side of Rangeline Street north of Business Loop 70 and south of I-70 and addressed 1413 Rangeline Street. The plat is desired to facilitate improvements to the Boone Electric campus in accordance with their master plan. May we have a staff report please.

MS. BACON: Yes, Madam Chair. This is a one lot final plat and the two design adjustments as you mentioned. Because of COVID, we are not having public information meetings at this time, so we sent two rounds of early public notification postcards. Between the first postcard and the second postcard the request changed slightly, so that's why I sent out the second round of postcards. I did that on June 22nd and on July 10th. We also put an advertisement in the Tribune on July 21st, and I sent 23 letters and postcards times two to those same 23 individuals. So, here's aerial photography. You can see this 19-acre parcel is pretty large compared to some of the other properties in this area. We've got Business Loop 70 here. We've got the I-70 interstate through here and then Rangeline in this vicinity is a MoDOT facility. So, this will not plat to the grant legal lot status to this property. Boone Electric Cooperative desires to do some improvements to their main campus primarily to the portion of the 19-- or excuse me, the 1952 portion of the main building will be demolished and replaced having some aging building issues. On the website that I provided the link to for their master plan update

they also have some information on roof replacement, some paving, those sorts of improvements. The property is zoned IG or industrial. It does permit the public utility use and it does allow multiple structures on the property. So presently we have the main Boone Electric Cooperative building. There's a community room there that's very nice for the community to use. And then there's some ancillary buildings and some parking already on the lot. The plat provides the required right-of-way dedication on Rangeline. It's a 15-foot additional dedication and then a five-foot additional dedication of right-of-way on North Seventh Street. The plat does provide the required ten-foot utility easements that are required adjacent to roadways with one exception and that is subject to the design adjustment this evening. You can see here where the big tree is. We'll talk about that a little bit more in detail. There are no sidewalks presently on the property adjacent to Rangeline or North Seventh Street. That will be required as a condition of the plat. And I just want to note since this is a MoDOT facility, the applicant has been in contact with MoDOT talking about the location of the sidewalk within the right-of-way, how to make sure it's got good ADA transitions and ramps relative to their driveway locations and other sorts of ADA improvements for this area. So, the two design adjustments, very briefly, one of them really has to do with the Magic Tree. This is a large tree that is on the Rangeline frontage that's used for community purposes and it's considered a Heritage Tree. It's also a significant tree that is subject to our tree preservation requirements, but I think beyond that, it's an important tree to the Boone Electric Cooperative. So, they are requesting a design adjustment to jog the required ten-foot utility easement in the vicinity of the tree around the tree. This is to protect the health of the tree to try and keep any bearing of utilities outside of the drip line. They are providing the additional 15 feet of right-of-way dedication and that could be used for utilities as well. I did want to know note that. The second design adjustment has to do with a structure, in this case a driveway; we do consider a driveway a structure in the UDC, crossing the southern property. So, the property line is right here, and you can see that this parcel, this big parcel that's the subject of this plat and then this parcel right here are all Boone Electric's property. And ultimately to enhance connectivity on their campus they are proposing -- this is demonstrative, but they are proposing a general driveway location that would cross the lot lines in generally this area. So, in looking at the section of the code 29-5.2(b)(d) that has the criteria by which you may consider a design adjustment, generally we're able to support both of these design adjustments. I've got the code sections here listed, 5.1(g)(4) and 5.1(f) (3.) specifically, it's requesting an alternative location for your required ten-foot utility easement to jog around the Magic Tree that they've got on their property. And the second one is requesting that a structure, the driveway, cross the southern lot

line to provide internal connectivity. In general, we talked to MoDOT staff and all the utility providers and weighed that criteria and generally are able to find support using the criteria for each of those design adjustments. So, this evening we do once again have Mr. Fuller from McClure available to speak, but we are recommending approval of both of the design adjustments and the final plat, Boone Electric Plat 2.

MS. LOE: Thank you, Ms. Bacon. Before we move on to commissioner questions, I'd like to ask any commissioner who has had any ex parte prior to this meeting related to this case to please disclose that now so all commissioners have the same information to consider on behalf of the case in front of us. Seeing none, are there any questions for staff? I see none. Good job. All right. We will open up public comment. If anyone has any public comment that they would like to make, please come forward and give your name and address.

MR. FULLER: Hello again. Ryan Fuller, 1901 Pennsylvania Drive with McClure Engineering. I had --

MS. BACON: There you go.

MR. FULLER: -- a slide show for you.

And Rachel did a good job, even stole my picture. But Rachel I think addressed everything in our design adjustments. The one item I wanted to clarify, Rachel was using an exhibit that I had sent her early on in our request and so you'll see that this exhibit is slightly different. We're in the process with MoDOT of discussing a new driveway onto Rangeline. We would still be crossing the lot lines that are shown in blue on this display like Rachel indicated, but we just -- we want to be as transparent as possible showing what the -- what our current line of thinking is for the design adjustment, so. Happy to answer any questions that you guys have for me.

MS. LOE: Mr. MacMann.

MR. MACMANN: Thank you, Madam Chair. Just a statement, Mr. Fuller. Would you pass along to Boone Electric hopefully, definitely my, and our kudos for going around the Heritage Tree.

MR. FULLER: I will.

MR. MACMANN: A lot of times we get reasons why these things have to be cut down, but they accommodate it. Thank you.

MS. LOE: Any additional comments or questions for this speaker? I see none. Thank you. Any additional speakers on this case? Seeing none, we will close public comment. Commissioner discussion. Ms. Russell.

MS. RUSSELL: I think I'll just go ahead and make a motion. In the case of 135-2020, Boone Electric Plat 2, I move to approve the final plat for Boone Electric Plat 2

to include approval of the design adjustment from Section 29-5.4.1(g)(4) to permit an alternative location for the required dedication of a ten-foot utility easement on a portion of Rangeline Street in the vicinity of the large tree as reflected on the plat and to approve the design adjustment of Section 29-5.1(f)(3) to permit a structure, i.e., a driveway, to be built over the lot line on the southern boundary of the lot.

MR. MACMANN: Second.

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

MS. BURNS: Mr. Toohey.

MR. TOOHEY: Yes.

MS. BURNS: My vote is yes. Ms. Carroll.

MS. CARROLL: Yes.

MS. BURNS: Ms. Loe.

MS. LOE: Yes.

MS. BURNS: Mr. MacMann.

MR. MACMANN: Yes, ma'am.

MS. BURNS: Mr. Stanton.

MR. STANTON: Yes.

MS. BURNS: Ms. Geuea Jones.

MS. JONES: Yes.

MS. BURNS: Ms. Russell.

MS. RUSSELL: Yes.

MS. BURNS: Eight to zero. Motion carries.

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

Move to approve the final plat for Boone Electric Plat 2 to include approval of the design adjustment from Section 29-5.4.1(g)(4) to permit an alternative location for the required dedication of a ten-foot utility easement on a portion of Range Line Street in the vicinity of the large tree as reflected on the plat and to approve the design adjustment of Section 29-5.1(f)(3) to permit a structure, i.e., a driveway, to be built over the lot line on the southern boundary of the lot.

Yes: 8 - Burns, Loe, Russell, Stanton, Toohey, MacMann, Carroll and Geuea Jones

Excused: 1 - Rushing

VII. PUBLIC HEARINGS**Case # 127-2020**

A request by A Civil Group (agent) on behalf of West Rock II, LLC (owners) for approval of a rezoning and development plan to be known as, "The Godfrey PD Plan." The applicant is proposing 4, 4-unit apartment buildings (16 units) with vehicular access onto Green Meadows Road. The 1.45-acre property is located at the northeast corner of the intersection of Green Meadows Drive and Green Meadows Circle. **(This item was tabled at the July 9, 2020 Planning Commission meeting).**

MS. LOE: This brings us to our public hearing section for the evening. Our first case is 127-2020, a request by A Civil Group on behalf of West Rock II, LLC for approval of a rezoning and development plan to be known as the Godfrey PD Plan. The applicant is proposing four four-unit apartment buildings, 16 units total, with vehicular access on to Green Meadows Road. The 1.45-acre property is located at the northeast corner of the intersection of Green Meadows Drive and Green Meadows Circle. This item was tabled at the July 9th, 2020 Planning Commission meeting. May we have a staff report please.

MR. PALMER: Yes. Thank you, Madam Chair. So again, on the public notice for this case, we sent the advance public info postcards. Thirteen property owners were - and neighborhood associations were contacted. It was advertised on 6/23 in the Tribune. Property owners were sent previous to the July 20th meet-- or was it the -- 9th, yeah, July 9th meeting and then the property owner letters were again to notify those same 13 property owners of this date public hearing, so the date of the public hearing. Okay. So, this site is the undeveloped piece you see there next to Rock Bridge Christian Church. It's on Green Meadows and Green Meadows Circle. They're proposing to rezone from R-1 to PD. Currently the plan depicts four multi-family buildings with 16 total units each with two bedrooms. Each unit also has an access to a one-car garage which is shown with the dashed lines like these here and are typical to each buildings. So, the parking spaces are a bit confusing. So, each unit has a one-car garage which counts as a space; there's 16 there, plus 18 additional spaces on the surface parking. So that's 34 total with two being accessible. There are also 15 additional tandem spaces, but they are not counted. Tandem being the spaces in the driveways in front of the garages. But they are not counted towards the required park in R-MF developments. So, a little background. We've had a handful of concept meetings on this property. We've seen a handful of different design options. One of the more recent ones prior to this proposal anyway came in November of 2019. Discussed 14 single-family attached units as depicted on the plan there. At that time Staff determined that the planned district wasn't

appropriate zoning because of its unique location and visual prominence. The property has limited access. The shape of the lot is constricting on development and also the proximity to residential neighborhoods and the heavily trafficked intersections and roadways, they all provide a number of obstacles to traditional development. And so, the planned district would provide for the option to do some kind of creative alternative design here, and I think that this plan is kind of what that would look like. Project density was discussed at that meeting. Staff believed at the time that roughly 12 units should be the cap. That would leave them with roughly eight to nine units per acre which is slightly higher than a standard single family and slightly lower than standard multi-family. So, it would be a nice transitional piece of property between the two varying land uses.

Property. The property is transitional. It actually provides a demarcation between multi-family which is a little further to the east along Green Meadows and single family which is to the north and to the west. We believe the moderate density is appropriate as long as the contextual land uses are respected, and the design of the property is in keeping with those uses. Again, so the development plan depicts the setbacks which are hard to see here but generally they are 25 feet along the Green Meadows Circle side, 15 feet on the Green Meadows Road side and then there's some broader setback over here, I believe it's 15 feet. Sorry, 20 feet on the western property. The setbacks are not consistent with the proposed development, mainly because they're accessing the property from Green Meadows Road which previously the property being R-1 is not permitted because Green Meadows Road is a collector. And so those setbacks were depicted on the plat when Rock Bridge Christian Church divided this property off. And since they're accessing it off of Green Meadows now, they're effectively backwards and they are based also on R-1 zoning. And the 15-foot setback on Green Meadows Road is problematic in that essentially it would allow a building roughly 18 feet off of Green Meadows Road which is out of character with the context and it's also, it's out of character with the multi-family properties nearby where generally they're screened via berms or landscaping and they're set back deeper to basically just visually screen them, and in terms of safety, buffer them from the roadway there. Setbacks are modifiable via planned districts. They're considered part of the PD plan, so they're depicted on the plan and so you would just consider that as an aspect of the plan. And if you approve the plan, you're effectively approving the setbacks as well. Again, access is proposed from Green Meadows Road. I've kind of hit on this already, but it is permitted because it's multi-family and staff supports the arrangement due to limiting of the traffic impacts on Green Meadows Circle and the surrounding single family. The neighbors previously have specifically asked that we limit vehicular access on Green Meadows Circle because it is

the more residential street of the two obviously. There is a design exception that has to be considered along with the PD plan. Section 29-4.7(f) states that you must have a working door facing the street from which the property's addressed. The eastern building depicted here on kind of the point of the triangle shape of the lot is facing internal parking. Approval of the design exception would diminish the aesthetic quality and sense of arrival. It's counter to the goals and objectives of the Comp Plan. So, staff views the requested exception as evidence that the proposed development actually exceeds the capacity of the property. If they are accessing it centrally and facing a building inward, perhaps that building should be relocated to where it faces the street. So, staff does agree that PD zoning is appropriate. It permits a creative solution for a difficult site. Proposed development is maximizing density without design innovation or open space or amenities which are all core purposes of the use of a planned district. Setbacks staff believes should be reestablished to fit the building arrangement towards Green Meadows Road which pulls the buildings back off of the busier street. And staff also believes that 2019 concept plan is contextually more appropriate and better suits the goals and objectives of the Comp Plan. So, our recommendation would be for denial of the requested rezoning and Godfrey PD Plan as well as the requested design exception. And I would be happy to answer any questions.

MS. LOE: Thank you, Mr. Palmer. Before we move on to commissioners' questions, I'd like to ask any commissioner who has had any ex parte prior to this meeting related to this case to please disclose that now so all commissioners have the benefit of the same information to consider on behalf of the case in front of us. Mr. MacMann.

MR. MACMANN: Just real quickly. Good friend of mine, Senator Graham's widow lives across Green Meadows Road. I cannot repeat here what she said but her view was quite negative and, but that was related to this when she found out what was going on there.

MS. LOE: Anybody else? Ms. Burns.

MS. BURNS: I just wanted to clarify, Mr. Palmer. So, I'm understanding that there are 16 units, 32 bedrooms, and currently planned a total of 34 parking options between the garage and the 18 other spaces?

MR. PALMER: And bike spaces as well.

MS. BURNS: And I'm sorry, what were the additional?

MR. PALMER: Bike spaces.

MS. BURNS: Bike spaces?

MR. PALMER: Yeah. They're required, I'm going to get this wrong, but they're

required a certain number of spaces and then we allow a reduction in those spaces based on the required bike space. So, they have four bike spaces that are required, 36 total parking spaces, so they have 32 surface area.

MS. BURNS: Okay. But you couldn't park a car in the bike space?

MR. PALMER: No.

MS. BURNS: I was thinking about visitors. It doesn't leave a whole lot of room for visitors. All right. Thank you.

MR. PALMER: Yeah. And to clarify a little further too, they -- we put it in a staff report to show that there's actually more parking in the driveways but because it's multi-family and because you don't typically see a driveway into a garage in a multi-family situation, there's actually 15, technically 15 more parking spaces.

MS. BURNS: Okay.

MR. PALMER: But they just cannot legally be counted on there.

MS. BURNS: That was -- thank you. You've answered my question. Thank you.

MR. PALMER: Uh-huh. And real quick, I forgot to point out, you have a public comment in front of you that was not included in the staff report. It came in at about five o'clock today so.

MS. LOE: Any additional questions for staff? Mr. MacMann.

MR. MACMANN: Just to follow up on Commissioner Burns' statement, we have a couple other developments here in town, notably one on Ash, that the driveways are allowed to be used as parking places. That appears to be very dysfunctional, and this is -- I guess that's why you guys don't include them as in they block people from getting in and out. Would that be the case here?

MR. PALMER: Just generally we don't count tandem spaces because of that issue. For instance, in this instance, if you parked in front of the garage, it can effectively, you know, block your access to the garage. So, you know, typically a visitor would not park in that space, but it's available and so perhaps they would. So, we would count one or the other. And actually, in the instance where the accessible parking space is in front of the garage on this plan, we only count the accessible space, not the garage space. That's why it's 15 instead of 16 garage spaces.

MR. MACMANN: Thank you, Mr. Palmer.

MR. ZENNER: And if I may, Mr. MacMann, in our -- the parking regulations do permit tandem parking but only be counted as accessible parking to the parking requirements in the R-1 and the R-2 zoning district. That is specifically called out within the parking section of the code. R-MF and anything beyond that that has multi-family

does not allow for tandem parking. So, this zoning district specifically excludes the ability to do that. And to further clarify, this is not R-MF that we're seeking. It's a planned district, and in a planned district parking modifications of the total number of spaces is also a permissible alteration. So while we have taken a position that the tandem spaces are not being counted as part of the parking allotment for the purposes that we've just discussed, the Planning Commission, should you choose to make that decision or interpretation otherwise, you could say that the 15 spaces that are in front of the garages are additional parking spaces. We would contend that they're not because of the exact matters that we just discussed. And if you pack your garage full of stuff and you don't park in your garage, where are you parking as a tenant. You are parking in the driveway and, therefore, it negates the additional parking space.

MS. LOE: Any additional questions for staff? I'd like to offer that we got an exhibit as part of this last submission that identified an accessible route going in front of the garages. And you cannot park in the accessible route. So, based on where the accessible route is going, no one's going to be parking in front of the garages. Typically, I would require a wheel stop in order to protect the accessible route to ensure we have 36 inches minimum, but obviously putting a wheel stop in the driveway leading to a garage would be problematic. Mr. Palmer, can you tell me, I was confused about the setbacks as well. Can you tell me which street this property is addressed at?

MR. PALMER: It will be addressed off of Green Meadows Road because that's where the access is taking place. I believe it's currently not addressed because it's undeveloped, but.

MS. LOE: The Green Meadows Road would be considered the front yard?

MR. PALMER: Correct.

MS. LOE: Which for multi-family would have a 25-foot setback?

MR. PALMER: I believe so.

MS. LOE: If this were a multi-family. All right. Thank you. Seeing no additional questions for staff, we will open up the public comment period. If we have more than one speaker, we do limit public speakers to three minutes apiece. If you're representing a group, we'll give you six minutes. You do need to give us your name and address for the record. So public comments.

MR. KELLY: Good evening. My name is Matt Kelly, 911 Crestland Avenue. I'm the owner and developer of the Godfrey Plan development. The Godfrey name has significance to me, my family, and this specific development. This land was formerly owned by, originally owned by the Godfrey family. I myself am a third-generation real estate entrepreneur, born and raised here in Columbia. I plan to have a consistent

presence in the Godfrey development by not just building the developing, but also maintaining and operating this for years to come. My wife and I chose to move to Columbia because we love the city. It's a great place to raise a family, establish roots and invest in the community. Similar to the Godfrey family I hope and plan to keep the Godfrey Plan development in my family and eventually pass it down to my kids one day. In the Godfrey PD I'm proposing four multi-family buildings with four two bedrooms, two bath units in each building. Each unit will have a one-car garage with direct access into their unit. There will be eight units that are on the ground floor. Our hope is to rent this to elderly tenants that like the neighborhood and the location. Each unit offers a proven floor plan of an open concept that feels like a single-family home. Our goal in this plan is to provide affordable homes on the south side of Columbia with craftsmanship and a quality finish. We want the Godfrey to be people's homes, not just an apartment. I bought this property because I believe it's the best location in Columbia. As the city continues to grow outward, the Godfrey remains pretty centrally located with close proximity to everything. I plan to be a lasting neighbor to the current neighbors and would like to provide a long-term product that enhances the neighborhood and the community. I believe Columbia needs more affordable housing in the future and I believe they need it now and the Godfrey provides that with an innovative design and quality product.

MS. LOE: Are there any questions for this speaker. Mr. MacMann.

MR. MACMANN: Mr. Kelly.

MR. KELLY: Yes, sir.

MR. MACMANN: Couple questions. First let's deal with your affordability statement. What are you looking at these things to retail for to the general public? Do you have an estimate?

MR. KELLY: We don't know exactly. You know, we're looking for, you know, just two -- you know, a couple that is a two-income family or, you know, an average income to be able to, you know, afford it. And, you know, I don't know exactly on a range. We don't know, you know, the costs. We're still conceptual.

MR. MACMANN: So, it may or may not be affordable depending upon what the family makes. So that's potentially affordable. I have a --

MR. KELLY: What's the definition of affordable.

MR. MACMANN: I had a question. This is a philosophical question for you, and I'm not springing anything on you.

MR. KELLY: Yeah.

MR. MACMANN: The neighbors are less than happy about this.

MR. KELLY: Yeah.

MR. MACMANN: The city staff are less than happy about this.

MR. KELLY: Yeah.

MR. MACMANN: Staff has asked you to reduce it by 25 percent. I think that may make some of the neighbors happier too. Why not do that?

MR. KELLY: Why not just reduce it by 25 percent?

MR. MACMANN: Uh-huh.

MR. KELLY: We definitely can, but right now, I mean, the density is, I think it's supported by the density in the properties beside us on Troyer and, you know, maybe not Crescent Greens. But I myself reached out to a handful of neighbors and have some comments of the people on Crescent Greens and other neighbors and --

MR. MACMANN: I have spoken with folks in Crescent Green. Okay. It appears we have -- that many people have -- that people have different philosophical views on what's crowded, what's heavy on traffic, what's --

MR. KELLY: Yeah.

MR. MACMANN: -- affordable.

MR. KELLY: Yeah.

MR. MACMANN: That's --

MR. KELLY: Absolutely.

MR. MACMANN: I'm just going to put that out there. I don't have any more questions. Thank you very much.

MR. KELLY: Thank you.

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

MS. JONES: Hi. Sorry I'm way over here.

MR. KELLY: That's all right.

MS. JONES: So, I think your goals are laudable. I think there are some real concerns that you're trying to do too much with this piece. I mean, what -- you've heard us talking about the parking issues and the accessibility issues. You're talking about trying to rent these to senior citizens. Is that right?

MR. KELLY: Yes, ma'am.

MS. JONES: So I guess you've got -- it just seems like -- I think your goals are in the right place; I'm just curious as to how you think putting senior citizens in a place where they can or cannot get a walker, a wheelchair, a cane in and out of their home is accomplishing those goals.

MR. KELLY: That's a good question. The furthest east building, if you want to -- I mean, we can go back, but the first east building is handicap accessible, so, you know, that's going to be a majority of -- like I said, there's eight units on the ground floor so

they're enveloped on top of each other. I know you can't see that right now, but eight units will be on the floor. That would be, you know, accessible with those steps. You walk right up and park your car in the garage. And then there will be eight above that; they'll be enveloped on top of each other. So yeah, you might not -- you know, we're not - - our target market isn't necessarily going to be just senior citizens, but there's a lot of people that love this area and, you know, love the neighborhood. There are just people walking. You know, if you go just drove by there at five o'clock, there's a ton of people walking and, you know, it's a highly sought-after area.

MS. JONES: Okay.

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

MS. RUSSELL: I'm concerned about the -- well, I'm concerned about a lot of things with this, but the 15-foot setback that you've designed in here that's going to be on Green Meadows Road. You talk about people love to walk by here and that this is a beautiful area. It is beautiful. It's a beautiful green space. Fifteen feet does not give them a whole bunch of space to be able to walk with their kids safely on Green Meadows Road at particular times of the day, non-pandemic times, but particular times of the day. Why couldn't you make a different design that allows for an adequate setback there on Green Meadows Road?

MR. KELLY: Yes, ma'am. I can let my engineer Jay to answer the setbacks question. I believe it is 25 is what Rusty said on a multi-family I believe, but he can answer that question. The maximum we have actually is that east building and it's encroaching that; it's 18.7 feet. So yeah, it is a difference of 3.7 feet from the 15 feet, but that was just originally how the plat was platted with the Rock Bridge Christian Church.

MS. RUSSELL: I could be more impressed with doing something there if there was more green space left to keep it looking the way it does.

MR. KELLY: Yeah. I totally --

MS. RUSSELL: So, thank you.

MS. LOE: Additional questions? Mr. Kelly, I have a question. You're asking for a design exception from the requirement to provide a front entrance toward the street. And one of the reasons we have that requirement in our code is to provide a sense of community and neighborhood. Can you tell me what this project is offering in lieu of? So, if you're not giving us an entrance or if you're not giving the neighborhood an entrance, what are you offering to the neighborhood to provide a sense of community and as a benefit back to the neighborhood?

MR. KELLY: I would just say, you know, housing that people -- a place to house people in a good quality apartment, you know, that feels like a single-family home for

people that want that specific location close by to maybe their office or close by to Murry's or whatever it is.

MS. LOE: But can't you do that in a way that builds the neighborhood as well? I mean, the way you're showing it short of feels like it's turning its back on the neighborhood and you're asking for this design exception to do this.

MR. KELLY: Well, when we originally --

MS. LOE: We don't -- we don't -- sorry.

MR. KELLY: Go ahead. Sorry.

MS. LOE: I was just going to say, I mean, when you ask for an exception, there needs to be a good reason, or you need to be offering something in lieu of to some extent.

MR. KELLY: Yes. So are you asking about the exception to take the access onto Green -- from Green Meadows Road. Correct?

MS. LOE: No. I'm asking why you're not putting the front doors toward the street.

MR. KELLY: Oh. For the furthest east building? Are you asking for the furthest east building?

MS. LOE: For any of the buildings.

MR. KELLY: Oh. Well, I can let Cody answer that. I think he's actually touching --

MS. LOE: All right.

MR. KELLY: -- touching base on that.

MS. LOE: Okay. Thank you. Any additional questions? I see none. Thank you.

MR. DARR: Commissioners. I'm Cody Darr. I'm an engineer at A Civil Group. Office is at 3401 Broadway Business Park Court. I'm just going to be touching on a few on the items I would like to explain, hopefully clarify for the Commission. Jay Gebhardt and Kevin Murphy are also going to be offering support on a couple other issues. First, I'd like to talk about the lot configurations, specifically the new fourplexes' units' proximity to Green Meadows Road. Counter to the review, comments of staff report, we don't believe we reversed course from generally applicable setbacks. It's always been our intention to utilize the 15-foot setback which we incorporate into the original concept layout is a 15-foot setback on that road in which we submitted, and the P&Z has in their information. We believed and still believe the final layout provides adequate setback. The additional units proposed from what staff suggested was an attempt to increase density while still preserving the generous green space. Actual green space is nearly identical

from the concept plan, 50 percent to 51 percent, while adding additional density; therefore, being a more efficient design and promoting environmentally sound and efficient use of the property which is a goal of the comprehensive plan. This layout does correspond to two building corners encroaching into the staff requested 25-foot setback while the building -- the buildings are laid out to be 18.7 feet and 20.3 feet respectively from the right-of-way. The actual physical area of the building that's closer than 25 feet will only be 40 square feet for the east building and 22 square feet for the southwest building. To bring this into perspective, the code already allows for certain portions of the building such as awnings, ledges, sills, et cetera of a building to encroach 60 square feet into a setback. The potential adverse impact, visual impacts of the areas of the buildings closest to the road have been mitigated by our self-imposed additional landscaping requirements. The owners consulted landscaper and intends to incorporate screening landscaping for both these corners. From a technical standpoint it's my professional opinion that the planned building locations would not cause any adverse impacts to limit the City's ability for future construction or improvement on Green Meadows as suggested in the staff report. The buildings' proximity to the right-of-way will not affect the ability for the City to work with an established right-of-way and easements. The existing Green Meadows right-of-way already meets the City's required width of 66 feet and required easement with the ten feet. Accessibility of the site is intended to be in compliance with the Fair Housing Act. I believe this is accomplished with additional minor sidewalk connections as shown on the attached accessibility exhibit. We propose the PD plan be approved subject to technical revisions to this effect including updating impervious areas, which is mentioned as a condition on the staff report. Parking is intended to meet the code requirements. The issue I understand staff had with the originally designed handicapped space is that it's in front of the garage. It's intended to be used by the resident of that unit. However, since this apparently doesn't meet the rules of the code, we would propose to move both the spaces to the row of spaces south of the east building. This revision would not change the ultimate parking provided calculations. We still would be proposing 37 spaces. We can revise the plan to differentiate between garage and on-site surface spaces as indicated in the staff report, if you desire. So those are the items I was going to talk about. If you have any questions about those specifically, I'd be happy to answer any questions.

MS. LOE: Any questions for this speaker? Mr. MacMann.

MR. MACMANN: Just real quick. This is a general question. If this is a Jay question, that's fine; I can --

MR. DARR: Okay.

MR. MACMANN: -- ask him when Mr. Gebhardt gets up there. Already at the intersection of Green Meadows Circle and Green Meadows Road it's dodgy. It's relatively unsafe. And you guys are proposing, Mr. Kelly's proposing to add a driveway just a few feet down from that. I question the wisdom of that.

MR. DARR: All I can go off is the technical guidance. It meets the codes and regulations and best practice for that as far as how that street exists today. Staff has looked at this, the Public Works Department. They don't have a problem with the location. Other than that, I don't know what -- I mean, yeah. There's probably a lot of traffic on that road.

MR. MACMANN: It does meet the minimum standard. It does. The roadway is already -- I'm sure many of you here have driven this particular road particularly either in the morning or at night when we're coming home. It certainly requires the full attention of drivers going in both directions on both roads and this will add to that. This is a concern for me and a concern for the neighbors from what we've heard. So, I mean, you guys -- I mean, yes, if that's your answer that it meets the technical requirements, it does; I'll grant that. It's still a concern. Thank you.

MR. DARR: Thank you.

MS. LOE: Ms. Burns.

MS. BURNS: Just quickly, did you do any type of traffic studies or any traffic impact when you were looking at the development?

MR. DARR: We did a cursory examination of that analysis. I think this site generates a hundred, 106 trips a day, ADT. I think that road, I don't have a recent count. I checked the most recent that was published which was from mid-2000s or 2013 and it was around 10,000. So, it's about 1 percent of what is actually already there. Less than a lot of the other driveways from the multi-family that go on to that road right now.

MS. BURNS: Thank you.

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

MS. JONES: So human beings being what we are, how does your plan take into account that if I lived on this site, I would use the back entrance every time? I wouldn't try to pull out on Green Meadows. I would use where I think the plan said the dumpsters are supposed to go. So, I'm just wondering, like, how -- have you taken that into account? Is that an actual usable entrance? Is there something to prevent that from happening?

MR. DARR: Yeah. It's actually not connected. So, taking into account the multiple neighborhood meetings and correspondence we've had with them over the years, they really did not want any direct access to Green Meadows Circle. And so, we did

take that in account and there is no driveway access to -- no vehicular driveway access from the units to Green Meadows Circle. They all have to use Green Meadows Road.

MS. JONES: Okay. So it looks like, and maybe I'm just not great at reading the plans, but it looks like even though that's where the dumpsters are, there's a way for vehicles to come in and out off of Green Meadows Circle.

MR. DARR: No, there's not.

MS. JONES: You're saying that's not the case?

MR. DARR: Just there is access to the dumpster right there.

MS. JONES: Okay. Thank you.

MR. ZENNER: But the dumpster would be required to be fully enclosed. Is that correct?

MR. DARR: Yes, I believe so.

MR. ZENNER: So, there will be a wall, there will be a screening wall on its back side.

MS. LOE: Additional questions? I have a question. If you're moving the accessible parking over to the row of ten parking stalls, accessible parking needs to connect to an accessible route so that means a bit more sidewalk.

MR. DARR: There would be sidewalk in front of those three spaces or two handicap and an aisle.

MS. LOE: Right. Okay. Thank you.

MR. DARR: I mean, we like the way that this was set up. It was our idea, but we're not -- I mean, we'll do what's the technical and what's the best practice. So, we would propose to change that if the Commission wants to go with staff's recommendation of moving those spaces.

MS. LOE: You can't tell someone that needs an accessible parking stall that they have to live in that unit.

MR. DARR: I think I probably wouldn't want to speak to that because I don't know all the interior rules on what units -- I know --

MS. LOE: The Fair Housing Act is those --

MR. DARR: Yeah. All those units --

MS. LOE: -- two accessible parking stalls need to be available to all of the ground floor units.

MR. DARR: And I think they would be.

MS. LOE: But that means it's --

MR. DARR: But some units --

MS. LOE: -- blocking that garage. I don't think it's a stall. It's not drawn as a

stall. You put a logo on the driveway, but there's no stall line. I think it was mis--

MR. DARR: A fully accessible unit is different than just meeting the Fair Housing. Or is that not correct?

MS. LOE: We're talking accessible parking stalls versus units.

MR. DARR: Okay. And they still would be --

MS. LOE: All the units need to have accessible entrances on the ground floor. Correct?

MR. DARR: Yeah. I think -- yeah. We would intend to -- if this isn't achieving that, then yes, we would need to move them down.

MS. LOE: Yeah. If -- I mean, if you want that garage to be used at all. I think Mr. Palmer had it correct. If you want to count that as an accessible parking stall --

MR. DARR: Well, we're not double counting that space. We're only counting one.

MS. LOE: Then you're not counting the garage?

MR. DARR: No, not for that particular unit.

MS. LOE: So that unit doesn't get a garage?

MR. DARR: It gets a garage; it's just --

MS. LOE: Not a parking garage.

MR. DARR: You could park in it. If the handicapped-accessible person would like to park in the garage, or they could park in their driveway. It only counts as one.

MS. LOE: No, because that parking stall has to be available to anyone, any other tenants or any visitor that wants to use it.

MR. DARR: Yeah.

MS. LOE: So that means I can never park in my garage.

MR. DARR: And that's why I'm saying that's what was -- why we were moving it, because of that conflict.

MS. LOE: I would recommend moving it so you can offer that tenant their garage.

MR. DARR: Yes.

MS. LOE: All right. But that just means more sidewalk than what we're seeing in this plan. That and the sidewalk over to the public sidewalk and sidewalk over to the dumpster, we're -- there's more paving than what we're seeing in this plan.

MR. DARR: Yeah. When I told you the 50 to 51 percent, I was already including that. Not the 5 foot by 21-foot additional strip, but I was including this connection as shown on the exhibit.

MS. LOE: Thank you. I think we're good.

MR. MURPHY: Madam Chair and commissioners. My name is Kevin Murphy with A Civil Group. Offices at 3401 Broadway Business Park Court. One of the things that I want to talk about was density of this project. Rusty, there's -- could you put that density display up on the board there.

MR. PALMER: Yeah. We don't have it in the presentation.

MR. ZENNER: I'll just hand it to us.

MR. MURPHY: Okay.

MR. PALMER: Yeah.

MR. MURPHY: Basically, what this is showing -- and I'll wait until that comes up there, so I can talk about something else. So, this layout, this property is currently zoned R-1. R-1 has a density of 6.2 units per acre. We're asking 11 units per acre. Multi-family are in full R-MF is 17 units per acre. So, we're in the middle of those two densities and actually closer to R-1 than we are to R-MF. I can just hold this up briefly. I don't think this was submitted either. This is an R-1 layout showing nine units on there. That's a little bit less dense than 6.2. Actually, if we could, we could fit nine lots on there. Well, actually it says seven lots. Because of the restrictions of access on to Green Meadows Road for R-1 properties, we would have five; in this layout we'd have five driveways coming on to Green Meadows Circle. Again, access on Green Meadows Circle has been pshawed by most everyone I know of. Commissioner MacMann spoke of the access on Green Meadows Road. Again, there's much more dense developments dumping on to Green Meadows Road through single accesses. This has been looked at by all the professionals in the city staff and they've agreed this is the appropriate place to put the access. So, looking at this Green Meadows or this density exhibit, the first one showing our site, the Godfrey, at 11 units per acre proposed. Crescent Green across the street is, it's six from the PUD because it counts the area to the west of there, but in the -- on the lot itself where the development is, it's actually eight units per acre. And I would say that's probably only the development short of ours that has anywhere near 50 percent green space versus any of these other ones. The Goodson development which is basically right at the intersection of Green Meadows Circle and Green Meadows Road, 17 units per acre. Bentlage subdivision is nine units per acre. Fireside, 14. I think that's recently gone up potentially. And then Village South, 13. Again, some of the -- as Cody had mentioned, this is the most efficient design. This is an infill development which is what everyone wants to do instead of pushing the city limits out, and density inside the city is something that again is promoted regularly by staff and commission and council. To go to some of the other points that were made, if I could touch on those real quick. You had asked about a 15-foot setback or mentioned that that would be dangerous for

people walking on the sidewalk. The sidewalk is currently in there. It is where it is. We're not having a building close to it. It's not endangering a person walking. The building's not, you know, coming towards them or anything. That sidewalk is where it is on the street and where it will remain. Chairman Loe had asked about community benefits with this building. We're asking for a design adjustment for the building being on there. I think we could make a, something that looked like an entrance on the back side of that building. I don't think that's too awful difficult to do, but besides -- besides that, again, we're providing 50 percent green space on this site where most of these other sites are probably somewhere around 25 percent to 30 percent, if that. These are the immediately adjacent sites. And again, the access on Green Meadows is what has been vetted and approved.

MS. LOE: Are there any questions for Mr. Murphy? Mr. Murphy, I just had a couple questions on this graph. When I divide 56 by 7.93, I come up with 7.06 which is -- and I tend to round down not up. But this shows 8.

MR. MURPHY: I'm sorry. Where?

MS. LOE: Oh, on the Crescent Green.

MR. MURPHY: Okay.

MS. LOE: I'm coming up with a density closer to seven units per acre. The other ones are pretty good, except Bentlage. I'm coming up with density closer to the eight on that one. So just some of the numbers seemed a little inflated to me.

MR. MURPHY: Someone else in our office did those.

MS. LOE: I understand. I just, I round down when it's less than .5 so that, I took that into consideration when I looked at this chart.

MR. MURPHY: Sure. So, yeah, again, the -- we're right in the middle. So, with Crescent Green we end at whatever you said, seven.

MS. LOE: 7.06.

MR. MURPHY: And then Goodson right across the street, we're right in the middle of those two and our density's right in the middle of their densities.

MS. LOE: Right. Those are a little further down the road, so.

MR. MURPHY: Goodson is right there at the intersection.

MS. LOE: Thank you. Any additional questions? I don't see any. Thank you.

MR. GEBHARDT: Thank you, Clint. Good evening. My name's Jay Gebhardt. I'm a civil engineer with A Civil Group here in Columbia and just going to wrap up our presentation with this. First, I'd like to address some of the questions that were asked of Matt in the beginning and there was a question of why 16 units instead of 12. And again, you know, this is hard decisions that you all have to make is do you want density, do you

want affordable. And when I say affordable, I mean, it's going to rent for less money if there's 16 units than if there's 12. Same parking, you've got the same expense. So, if you guys truly want to see affordable housing, you're going to have to see density. And so how do we create that in a way that makes it acceptable is we found, or Matt found a unit that works really, really well. It's, you know, basically the size of a single family, two-story single-family home. And that's why. You know, it's just money. And if you guys want to see more expensive units, rent units, then we'll have less units. If you want to see the price of the units go down, we have more units. So, it's your choice. And also, there was a thing about this being green space. This is zoned R-1. As Kevin pointed out, we have a layout we're prepared to come forward with of seven single-family homes and there would be no green space. It would just be front yards and the yards. So, I just want to make sure that that's where we're starting at. We're not starting with an empty field. We're starting with what the rights are we have today on that property with R-1 zoning. My experience with this lot began in 2001 subdividing it for the church. Then with the subdivision so the church could sell this lot. And after sold, I worked for the Kendall Company, their request for commercial that was ultimately denied at City Council. So, I've been around this piece of property quite a long time. I've met with a lot of neighbors on this. We met again with the neighbors in September of last year. And originally our proposal was a 10,000 square foot office building with 12 units. And as you can imagine, that did not go over very well with the neighbors. But some things came out of that meeting, like they said you need to provide adequate parking because Green Meadows Circle has no room for parking on it. So, we have, I believe, done that. They also were adamant about the entrance being off of Green Meadows Road and not Green Meadows Circle. Apparently, the traffic backs up quite a way on Green Meadows Circle at certain times of the day and they just didn't want any more traffic added to Green Meadows Circle at all. So, we talked to staff, traffic engineer, planning, and even in the planning staff report they support that. You know, in the meetings it became crystal clear too that we are dealing with a PD zone here and there were some things in the staff report that talks about the purpose of a PD district. It's written as a general statement and I don't believe the purpose was had a 1.4-acre parcel in mind when it was written. However, we have incorporated enhanced amenities in the form -- my glasses are fogging up -- we incorporated enhanced amenities in the form of attached garages. Normally apartments don't have a garage you can walk from one to the other. Highly out-landscaped outdoor spaces for the enjoyment of the tenants, and a housing type that's currently not available in any apartments nearby. We really do feel like this is an appropriate design. And, you know, I see this from a different perspective than staff and I

kind of blame myself for not talking to staff more about our vision here. But the bird's eye view of this is always a poor view. It just doesn't lend itself because no one sees it from that. You see it from the ground level looking at it. And what I see is a two-story building that has four units in it but is no different in scale than a lot of single-family two-story homes.

MS. LOE: Mr. Gebhardt, are you willing to take questions from commissioners?

MR. GEBHARDT: Yes.

MS. LOE: Are there any questions for this speaker? I see -- Ms. Carroll.

MS. CARROLL: I appreciate what you're aiming for in terms of affordability and I also appreciate the discussion around scale. It does put us at kind of an uncomfortable juxtaposition where there are conflicting goals in the plan for several of these things. We want a livable community and we want a community that supports affordable housing, and those are part of the same thing. What I'm concerned about is that we frequently get proposals asking us to prioritize density in the name of affordable housing. We don't really have a definition of what that affordable housing is going to be. I know that Commissioner MacMann asked what they would be renting at and I understand that you can't define that yet, but without some sort of target definition of affordable housing, I feel uncomfortable with this.

MR. GEBHARDT: I feel your pain. It's hard to understand what affordable housing really means when you start thinking about it. I'm sure there's definitions based on median household income and --

MS. CARROLL: Uh-huh.

MR. GEBHARDT: -- things like that. So, I've come up with a different term. It's called workforce housing. We're talking about teachers, nurses, police, fire, just the typical workforce type thing. Maybe that's the median household income, maybe it's more than the median household income, I don't know. But that's the target. Retirees are another target.

MS. CARROLL: I understand the people who are the target.

MR. GEBHARDT: Okay.

MS. CARROLL: I don't understand the rate that is the target. Do you have a percentage median household income that is a target or a range there or is that still too far out to define in the planning process?

MR. GEBHARDT: You know, the cost of lumber doubled from March to now.

MS. CARROLL: I know.

MR. GEBHARDT: So, it's really hard to say we're going to rent this for X amount because we don't know when we start building this next year what the cost of things are

going to be.

MS. CARROLL: Yep.

MR. GEBHARDT: And I'm sorry I can't answer that, but, you know, that is a valid question. We're really not trying to say this is affordable for people in the 40 percent of the median household income. That's not our target. So, we want to make this so that it's young professionals, young families, or retirees. And I think the density part of this I think it would be pretty challenging to find another place that's 50 percent open space and has 11 units per acre. And that is because of this unit that we've chosen. And yes, we've gone vertical to do that. So, you know, that's the cost of that. But again, for scale of that, I mean, you have a 35-foot maximum height in R-1 zoning which is what we're zoned now. We still have a 35-foot height limit now. So, we're not doing anything that we wouldn't be allowed to do in an R-1 as far as height. And as far as scale of this, these units are about 60 feet wide and they're about 60 feet deep, so they're, you know, they're not huge footprints. And we really don't -- I mean, when was the last time you saw a fourplex built in Columbia. It's been a while. There are some older ones, but typically you see, you know, 24-unit, 36-unit large apartment buildings three stories tall. That seems to be the economy of this. So, this is a unique product and it is something that we're trying to do here. And again, I didn't do a very good job explaining this to staff and so I think maybe we'd have gotten a little better staff report if I had, so. But that's my answer to your question unless you need further.

MS. LOE: Mr. MacMann.

MR. MACMANN: As some of you may know I've spent a couple minutes on what is affordable and what is workforce housing. And that was one of the reasons I was trying to get Mr. Kelly to talk about some kind of number. Just so we know what we're talking about, affordable housing for the not as fortunate as some and more fortunate than others is less than \$853 a month. Workforce housing as you described it, the feds have a pretty good metric; it's kind of a -- it's .8 of AMI and .2 of AMI. You guys don't need to know about that. It's kind of like right in the middle. We're looking from 853 to about 1,175, we can tweak the higher end up there, per unit per month.

MR. GEBHARDT: Right. I --

MR. MACMANN: I mean, you guys --

MR. GEBHARDT: If you wanted a range --

MR. MACMANN: Yeah.

MR. GEBHARDT: -- I would say these are not going to rent for less than a thousand dollars.

MR. MACMANN: I would -- I was doing the numbers, and I don't think so either.

I think they're going to be --

MR. GEBHARDT: No. And I don't think they'll rent for more than 15, 16 hundred, but that's kind of hard to say. And that upper end is not where we want to be. We want to be on the lower end of that range.

MR. MACMANN: Well, I don't know -- I don't know what you guys pay, but I was figuring average rents Columbia, 1,400. That's just back of the -- back of the fingernail type thing.

MR. GEBHARDT: I think our rule of competition here is what is the average cost of a single-family home in this area which would -- what would your payment be with taxes, insurance, and principal and all that.

MR. MACMANN: Single family home in that neighborhood, 15 to 19 depending on where it's at.

MR. GEBHARDT: Yeah. To me that's the competition because we're trying to make these more as homes.

MR. MACMANN: And the further we go down the street, the bigger that number gets.

MR. GEBHARDT: Right.

MR. MACMANN: I just, the reason I brought that up is we went from affordable to workhouse to young professional. And I get what you want to -- guys do, that's awesome. I'm all for infill. I have a problem with how big it is. You know, just. And it's -- if it wasn't that two rows there, if it was enough intersection that's so busy, I'd be good with it. That's what -- we've approved other things that are infill, not many, you're right, not many because not many come forward.

MR. GEBHARDT: But you'll see, you know, this is one of the last pieces in this neighborhood to be developed. There's another corner at Bethel but it'll probably not be this. So, you're kind of, you know, punishing us with traffic issues that were generated by the neighbors that don't want the traffic.

MR. MACMANN: Well, I can't -- I appreciate that and I've thought about that when you were speaking. Because Fireside and the others may be too big for where they are, I don't think the current neighbors should pay for more traffic. You can take that argument and just completely flip it around. Anyway, thank you, Mr. Gebhardt. Thank you very much.

MR. GEBHARDT: Anyone else have any questions? Thank you.

MS. LOE: I see none. Thank you.

MR. MENDOZA: Can I take it off.

MS. LOE: I don't know if we have a protocol for that. Mr. Zenner, are they

required to keep their masks on may they --

MR. ZENNER: They can remove their mask.

MS. LOE: They can remove them.

MR. MENDOZA: I'm David Mendoza, 315 Green Meadows Circle. So, I live right there. I came prepared to say a couple of things, but after hearing what I'm hearing, I think I want to change. We have lived here since 2011. It's a beautiful city, Columbia is, amazing place to raise a family. It's a fantastic institution. So, we are happy to make, you know, our biggest investment here.

MS. RUSSELL: Would you speak into the microphone please. Thank you.

MR. MENDOZA: Is this better?

MS. RUSSELL: Yes.

MR. MENDOZA: Oh, yeah, I can hear now. So, I will be the first one to recognize that -- well, I was saying that we came here, we choose to be in Columbia. Columbia's a fantastic place to raise your family. Go Mizzou. Now, I'll be the first one to recognize that this is a challenging plot to do something with. It's in the middle of somewhere, but I love -- I like to point out that it is the entrance of two big neighborhoods. Right. So that's going to be the first thing that people will see when they go into our neighborhoods. And probably you read correspondence; all the three neighborhood associations wrote against this plan. I can only guess, and I can only speak for me. We made our biggest investment in that house and so whatever is built there is going to be the presentation part for my neighborhood, for my investment, for my family. And I also want to pass that to my family. Right. So, I'm not against building something there. I'm actually certain that at some point has to be rezoned, something has to be built there. What I'm saying and again, I'm just speaking for myself, give us something exciting. Give us something that will really increase the visibility of the neighborhood and I will be up for it. I guess the plan, or the words are innovative and creative, and if I see something innovative and creative, I will be absolutely up for it. That's it.

MS. LOE: Thank you, Mr. Mendoza. Any questions for this speaker? I see none. Thank you.

MS. SHAW: Rebecca Shaw, 2615 Vail Drive. I'm speaking as a resident of a close neighborhood as well as the team lead for Rock Bridge Christian Church Social Justice Team. We sent a letter I believe to the commissioners before the previous meeting and a few of the points have been brought up by members and I appreciate very much some of the questions I've heard because it feeds a lot into what we've been thinking. As we think about obstacles to economic dignity in this city, we think quite a bit about how do we get a mixed-income neighborhood whenever we're talking about

things, not just affordable housing and bringing in and stacking people. And I -- I really want to say to one of the gentlemen that came up here, he said if you want affordability, you're going to have to have density. That struck me wrong because we do not need to take people of lesser means and stack and pile them on top of one another in order to give them housing. People deserve a home with backyard and space for their children. And to say that they have to be within small means I think is condescending. A lot of my same concerns have been brought up as a resident. Traffic. There are cyclists that get onto the Greenbriar exit access point at that road. There are a lot of people walking with their dogs and their children through that neighborhood. If we were going to add more traffic, as Mr. MacMann said, that -- anybody trying to get from Green Meadows Circle on to Green Meadows Road knows the risk you take when pulling out to make a left from that location. The four-way stop gets backed up day and night at high traffic times. There are community -- there's a community garden just a few spaces over in that same neighborhood. We have the retirement facility and then our church and then this green space that many people in the neighborhood use. I mean, people are out there playing with their dogs a lot. People will play with their kids in that field. It has become one of the few spaces in the neighborhood for folks to just go and have space, so it would be sad to see that go. I do think that a concern would be the blending of the neighborhood. If we're talking about a 35-foot building on the corner, I think especially if it's close to those sidewalks that are already present, that is very different than the setback of the church and the retirement home that is in that same area. Those buildings are kind of in the center portion of their plots of land and there's space around them. So, I think this would be -- it just looks like you're cramming buildings into a small location. To hear rent in the area of a thousand to \$1,500 worries me. We've had a lot of large buildings put up for student housing and for more prominent let's say people on the south side of town. And I would very much like to see this development as an area for people that need the buses to get to places, they need to go, that need to be able to walk to work. So, I would say that if you're looking at a single family, then that sort of price range is probably not going to be in their pocketbook. I just would like to point out that Columbia streets strategic plan calls for home buyers purchasing a home building 50 new homes of efficiency every year, and I don't feel like this change in this zoning would help with that if we're going from a residential zone to a planned district which can be a little bit of everything. We'd ready like to support a strategic plan and try to keep residential areas residential.

MS. LOE: Thank you. Are there any questions for this speaker? Mr. Stanton.

MR. STANTON: Right. So, let's put the other hat on. So, I'm looking for a

win-win. Let's put the other hat on. I'm looking for a win-win. I've got thousands of dollars in this land. I have a right to use my land. So, give me a solution so I'm not sitting on thousands of dollars and paying taxes on that land.

MS. SHAW: I understand. I think that it is a very difficult location. I think that originally, if I remember, speaking with the church members it was sold with the intention of putting a dentist office in the location. And I believe it's been through multiple owners since then. So, I don't have the perfect answer. All I can say is that I feel like -- I do feel like apartment, tall apartment complexes with their backs to the rest of the community doesn't feel open and welcoming.

MR. STANTON: Thank you.

MS. LOE: Mr. MacMann.

MR. MACMANN: Just real quick. To Mr. Stanton's point, by right the owner right now could put, was it nine houses in there. What would you think about that?

MS. SHAW: I would personally like the lower number of people. If we're talking about 16 more people trying to get out at nine o'clock in the morning because they've got to get to work, it's going to congest that area quite a bit more, I think. The original plan seemed more reasonable to me, but.

MR. MACMANN: I'm just -- you know, we've been through --

MS. SHAW: That's me personally.

MR. MACMANN: You're right. This site, this property has been through a lot of stuff. Since I came to town people are pondering what to do with this piece of property, which was a long time ago. But they could literally chop it up, put nine houses in there. And that may -- Mr. Stanton, that may be -- they have that ability right now. They're not restricted. Anyway, this is crosstalk; I don't mean to take your time. Thank you, Ms. Shaw.

MS. SHAW: No, no. You're fine. I think on my end as a homeowner in that area, I would -- I would rather see, you know, nine smaller single-family homes than I would see an apartment complex.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. Any additional speakers on this case? Seeing none, we will close public comment. Commissioner discussion. Ms. Russell.

MS. RUSSELL: I've driven Green Meadows Road probably almost every day since 1987. I drove it before that four-way stop was installed. Matter of fact I drove through that four-way stop many times not even paying attention that it was there. The reason that traffic backs up on Green Meadows Circle is because there's so much traffic on Green Meadows Road and people are trying to get around it to get through there. I've

walked that sidewalk with my kids. When I see this complex, I don't understand why you can't drop it 25 percent because when I look at that, I see a big plot of concrete with great big buildings and their backs are pointed to everybody. So, something more pleasant there, something more open to the community, something not as big, something not as parking lot-ish would suit me better to go in there. I'm not going to vote -- I'm not in favor of this. So, thank you.

MS. LOE: Mr. MacMann and then Mr. Toohey.

MR. MACMANN: Thank you very much. I'd like to second what Ms. Russell said, and I'd like to take us back to the wonderful year of the UDC. One of the things we talked about specifically was seeing the backs of these developments towards the neighborhoods and how that was inappropriate. And we talked about this, Mr. Zenner, about the addressing issue taking care of a lot of this and the planning issues taking care of a lot of it. This would waive the addressing issue, and this would waive the planning. And I'm with Ms. Russell. I drive this a lot. I have friends that live across the street. Green Meadows is kind of dicey right now, particularly in this particular area because you come around and you can't see. I know it's only 100 cars, but we'll probably have 30 to 40 of those trying to get out in the morning and 30 to 40 trying to get in in the evening. It's going to be an issue. And for these reasons I am with Ms. Russell. I would like to see it about 25 percent smaller and I am not going to vote for this.

MS. LOE: Mr. Toohey.

MR. TOOHEY: So, the median house price in this area is \$100,000 more than the median house price for a property north of the highway. So how do you get affordable housing down here when the median house price is already that expensive. The only way to do it is to have more units. So how do you add diversity in these areas if you're going to reduce the amount of units which just draws up the price. So, I'm -- I don't know what I'm voting on this yet; it's just something to think about when it comes to the cost factor.

MS. LOE: Ms. Geuea Jones.

MS. JONES: So, I think the density is probably inappropriate, and I'm concerned that everyone involved in this project seems to think that we're talking about 14, 15 hundred dollars a month in rent. I know people who live in the apartments near there. It's nowhere near 14, 15 hundred dollars a month in rent. So now we're talking about building, quote, unquote, nicer affordable housing that's actually not affordable when the alternative is I think five to seven subdivided lots where it's still R-1 zoning. To me that's seems like a much more reasonable number of people for the traffic. It means you've having homeowners which we've all agreed through the planning process is one of our priorities as a city. I just, I don't see how this planned development meets those goals

better than an R-1 subdivision.

MS. LOE: Ms. Carroll, Mr. Stanton, then back to Mr. Toohey.

MS. CARROLL: Like I said, before this puts me at an uncomfortable place in values that are in contention with each other. However, like Ms. Geuea said, I don't see this as helping the affordable housing scenario. I don't think that the rents that are likely to come from a new development, even as a new development this size, helps the situation. I understand that more density allows you to make a smaller price, but it's still not going to improve housing affordability to the degree that it needs to in that area. I do particularly want to see more affordable housing at transportation-accessible areas, particularly south of town, and that location seems prime for it. However, if this won't meet the need of affordable housing, then I don't feel comfortable giving up on other goals within our plan if there's no trade off towards improving affordable housing. And I do understand how complex that issue is in terms of building costs. I can't minimize that. I know that the building costs have gone up. But I don't think that we can solve that with this particular issue before us now.

MS. LOE: Mr. Stanton.

MR. STANTON: Okay. Kind of directing my comments to Mr. Toohey's. I've heard a lot of things about this. Number one, we're going down this affordable housing road because that's what the developer brought to us. No one told you to say that. You kind of threw it out there, thought it might help you, help your case in front of us. Keep it real. You probably could do that. I'm very involved in the land trust. We do affordable housing. This might not be for you. This might not be the road you want to take. So don't use that as a marketing ploy to maybe get some good folks up here to make us feel good and say, oh, we're going to vote yeah because you're talking about affordable housing and we kind of like that marketing price point or whatever. This might not be that project. Yes, I agree with a lot of the things that were said as far as backs facing the neighborhood and all that kind of stuff. This might be a good place for middle housing, so the developer may want to look up that and see what middle housing is. And it does address density and you don't have to have people stacked on each other to have good density. That all is involved in middle housing and, you know, a little more innovation. I hope the developer's listening to this, because yes, that back-facing stuff, you're hitting all the bad points of what triggers these kind of conversations. We need to -- and one of the neighbors said, hey, let's do something exciting, do something innovative, sharpen your pencil, read a couple more articles, look at some other stuff, and think about these things a little harder. I love the idea of putting housing there. I just don't want box, Walmart-looking housing. And there is millions of ways to make the neighbors happy.

There just is. So, I plan to go with this -- with staff's recommendation, not because I don't like the project; I think you need to open your eyes and think and be more innovative in this area. That's where I'm at with this. And there's plenty of ways to do it. And stop using af

MS. LOE: Mr. Toohey.

MR. TOOHEY: It's -- you're right. It's not affordable housing, but it's more attainable housing in that area where new construction, the median income for new construction property in that area is 316,000. So, I mean, it's impossible to build affordable housing in that area without having more units, so it's more attainable housing.

MS. LOE: Ms. Burns.

MS. BURNS: Yes. Just briefly Mr. Gebhardt mentioned that this property has been kicked around a lot, and I think the reason is because it's one of the last parcels and because it's a difficult piece of property. I think also that it's not an island. It's surrounded by homeowners and neighborhoods that have been there for decades. And I have to listen to those neighborhoods and those homeowners who have property rights also who have fought different issues in this area and continue to try to preserve their family, their family homes, and their neighborhoods. And so, I do not plan to support this.

MS. LOE: Ms. Russell.

MS. RUSSELL: With the affordability issue, 1,400 a month is just -- for two bedrooms is exorbitant. I have a four-bedroom house back in that area and I rent it for 1,300 a month. And 1,400 for an apartment there is not anywhere close to affordable.

MS. LOE: Mr. MacMann.

MR. MACMANN: Commissioner Russell, that was just my back of the thumbnail sketching. Now, Mr. Gebhardt didn't disagree with that. Certainly, north of 1,200. How about that. I just didn't want to -- okay.

MS. LOE: I would like to say that regardless of the density, the design doesn't convince me that you've actually considered your target groups as you've presented it. You've said that you've designed this for retirees and for families. However, you at the same time don't have sidewalks going to the public sidewalks, so I cannot walk to the neighboring church, I cannot walk to the community garden, I cannot walk to the nearby retirement home where I might have friends. If this was truly for affordable tenants, I can't walk to the transportation stops. The accessibility was done as an afterthought after we pointed it out on this commission. So instead of driving the design, instead of being the basis to make a universal design, universal for everyone, now, you know, we're talking about it being reachable for people that need those features. It's getting slipped in at the

end, and it's a walk that goes by the dumpster. I find that insulting. So no, I don't plan on supporting this because I don't feel as if you have actually designed this for the purpose that you are telling us you are. All right. Any further discussion? Mr. Stanton.

MR. STANTON: There's a lot of ways to address this. Cottages. There's a lot of things on the table that I would like to see this project look into. I just do; I think it can happen. But yeah, I have to agree with my fellow commissioners. A lot of marketing and not a lot of meat behind what you're saying. And just, yeah, green space, you don't have. I mean, it's just -- you've got to work on it a little better. Work on it a little better.

MS. LOE: Ms. Russell.

MS. RUSSELL: If there are no more questions or comments, I think I'd like to form a motion. In the case of 127-2020 I move to approve the requested rezoning from R-1 to PD and the associated PD plan and design exception.

MR. MACMANN: Second.

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

MS. BURNS: A vote no is going --

MS. LOE: Would deny the motion.

MS. BURNS: Just want to make sure.

MS. LOE: Any other questions? Ms. Burns, may we have roll call please.

MS. BURNS: Yes. Mr. Toohey.

MR. TOOHEY: No.

MS. BURNS: My vote is no. Ms. Carroll.

MS. CARROLL: No.

MS. BURNS: Ms. Loe.

MS. LOE: No.

MS. BURNS: Mr. MacMann.

MR. MACMANN: No.

MS. BURNS: Mr. Stanton.

MR. STANTON: No.

MS. BURNS: Ms. Geuea Jones.

MS. JONES: No.

MS. BURNS: Ms. Russell.

MS. RUSSELL: No.

MS. BURNS: Eight to zero. Motion is denied.

MS. LOE: Mr. Zenner.

MR. ZENNER: Go ahead.

MS. LOE: Recommendation for denial will be forwarded to City Council. We are going to take a five-minute break at this time, and we will be rejoining for the last two cases.

(Off the record.)

Move to approve the requested rezoning from R-1 to PD and the associated PD plan and design exception.

No: 8 - Burns, Loe, Russell, Stanton, Toohey, MacMann, Carroll and Geuea Jones

Excused: 1 - Rushing

Case # 142-2020

A request by Crockett Engineering Consultants (agent), on behalf of Kenneth and Becky Mohr (owners), for approval of a rezoning of 4 lots along East Texas Avenue from R-1 (One-family Dwelling) and R-2 (Two-family Dwelling) to M-OF (Mixed Use-Office). The 2.56-acre property is located on the north side of Texas Avenue, approximately 650 feet west of Providence Road, and includes addresses 13, 103, 105, and 107 E Texas Ave.

MS. LOE: We're going to call the Planning and Zoning August 6th session back into session -- meeting back into session. Sorry. All right. Our next public hearing case for the evening is 142-2020. It's a request by Crockett Engineering Consultants on behalf of Kenneth and Becky Mohr for approval of a rezoning of four lots along East Texas Avenue from R-1, one-family dwelling, and R-2, two-family dwelling, to M-OF, mixed use office. The 2.56-acre property located on the north side of Texas Avenue approximately 650 feet west of Providence Road includes addresses 13, 103, 105, and 107 East Texas Avenue. May we have staff report please.

MR. SMITH: Yes, thank you, Miss Chairman. As you stated this is a rezoning request for a property that currently includes four parcels. The request is to go from a currently zoned R-1 and R-2 to M-OF which is a mixed-use district for office and other uses. We did an advanced public info postcard and also advertised for a public hearing. Fourteen recipients of those notifications went out. This is an oblique aerial shot of the site. As you can see, there's four parcels on the site, three existing dwellings more on the west side of the site and a vacant lot on the east side of the site which not entirely vacant, excuse me, has an existing structure on it, type of storage shed. To the east you can see is kind of the start of the commercial district area. A Red Roof Inn. Site directly east of this though is actually the PD zoned property for the Phoenix House which extends from the main building there to the north kind of along a skinny stretch along the east part of this property which I can see you a little more detail here in a second. Excuse me. See the south; it is developed somewhat more into a commercial

fashion, an office. We'll look a little more in depth at the surrounding zoning. To the west though you can see clearly a transition into an established residential district. Little tighter shot just for reference. Again, you can see the structures on the site. The residential there to the west, commercial to the east. And just some street level shots so you can kind of get a little idea of context for what we're talking about. Upper left corner would be the eastern parcel, mostly vacant parcel. You can see the transitions there. You can see the Red Roof Inn in the background on the lower right side. Existing homes are on the site, far west side of that site. This is on the far west piece of the parcel so it would be -- the fence line there would be the future transition from M-OF district which is what they're requesting to the R-1 district which is seen there on the left side of that picture. On the bottom there is, across the street, a furniture, office furniture store located in M-N district. The surrounding zoning as you can see, which I'm going to kind of briefly touch on real quick, the site is mixed R-1, R-2, a little unconventionally zoned between the four parcels there with an R-2 kind of a U-shaped piece within their encompassing a couple of houses. The PD to the east, I listed all the uses that were allowed on that piece within the staff report. Basically, it's a very specialized type of housing for the site, many ancillary uses which are akin to residential uses, office uses, and those, something akin to that as well. The PD there on the south side of the site to the southwest of this location is zoned again PD and allows a very much more limited scope of uses for funeral home businesses. That site actually also has an existing residential dwelling on it as well. And to the northwest of this site into the residential area you do see the Georgia Court which has R-2 zoning along it and is generally approved duplexes as well. Transitioning west though it's generally mostly all single-family housing. When reviewing the request, we did look at the existing guidance we have for making decisions on rezonings. I think the important thing to note here, really the conversation here is it's fairly well-established here that what we're looking at is a location that is right in the middle of a transition between a firmly established commercial district, and I use commercial district there in terms of how the Comprehensive Plan uses it, so it's a pretty large commercial area very contiguous located along major roadways and major intersections. And it is bound on the west by what is clearly a residential district which is an area which is generally almost all residential. So, we're looking here is right now the transition between those two districts. And right now, it's established with the PD zoning to the east of this site. So, this would essentially be expanding that transition further west. Excuse me. And when looking through the guidance I did supply some information from the appendix from the Comprehensive Plan, several page of theirs. It goes through a lot of evaluation and

guidance that you would be use when looking at where an appropriate transition between the two districts would be located. Ideally there would be a very distinct physical boundary that when, in a perfect world, you would have something along the lines of an arterial that separates the residential from the commercial districts creating that very clear boundary with commercial on one side and residential on the other. Other physical boundaries such as creeks, heavily wooded areas, things like that can give you that separation of that clear district boundary that helps, you know, create that separation and that distinction between the two districts. In this sort of area, it's pretty, it's fairly well-established or previously established area so you don't have that clear physical boundary. So, then the question is where is the appropriate boundary. Right now, the boundary is the PD. It's clear within the appendix that if you're looking going from an M-C type zoning to a residential, you really need to have that physical boundary. In the absence of that, M-OF might be an appropriate transition. So, in that context the M-OF that's being proposed could be considered an appropriate transition between the commercial district and the residential district. In addition to that with the UDC guidance or not, excuse me, not guidance, the UDC revisions and incorporated additional landscaping and buffering along with neighborhood protections for height set down, enhanced setbacks when you have office uses directly adjacent to residential, provides that additional level of protection for neighborhoods that can allow an M-OF to exist in close proximity to an R-1 or an R-2 and still maintain that good separation and that context-sensitive separation between a residential on this case and an office development. In addition, the Future Land Use Plan, and I do -- I did caveat this in the staff report, Future Land Use Plan does kind of have a parcel by parcel designation where the districts are. And if you look closely enough, basically the east parcel would be in the commercial district. However, I would caution that that is not necessarily a great parcel-by-parcel tool. I don't know if we went through with a fine-toothed comb and say this is the exact boundary. So, a neighborhood plan for this area would give us a little bit more targeted information about where, if further development was going to occur in this neighborhood, might be best appropriate. We don't have that, so, but we do have the Future Land Use Plan so I wanted to point out that the eastern part would fall within the commercial district according to that. And also, that east parcel, it's not currently developed. In terms of looking at how it impacts and removing housing that is existing, it is vacant so developing that site at least would have a limited impact on the existing residential structures within that neighborhood. However, having said all that, I do have to point out there's several other things that I think are worth considering when looking at this request that I think maybe would make a compelling argument why it shouldn't be

rezoned to M-OF. Those are things we can't ignore, so I wanted to bring them up and discuss them. Really coming from our conversation about that boundary transition, while M-OF can be that transition between a commercial district and a residential district, without that clear physical boundary, you can't just perpetually move a commercial district, the M-OF, into a residential district. There does have to be at some point where there's a line in the sand that says this is as far as this district can go, regardless of how much M-OF zoning you want to rezone there. So, while this could be a M-OF zoned property in relation to how the appendix describes that transition, we have a clear boundary now with the PD zoning on the east. It doesn't seem to be a clear boundary to say that's where it should stop, so if we rezone M-OF here, there still is not that clear boundary to say this is where the M-OF should terminate at this point. So, we really lack that I think clear boundary that would make the decision really easy. Also it's hard not to discuss the M-OF without looking at really the visual impact here, if you can see pretty well in the aerial of how much this would intrude into that residential district on the west, especially the R-2 lots that are along Georgia Court. Ideally you would have a boundary between the two districts. It doesn't have to be exactly that way, but usually rear yard to rear yard is your better transition. This is really, especially on the northwest corner, intruding right up and to the house. And south along Texas, it's right up next the side yard. Also, in the context of housing, we do have some R-2 zoning here. This housing being close to the transition district would typically be considered probably less expensive than ones that are further away from the transitional district. That's not a rule, but it's probably something you could assume at this point. So, eliminating the housing, eliminating the R-2 zoning that could allow some more density for redevelopment in the future, that you would have a bit of that loss. I would point out that M-OF does allow basically all types of residential structures to be built there, but to be honest, once it goes M-OF, I think there are some challenges there at that point to redevelop the site as a residential and not as office. And something else I wanted to point out too was kind of this idea of the natural development pattern. Essentially it's more of if you were just going to look at this to say where was the natural boundary of the commercial district here, you would probably draw a line at that PD district, the blue areas, just straight south, so basically cutting away that east parcel and making that part of the commercial district. Again, that's not an exact science, but it's something that would, at least you could look at that and say that makes a little bit of sense there if you're trying to determine where that boundary is appropriate in this context. And it is undeveloped at this time. It's a little arbitrary as well, but I think going through everything we just went through, I think it's clear that a little bit of this is subjective. And the clear part I think is

what I listed in the very beginning about the appendix and the criteria they list in there as far as looking at what's the suitable zoning and then transition. And they do say M-OF is suitable. So, at this point the conversation is more about looking at some of those more of those subjective things and saying is this appropriate I think in this context and this location. For my evaluation I kind of ended it more on the objective side. The appendix kind of gives some indication that M-OF can be that transition. And so, at this point we're recommending approval, but I -- I also point out there are a lot of other factors to consider that might lead people to different conclusions. So, with all that being said, I'd be happy to answer any questions. And again, the recommendation at this point is approval of the M-OF zoning.

MS. LOE: Thank you, Mr. Smith. Before we move to commissioner questions, I would like to ask any commissioner who has had any ex parte prior to this meeting related to this case to please disclose that now so all commissioners have the same information to consider on behalf of this case in front of us. Seeing none, are there any questions for staff? Mr. MacMann.

MR. MACMANN: Thank you, Madam Chair. Mr. Smith, can you refresh my memory please. M-OF, what's our -- how tall can we get on there?

MR. SMITH: Oh, that's a good question.

MR. MACMANN: Is that the 36 --

MR. SMITH: Total's 35 feet I believe in the M-OF is the max height. And then in the staff report I list some of those additional neighborhood protections that would limit the height below 35.

MR. MACMANN: The step on the --

MR. SMITH: Right.

MR. MACMANN: -- from the -- okay. And again refresh me because I don't have it in front of me and it's been a while since I've read the whole thing -- I'm sure Mr. Zenner read it all last night -- what are our barriers and screenings between the two districts or three that's actually there?

MR. SMITH: I've got it right here actually. So, this would be a level three buffer. And so, the level three actually is kind of two parts. There's the screen and buffer. So, it's a ten-foot distance that is landscape, that's the buffer, and then it's a six -- no, it's an eight foot, eight foot --

MR. MACMANN: Eight-foot fence?

MR. SMITH: -- tall screen which is probably a fence.

MR. MACMANN: Probably a fence. Eighty-five percent opacity, is that where we landed on that? Mr. Zenner, do you recall that?

MR. SMITH: Eighty.

MR. MACMANN: Eighty percent opacity.

MR. ZENNER: At installation, not in poor growing seasons.

MR. MACMANN: Okay. One last question, the photograph you showed us with the fence, how tall is that fence approximately? Is that a six-foot fence?

MR. SMITH: I believe so.

MR. MACMANN: Okay. So, another couple of feet. All right. That's -- I just want to make sure that I was -- like to remember them usefully enough to make a decision. Thank you very much.

MS. LOE: Any additional questions for staff? Seeing none, we will open the floor to public comment. Anyone has public comment they would like to share on this case, state your name and address for the record.

MR. GREEN: Good evening, ladies and gentlemen. Andy Green with Crockett Engineering, offices located at 1000 West Nifong Boulevard, Building One, Columbia, Missouri. Coming before you as a rezoning request for address 13, 103, 105, 107 East Texas Avenue. I'm once again, Andy Green with Crockett. Kenneth and Becky are back here in the office to answer any potential questions we might have. They are the owners of the current property. So just a quick overview. Four separate lots totally 2.56 acres currently zoned R-1 and R-2. They've got two existing single-family homes on it right now and then the third, my understanding, is an older single-family home closer to Texas Avenue. It's actually a day care, operating under a conditional use permit I believe in that zoning district. Requested rezoning to M-OF to mixed use office and it, as provided in the staff report, provides a transitional zoning between the commercial zonings to the east and residentials as we move further west along Texas Avenue. It's important to note that there is PD-zoned property with commercial uses directly adjacent to the east and to the south of this property. So, couple other things to keep in mind when we're asking for this office zoning is the proximity to larger roadways. So, Texas Avenue which has frontage on it is actually a neighborhood collector. To the east the intersection of Providence and East Texas is a minor arterial and the neighborhood collector. Then just to the further southeast is I-70 which is a freeway. So really close proximity to the large nodal intersections of those roadways. So, here's a quick location map. You can see the four parcels there. Pretty straightforward. Blue's the PD zoning and then the commercial off to the east in the red. Everything generally yellow and orange is R-1 and R-2 respectfully on the east -- excuse me -- west side. So, if you think about trying to develop the current property as the current R-1 and R-2 zoning, it's really kind of limited to what you can do with it. So if you look at it from a redevelopment standpoint, if you're

going back in with single family or duplex units, your driveways cannot take direct access on to East Texas Avenue which puts a limitation in the fact that you simply couldn't line up the homes along East Texas and provide driveways directly on to it; you'd have to install some sort of a street with cul-de-sac to give those lots access to public streets. The redevelopment with the current zoning of residential would be economically difficult once again just based on the requirement of installing the street, various public utilities, storm sewer, et cetera. So again, based on the total site area and overall density, the existing homes would not necessarily qualify as affordable as they sit. I hate to bring that up after our first round of discussions, but it's in my slide so I can't ignore it. So, thinking about just the tract size and there was some mention that it might remove some of the affordable housing stock, this rezoning does allow the construction of other residential uses, so it doesn't necessarily eliminate that option. Again, just not something that -- the goal is the office, not the residential. So our requested rezoning to M-OF as stated in the staff report basically coming to you with staff's recommendation for approval and in that approval they evaluate the city planning, or excuse me, they evaluate planning goals for consistency with any relevant goals of the City's Comprehensive Plan and the Future Land Use designation. So again, this property provides a good transition between commercial and residential districts. So as mentioned by Clint, there are a wide range of uses allowed in M-OF. You can do multi-family, office uses, community services, day cares along with many others. As quoted from the staff report, these additional uses are not inappropriate in an area that is located between single- and two-family zoning and commercial zoning. So, rezoning to include these mixed uses may meet the Comprehensive Plan, create a livable and sustainable community. So rezoning, and you bring up development, you know, what safeguards are provided to the neighbors. As Clint mentioned, the buffer between, excuse me, the north and the west would require a level three buffer which is ten-feet wide, eight-foot tall fence with reduced building heights in that proximity. Stormwater, retention water, quality BMPs will be designed at the time of final design as required by city code and additional landscaping will also be installed in any parking lots and street trees along Texas Avenue.

MS. LOE: We're -- conclusion. Perfect.

MR. GREEN: Yep. I'll make it quick. So establishes a good transitional zoning between commercial and residential. It's an infill development so we're not reaching on the outskirts of town. Installing more public infrastructure. And as quoted in the staff report, after weighing all the relevant factors and possible impacts, staff does not object to the requested rezoning. And I'm here to answer any questions.

MS. LOE: Thank you. Are there any questions for this speaker? Ms. Carroll,

then Mr. MacMann.

MS. CARROLL: Yeah. When you determined that the existing three houses as they sit would not be affordable housing in consideration, how did you determine that?

MR. GREEN: Just relatively and based on the lot size. So again, it brings up the whole density thing. So when it's two and a half acres and only three -- I don't know if the other unit could be converted back into a house after the day care, I'm sure it could be, but based, just say based on the lot size and --

MS. CARROLL: Or even the two --

MR. GREEN: -- the relative low density.

MS. CARROLL: -- that are not -- not considering the day care.

MR. GREEN: Correct.

MS. CARROLL: Okay.

MS. LOE: Mr. MacMann.

MR. MACMANN: Thank you, Madam Chair. I'll be easier on this one, Andy. Just a question. Do the Mohrs have a plan here or are we just speculative or what's --

MR. GREEN: Not at this time.

MR. MACMANN: Okay. You may not know. I'm assuming these houses and day care are currently occupied?

MR. GREEN: Yes. They actually live at the northernmost one and then I believe Becky operates the day care on the along Texas.

MR. MACMANN: Okay. That answers pretty much all of my exact question, but I didn't anticipate that answer. My apologies. Thank you very much.

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

MS. JONES: The roadway that runs in front of those three houses, is that privately maintained?

MR. GREEN: Yes. So, I believe all of the lots have frontage along East Texas, but it is a shared driveway amongst the three structures currently on the lots.

MS. JONES: Okay. The way I was looking at it I did not -- it seemed to me that they're on, I think that's Indiana that extends on or Illinois or something that starts with an I and it's like a state.

MR. SMITH: Yeah. It -- I'm sorry, not --

MS. JONES: Go ahead, yeah.

MR. SMITH: -- to jump in.

MS. JONES: Maybe that was a staff question.

MR. SMITH: As far as I could tell, Google named that. I couldn't find that in the city's maps anywhere, so I think it was assigned a private street-type name. It's not an

official name.

MR. GREEN: I don't believe there's right-of-way there either.

MR. SMITH: No. Those are three platted lots, two of those being stem-type lots.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. Any additional speakers on this case? Seeing none we will close public comment.

Commissioner discussion. Ms. Burns.

MS. BURNS: I have one more question for Mr. Smith. You sent out, was it 14 postcards? Did you get any response from mailing those postcards to the property owners?

MR. SMITH: No.

MS. BURNS: Okay. Thank you.

MS. LOE: Ms. Carroll.

MS. CARROLL: I wish there was a plan. That is all. I understand the lot size of these. Nonetheless, I think our previous discussion illustrated perfectly how our older houses do contribute to our affordable housing stock and they are occupied right now. I understand that as well. It also wasn't lost on me that there is a state-licensed day care currently operating and it wasn't lost on me that state-licensed day care is under the permissible M-OF uses. We also have a shortage of day care in this state as a whole. And that's their own business for their own use and I understand that as well. I just, I wish that we had more knowledge of the plan at the time of the rezoning request.

MS. LOE: Ms. Geuea Jones.

MS. JONES: I agree. It doesn't sound like the immediate thought is to displace two families and a day care, but it does make me nervous that we're giving them carte blanche to do that at any time in the future that they want to. With that said, it doesn't seem that that's the plan today for sure.

MS. CARROLL: I mean --

MS. LOE: Mr. Zenner.

MS. CARROLL: Oh, I thought he was pointing at me.

MS. LOE: Ms. Carroll.

MS. CARROLL: It is their business to operate and they could just choose to close their day care as a service and that would have nothing to do with us. As I understand it, they're occupying their property. It's --

MS. LOE: Yes. The requesters own all of these properties at this moment, so. And we're not -- we're not deliberating on the question of the current use per se. They're asking us --

MS. CARROLL: They're asking us to rezone.

MS. LOE: -- about rezoning the property.

MS. CARROLL: I agree they are asking us to rezone, although typically it's advisable to rezone with a plan and not --

MS. LOE: We don't --

MS. CARROLL: -- speculation.

MS. LOE: -- require a plan.

MS. CARROLL: We do not require a plan.

MS. LOE: It's not a requirement.

MS. CARROLL: But we also tend to look differently on speculative case and that has been in staff reports before. It is a consideration as is loss of housing. I mean, it still -- it still opens up the potential for loss of housing and that is a significant consideration to me.

MS. LOE: Any additional comments? Ms. Russell. No? Mr. Stanton.

MR. STANTON: I tend to agree with my colleague, but --

MS. LOE: Microphone.

MR. STANTON: -- technically the staff report is correct. It is -- it butts up against existing commercial. It would have different -- it would have buffering and all that stuff, the transition between the commercial and the existing residential. Yes, it is a loss of some affordable housing, give or take, so. I plan to support it.

MS. LOE: Ms. Russell.

MS. RUSSELL: If there are no more comments, I'm going to pose a motion. In the case of 142-2020 I move to approve the requested rezoning to M-OF.

MR. STANTON: Second.

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

MS. BURNS: Yes. Mr. Toohey.

MR. TOOHEY: Yes.

MS. BURNS: My vote is yes. Ms. Carroll.

MS. CARROLL: No.

MS. BURNS: Ms. Loe.

MS. LOE: Yes.

MS. BURNS: Mr. MacMann.

MR. MACMANN: Yes.

MS. BURNS: Mr. Stanton.

MR. STANTON: Yes.

MS. BURNS: Ms. Geuea Jones.

MS. JONES: Yes.

MS. BURNS: Ms. Russell.

MS. RUSSELL: Yes.

MS. BURNS: Eight to one. Motion carries.

MS. LOE: Seven.

MS. BURNS: Sorry, seven to one.

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

Move to approve the requested rezoning to M-OF.

Yes: 7 - Burns, Loe, Russell, Stanton, Toohey, MacMann and Geuea Jones

No: 1 - Carroll

Excused: 1 - Rushing

Case # 143-2020

A request by Crockett Engineering Consultants (agent) on behalf of Troy and Shirley Miller (owners) for approval to permanently zone 2.87 acres from County R-S (Single-Family Residential) to R-1 (One-family Dwelling), upon annexation. The property is located approximately 0.25 miles south of the intersection of Kipling Way and St. Charles Road and is addressed 4000 Bradbury Drive.

MS. LOE: This brings us to our last case for the evening, 143-2020, a request by Crockett Engineering Consultants on behalf of Troy and Shirley Miller for approval to permanently zone 2.87 acres from County R-S, single-family residential, to R-1, one-family dwelling upon annexation. The property is located approximately .25 miles south of the intersection of Kipling Way and St. Charles Road and is addressed 4000 Bradbury Drive. May we have staff report please.

MR. KELLEY: Yes, Madam Chair. Thank you. Looking at the Power Point right now, I'm missing the first portion of my slide which indicates public input, size of the lot, and the nature of the request, and then following that, an aerial. So, I'll start out by discussing the public notice and public response. Public notice of this hearing was given via 18 early advance postcards sent in early July following with property owner letters sent in the middle of July and an ad in the Tribune newspaper posted on the 21st. In July Staff received two phone inquiries regarding what development was getting proposed. Staff explained that this request is for the assignment of an R-1 zoning pending annexation to the city and that this request was not a request for development, road construction, or the creation of additional lots. This week staff has received correspondence from the public voicing various concerns about additional lots and road

construction, and this correspondence has been forwarded to the commission. As you can see here, this is Wellington Manor Plat Number Three which shows the general layout of the surrounding lots. And this square here in the bottom right of the map would be the subject site, and it is the unplatted parent parcel of the Wellington Manor Subdivision located off of St. Charles Road. It's currently located in unincorporated Boone County and zoned County R-S, single-family residential. Currently the site contains a single-family house and the lagoon. It's anticipated that the owners would connect to city sewer via a western sewer line connection if annexed into the city. Site is contained within the urban services area and contiguous to the city's municipal boundary on its northern western property lines. Changes in zoning are evaluated on how the zoning correlates with the City's Comprehensive Plan and how the zoning would impact and integrate with the surrounding properties. Staff has reviewed the following: The site's current zoning, site characteristics surrounding zoning and land uses and consistency with the East Area Plan. The city's R-1 district is generally consistent with the county's R-S setbacks, height requirements, and permitted uses. And to the east and to the south you will see the county R-S zoning into the north and west. Throughout the subdivision you will see the city R-1 zoning. In the Comprehensive Plan, the Future Land Use map designates this area as a neighborhood district which primarily serves residential uses such as R-1. Throughout the subdivision you see the R-1 zoning, the proposed R-1 zoning. And existing residential use is consistent with the Wellington Manor Subdivision which contains 56 R-1 lots and one planned development. The East Area Plan states that stakeholders believe most development in the Grindstone Creek watershed should be residential. However, each zoning case should be reviewed on a case-by-case basis. Considering these criteria, staff finds R-1 zoning to be consistent with the existing and surrounding land use, East Area Plan, and the goals and objectives of the City's Comprehensive Plan. Ultimately staff recommends approval of the requested R-1 permanent zoning pending annexation. And I'm happy to answer any questions you may have.

MR. ZENNER: If I may before we open the floor up to questions of the commission, again as Mr. Kelley pointed out, this development does not involve the construction of any new streets within the 56 lots of the platted Wellington Manor Subdivision. There are two undeveloped lots. Those undeveloped lots are considered existing and development of structures on those lots do not trigger any additional roadway construction either. Unfortunately, there was a -- I don't know why I'm saying unfortunately. There was a prior concept review that was submitted to us for the subject acreage that did propose the division of this lot into three total house sites. There has

potentially been some confusion as it relates to that concept review which is not being pursued at this point in relationship to the application that is here before the commission and will ultimately end up before City Council. This is a single request for permanent city zoning prior to the potential annexation of the lot in order to, as Mr. Kelley has pointed out, to eliminate the on-site lagoon currently serving the existing constructed home on 4000 Bradbury. There is no guarantee at some point in the future that this lot may be subdivided at which point pursuant to the requirements of the Unified Development Code, which is our subdivision regulations, potential additional roadway construction may be triggered. It is also further needed to be stated that the continuation of either Kipling or Hemingway out of the existing platted subdivision would be mandated per the subdivision code today and was mandated as a part of the prior subdivision code under which this particular development was platted. The trigger for that is when and if the adjoining property to the west and to the south were to seek annexation into the city of Columbia for the purposes of receiving public utilities as well as access to other public streets. A broader view of this particular area as it relates to topographic and other natural features moving to the south, which would be the extension of Kipling, would likely result in a roadway network, not a direct -- not including a direct connection of Kipling to Route WW which was stated as a concern within many of the correspondences that you received. We also have the potential for an extension of the 740 Stadium Boulevard to the north which would further make a direct connection to WW potentially challenging. Again, all of that is future. While we cannot say for certain what may end up happening in the future, we can and are at this point assuring the public that this particular application does not involve roadway construction. It is simply a request to apply permanent zoning consistent to that which surrounds it in order to allow for access to our city sanitary utilities. Annexation is a process of council. It is not considered here before the commission this evening. Most of you are aware of that. I wanted the public to be made aware. This is a policy decision and we will have a separate request to set a public hearing for that annexation and that will be presented at City Council at its first meeting in September due to the upcoming and pending Labor Day holiday and statutory requirement that holding the public hearing and then voting on the annexation request must have a specified separation of days. So, it would not be being moved forward to City Council for the setting of a public hearing for the annexation request for at least two council meetings at this point. With that, that is a complete explanation. We are trying to, and I have taken all of the comments and you all have received them, they are in front of you on the dais here this evening, and with each of the comments that was provided, we also responded back trying to provide clarification of this. What I will tell you is many

of the responses that I received back, there was appreciation for explaining the characteristics of what was going on here. However, we have people here this evening that still have concern as it relates to this zoning action; therefore -- as a result of what it may produce in future development. Hence some of my questions to possibly assuage some of the concerns that are here, but they may not completely do so. So, if you have any questions of staff, we can answer them if possible.

MS. LOE: Thank you, Mr. Kelley and Mr. Zenner. Before we move on to commissioner questions, I'd like to ask any commissioner who's had any ex parte prior to this meeting related to this case to please disclose that now so all commissioners have the same information to consider on behalf of the case in front of us. Mr. MacMann.

MR. MACMANN: This is not necessarily an ex parte, but I just want to say given the level of concern, I actually went to see the property on both ends. You guys want to hear about that now or do you want to hear about it later?

MS. LOE: You went to the property. Did you --

MR. MACMANN: I did not cross the property line, FYI. No. I just want to say that I have been to the property, given the level of concern. I read your initial email, Mr. Zenner, and looked at property lines and yada-yada-yada, but I did go out there and look north of it and look south of it, so.

MS. LOE: I think we often visit the properties. I think it's more a concern of whether or not you've discussed or been petitioned.

MR. MACMANN: I appreciate that. That's why I ask that particular questions.

MS. LOE: Thank you. Any additional comments? Okay. Moving on to questions for staff. I see none. All right. You guys covered the groundwork well. In that case we will open the floor to public comments. Just to remind everyone, you have three minutes if you're speaking for yourself. We do allow six minutes if you're representing a group. And we need your name and address for the record. So, if you have any comments on this case, we will open up public comments. You've got to come up to the podium and speak into the microphone.

MR. BEASLEY: Good evening, Councilmen, Council-ladies. My name is Joseph Beasley, I live at 3909 Bradbury. As we moved to that subdivision about 15, 16 years ago, it has surely grow a lot. We see family with young childrens, senior citizens, people walking with dog. That's why we have a concern with the possible development, you know, with the confusion of building houses on the organization of the lot, the possibility of building houses, that's where people are concerned, that there's going to be more traffic along Kipling, along the subdivision. So that's why we're here, trying to figure out how this City can help us to make sure if there's no future development. Because it's

going to involve, you know, safety, traffic, and then my property value also. So, if that's happen, you know, down the road, what's going to happen to the rest of the neighborhood.

MS. LOE: Right. So, this, what's before us right now is simply evaluating what the zoning on this lot would be if it is annexed into the city. We are not even discussing the annexation. That's City Council.

MR. BEASLEY: Yes, ma'am.

MS. LOE: We're just saying should this be R-1 which is single family.

MR. BEASLEY: Okay. So, my next question -- I'm sorry. My next question --

MS. LOE: And I was going to add that we are only talking about a single lot.

MR. BEASLEY: Okay.

MS. LOE: If they want to subdivide --

MR. BEASLEY: Right.

MS. LOE: -- that needs to come back to Planning and Zoning. Would that have to come back to the commission? Not necessarily?

MR. ZENNER: No. This would be a replat and would go directly to City Council if the larger acreage were to be subdivided.

MS. LOE: Okay. So, but they would have the opportunity to speak at City Council?

MR. ZENNER: That is correct.

MS. LOE: So, if this were subdivided, you would have the opportunity to speak on that, but they're not taking that action at this time.

MR. BEASLEY: Okay. Yeah. And I had never dealt with this, anything, before, so I thought I speak up now or --

MS. LOE: No.

MR. BEASLEY: -- hold my peace forever.

MS. LOE: You don't have to hold your peace forever.

MR. BEASLEY: So, my next question is that, so is there a possibility to go from R-1 to R-2 down the road or, you know, whatever? Okay.

MS. LOE: They would have to come back and make an application. And given the contextual area, that would be an unusual request.

MR. BEASLEY: Okay. That's all my questions. Thank you, ma'am. Thank you, sir.

MS. MCNEELEY: My name is Lisa McNeeley and I live at 3907 Bradbury Drive. I'm next door neighbors to Joe and across the street from the Millers. All the same questions and rumors that were going around about will there be a street, will they add a

connection to another road, so forth. Angie, their daughter, stopped us, we were talking in our driveways as neighbors always do, and said, Hey, the reason we're having this annexed into the subdivision is so that I can get a little bit more room on the lot. There's two vacant lots on the annex. The one that's down there by their house in the far corner is the one that Angie was talking about. And she said she knows the driveway would not be big enough, so my parents are being nice and they're annexing this here to -- into the city so that I can get a little bit more room and be able to do that. So, my question is if that is why they're doing it, why are they taking the whole piece of land? So, on that, I'm concerned that later they'll come back, and they'll say -- and that was from their daughter this afternoon, five o'clock when I was in my thing. So, I'm very concerned about crime in my neighborhood. It's wonderful having four cul-de-sacs, no other way to get out except that main St. Charles way. There's an apartment complex though; I guess they could cut through. We've had some break-ins at the very beginning of our subdivision, but nothing out in the back. It is very safe. We are roller blading; we have people walking. It's wonderful that that one lot behind one of our other neighbors is there. The dogs are in there; the kids are in there. So why are they asking for this -- the whole area when Angie said she just needs a little bit more room.

MS. LOE: So just to clarify, does the daughter own a separate lot that's already in the city?

MS. MCNEELEY: I would say yes. In the past she's -- I don't know that for sure though.

MR. ZENNER: So the Millers, the lot that is in the northeast corner of the cul-de-sac immediately above where Brad pointed at, that is the lot that is owned by the Millers along with the parcel that is being sought to be annexed. So, what the Millers' daughter has explained to our speaker here this evening doesn't -- would not net increase the total number of lots within the subdivision effectively. So right now, what we have is 4000 Bradbury, as Mr. Kelley pointed out, is the parent tract of the overall subdivision. Had it been planted back in 2013 with plat three, we wouldn't even be here. However, the Millers at some point potentially having had an investment in an on-site lagoon that was functioning, did not have any Health Department-related issues with it chose not to annex that property at the time the rest of the development was brought in. Well, we now are at 2020 and I believe the requirements associated with an on-site sanitary sewer systems and potentially there would be a failing system here, requires the entire parcel to be annexed in, in order for them to have connection. Given where the lot is with the Millers' daughter is potentially going to be provided by their family, only taking a portion of the property that would be what they need to transfer really doesn't help the situation and

furthermore isn't possibly capable of being done under our platting requirements nor the county's. This parcel actually is not considered a legal lot in either jurisdiction and, therefore, cannot be subdivided to accommodate the need for the additional land area of the existing lot that was platted as part of phase three. So that is -- a number of these issues came up as a part of the earlier concept review that we did, but at that time, as I had indicated, the lot was being proposed to be divided into actually three discrete parcels, the home plus two others on either side of it in order to accommodate the Miller family as we understood it at that time. After having that concept review and having a fuller discussion of all of the implications associated with how this lot got created, it was concluded that the path to be able to achieve a portion of what the Millers were desiring was to have the entire parcel annexed, eliminate the on-site septic and then make a platted revision potentially to accommodate the future improvement of the daughter's lot. Discussing those matters with our fire service in relationship to our current code and the fact that the development today is over the maximum number of lots allowed on a single point of entry resulted in the discussion of as long as the total number of lots, our fire inspection staff as well as the fire chief agreed that as long as the total number of lots that were effectively served off the roadway, that work has not increased. Meaning the two undeveloped lots that were part of the original subdivision plat and the fact that this lot, 4000 Bradbury, is effectively served off of our public infrastructure, they were fine with no extension of any roadways in order to be able to facilitate the development and the annexation of this property. Again, as I had pointed out, the platting of this property is a replat -- I apologize. It is an item that will come to the Planning Commission because it is not a legal lot. All these details. So it does come before the Planning Commission and what will end up happening is we will have a similar action as we had at the beginning of our meeting this evening to where that subdivision action is actually going to be presented to this body. So, the truth in the platting action as has been conveyed to you and as had been conveyed to us that was the potential would be borne out in that respect. I think as I've responded to some of the residents within the neighborhood, not all that have provided comments to our office, and I'm the one that received all of them, our subdivision process is not one, unless you are asking for adjustments to our development regulations, one that requires a public hearing. And as such, our regulations do not require general property owner notification. We would send out an early notification postcard like we had, due to the fact that we're not having public information meetings due to the COVID pandemic. So those properties owners that are within 185, and we round that up to 200 feet, will receive another postcard and it will be as it relates to the subdivision action at which point you can come back down to City

Hall, address our Planning Commission and then those comments are forwarded to our City Council as it relates to the concern with the road extension. But we will have a greater assurance if the platting does occur what's actually happening. I can't tell you that the Millers will come back in with that plan, but what I can tell you right now is I've got two undeveloped lots in the development that would allow the development of new housing. That doesn't trigger anything. And what we're trying to bring in is an entire parcel of property because that's how this is scribed in a deed but not on a plat, so they can eliminate their sewer. And that's the technical, all the technical pieces coming together in order to make this a whole parcel so the Miller can achieve either a slight sliver of being parceled off to the adjoining lot, not in creating a new lot, but increasing an existing one, and allow them to come back to their lagoon and get rid of it from the neighborhood, which is what we typically prefer when you're in an urban environment. We do not like on-site systems in urban environments. And where that lagoon is currently situated on the back-lot line of two of the existing homes and the existing undeveloped lot, we see from a staff perspective that it is a benefit to eliminate that lagoon in this fashion.

MS. MCNEELEY: Well, when you guys said that, or you said that you guys would send out cards if they decide to redo those lots there.

MR. ZENNER: Yes.

MS. MCNEELEY: It involves more than just five of us. It involves the whole subdivision because it involves the traffic, the kids walking, the more traffic that there will be because that's at the very end of that subdivision, so every house to get to that house is affected by that. So, I would hope that you guys would send out cards about it to the subdivision, not just to four or five houses that are close to those lots. I mean, that's just a comment. Just, I've never been to one of these before.

MR. ZENNER: And I -- we fully appreciate that, ma'am, and I don't want to -- we have limitations with what our regulatory structure allows and what our resources allow us to do. And we are following our notification procedures. Actually --

MS. MCNEELEY: And I'm sorry. I'm just --

MR. ZENNER: No, no. That's fine. I want to explain to everybody else that's here, it's not that we were trying to evade or avoid letting you have notice. Subdivision actions, actually our notice that we send out on subdivision action is by courtesy only. We are not mandated by any regulatory standard to do so. And the procedure that we follow inside the City's notification process is as it was laid out here. And there were a number of comments as I imagine many of our commissioners read, there's frustration about that, and that's not something new to me. I've been doing this 11 years here and

we hear about it a lot.

MS. MCNEELEY: Okay.

MR. ZENNER: So, I want to be, we want to be transparent. And I think there are other options for the public to be kept abreast of what's going on. We do have our -- you always are free to call our offices. We also have some electric means by which people can check to see our application submissions and be able to be aware of that. We endeavor to always make sure that our mailing addresses are accurate, but there are, you know, human error and sometimes system error that we have. I can tell you though the owners that we have on our mailing list should be receiving, and I believe there are a number that are still concerned, which hopefully then allow the rest of the community. One of the things that we did notify or identify as a part of this process, if you had a neighborhood association that was recognized, the neighborhood association representative would have received this notice which would have then afforded the opportunity for the entire Wellington Manor Subdivision to be made aware of it. We do have a neighborhood specialist and if there is a desire to be able to establish one, we are more than happy to work with you to have that established so when issues come up in the future and I can only tell you that it's not if, it's when, that neighborhood association may prove to be a beneficial communication tool for you all so we can actually keep you abreast of what's happening around you. And again, you're more than welcome, any one of the representatives from the neighborhood has provided contact to us and just give us a call or send an email to me and -- or to planning@como.gov.

MS. MCNEELEY: Okay. Thank you. Thank you.

UNIDENTIFIED SPEAKER: I living in 3909 Bradbury. When you're seeing the new lots for a hundred make me scared, very scared. Why I'm saying that here to you because a few months ago, I was walking my dog. Just got out my -- I'm still scared -- from my garage, from my garage to the driveway only 20 feet. Shirley Miller was driving fast, hits my dog. My dog goes and lays down there and she's running off and she never stop. I was scared. I said, What I can do. The dog was laid out there. I said, What I can do, what I can do. Then my neighborhood told, said, they are not nice people. Don't talking to them. Take your dog to the veterinarian. If find something wrong, call the sheriff. I did; I see the veterinarian. The veterinarian didn't seeing something, but the dog got the problem. Right now, even right now he -- the left back leg, he walk limping. But he can lay now there. He cannot get up. I need to hold him. Also, when I walking him, when he seeing the car, he'll go lie down, hide under my back. He's still scared. My question is what enough. If (indiscernible) come, who gets -- I don't know. I'm scared. I live there. Other question is are we there over 15 years. My next door is their son.

Between their lots they build a house. And the house was right close to my house, only six feet further. Hopefully you, sir, you want to go look. Please. That place is very, very wide for their son. Also playing the (indiscernible) by my window. Even that's master bedroom. Every day bother me. He was three years, move in three years. I was saying what I should do. Please. You're all telling me; you can take control back because you can know that fear or not. That's how I really, really -- I've never seen something, but I think I need your help. And they pulling me, they took him to court, suing my chick, whole thing. If you all listen, I told you all. But I don't want to see it. I know that's not about the 400, but I'm scared. Because you know the house. It's over \$300 a month. When the house very close mine, the house value already go down. I never seen something. I don't know what I should do. But today I decide that's a chance that I do know. If you all got approve, I don't have choice, but I think you're all fair. You're all fair here, at least people talking. That's today I want talk. Thank you very much, everybody.

MS. LOE: Thank you. Are there any additional comments on this case?

Seeing none, we will close the public comment period. Commissioner discussion. Ms. Carroll.

MS. CARROLL: I know Pat Zenner brought this up just a moment ago and I was going to ask the same thing. It sounds like what you need is a neighborhood association. I believe the person you contact is Bill Canton and he can set you up. Regarding notifications, when something happens within the neighborhood or -- within the neighborhood association, then the neighborhood association would be contacted, and they can help spread the word. We do have rules that say when we contact people and how far from a site we contact, and we have to do it the same for everyone. But it sounds like that's what you need and that would go a long way to help your community. That is all.

MS. LOE: Ms. Russell.

MS. RUSSELL: If there are no more comments, I'm going to propose a motion in case 143-2020, approval of the requested R-1 permanent zoning pending annexation.

MR. MACMANN: Second.

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

MS. BURNS: Yes. Mr. Toohey.

MR. TOOHEY: Yes.

MS. BURNS: My vote is yes. Ms. Carroll.

MS. CARROLL: Yes.

MS. BURNS: Ms. Loe.

MS. LOE: Yes.

MS. BURNS: Mr. MacMann.

MR. MACMANN: Yes.

MS. BURNS: Mr. Stanton.

MR. STANTON: Yes.

MS. BURNS: Ms. Geuea Jones.

MS. JONES: Yes.

MS. BURNS: Ms. Russell.

MS. RUSSELL: Yes.

MS. BURNS: Eight to zero. Motion carries.

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

Approval of the requested R-1 permanent zoning pending annexation.

Yes: 8 - Burns, Loe, Russell, Stanton, Toohey, MacMann, Carroll and Geuea Jones

Excused: 1 - Rushing

VIII. PUBLIC COMMENTS

MS. LOE: That brings us to the end of our cases for tonight. Are there any additional public comments?.

IX. STAFF COMMENTS

MS. LOE: Seeing none, are there any staff comments.

MR. ZENNER: Yes, there are, ma'am. And for those that are still here as it relates to case 143-2020, if you all would like to notate on your calendars, the anticipated introduction and public hearing for this matter will be on the September 21st at 7:00 p.m. in the City Council Chamber, this same room but it will be with our City Council at that point. Again, that will be two items, a public hearing on the annexation and then an introduction of this zoning action the Commission just finished this evening. There will be a second reading which basically combines the annexation and the permanent zoning and that would be at the beginning of October, the October 5th meeting tentatively. So, I appreciate your comments and I appreciate your responses back from your neighbors. Thank you very much for your understanding in the matter. As it relates to what we have coming up, if you can move through the slides for me, Brad, you do have another meeting. Our next meeting will be August 20th and we do have a number of items on that agenda. So upcoming cases are a combination of four. A lot of them are plats with an SOI revision. So, Moon Valley Plat Number One, this is off at the end of Moon Valley, so one lot final minor plat. We have another platting action with design adjustment. We've recently received some Board of Adjustment variances in order to allow the platting

configuration to move forward at 600 and 602 Wilkes. Victory Christian Church off of Ballenger Lane, this is a preliminary plat for a proposed three-lot subdivision. And then a revision of the statement of intent for a property that we had previously seen to authorize a medical marijuana facility dispensary added to its PD and they are asking for an SOI revision to incorporate some additional personal services into the existing statement of intent. Moving forward into the maps just so we all familiarize ourselves. The Moon Valley property isolated there down off of Moon Valley Drive itself. You have our property that is at 600 and 602 Wilkes. And the next slide we have the remaining properties are Ballenger Victory Christian Church parcel, the preliminary plat, and then finally the corner of Rogers and College Avenue at 411 College; that is the SOI revision. As we discussed this evening in our work session, we will be wrapping up a number of items on the comprehensive plan staff report surveys in order to be able to make ready for those at the end of this month. For the August 20th agenda we will be bringing back some items that we have discussed previously. I believe Ms. Bacon will come back with our status report, so you all can see that. That will probably occupy the majority of the meeting. And then starting in September we are going to start pivoting towards some other topics that we need to be taking action on in order to set up the fall schedule for us with a series of amendments to the Unified Development Code. We will have again the ever awaited reconversation of short-term rentals at some point in there. And you will have elections, so for new officers for the Planning and Zoning Commission. Again, thank you for your time. It has been a three-hour meeting and we got through a lot of work today.

MS. LOE: Thank you, Mr. Zenner.

X. COMMISSION COMMENTS

MS. LOE: Any commissioner comments?

XI. NEXT MEETING DATE - August 20, 2020 @ 7 pm (tentative)

XII. ADJOURNMENT

MS. LOE: Mr. MacMann.

MR. MACMANN: I have a motion. I move we adjourn.

MS. LOE: I think Ms. Russell is ready to --

MS. RUSSELL: Second.

MS. LOE: -- second that. We are adjourned.

(Meeting concluded at 10:03 p.m.)