



City of Columbia, Missouri

Meeting Minutes

Planning and Zoning Commission

Thursday, July 22, 2021
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 July 22nd, 2021 Planning and Zoning Commission meeting to order.

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

MS. CARROLL: Commissioner Burns.

MS. BURNS: Here.

MS. CARROLL: Commissioner Rushing.

MS. RUSHING: Here.

MS. CARROLL: Commissioner MacMann.

MR. MACMANN: Present.

MS. CARROLL: Commissioner Geuea Jones.

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier.

MS. PLACIER: Here.

MS. CARROLL: Commissioner Kimbell.

MS. KIMBELL: Here.

MS. CARROLL: I'm here. Commissioner Loe.

MS. LOE: Here.

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

Present: 8 - Tootie Burns, Sara Loe, Joy Rushing, Michael MacMann, Valerie Carroll, Sharon Geuea Jones, Robbin Kimbell and Peggy Placier

Excused: 1 - Anthony Stanton

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.

MR. MACMANN: Move to approve.

MS. GEUEA JONES: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Geuea Jones. I'll take a thumbs-up approval on the agenda. Looks unanimous.

(Unanimous vote for approval.)

Move to approve

IV. APPROVAL OF MINUTES

July 8, 2021 Regular Meeting

MS. LOE: Everyone should have received a copy of the July 8th, 2021, regular meeting minutes. Were there any changes, edits, additions to those minutes?

MR. MACMANN: Move to approve.

MS. GEUEA JONES: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Geuea Jones. I'll take a thumbs-up approval on the minutes. Unanimous. Thank you.

(Unanimous vote for approval.)

Move to approve

V. TABLING REQUESTS

Case # 197-2021

A request by A Civil Group (agent) on behalf of Victory Christian Church of Columbia (owner) for approval of a 4-lot preliminary plat, with additional right of way dedications, on property currently zoned R-2 (Two-family Dwelling) to be known as Victory Christian Church Preliminary Plat, and includes a design adjustment to Sec. 29-5.1(c)(3)(i)(F) regarding cul-de-sac length. The 13.42-acre property is located on the west side of Ballenger Lane, approximately 1,200 feet north of Clark Lane, and includes address 1705 Ballenger Lane. **(A request to table this item to the September 9, 2021 Planning Commission meeting has been received).**

MS. LOE: That brings us to our first section for the evening which is a tabling request. Case 197-2021, a request by A Civil Group on behalf of Victory Christian Church of Columbia for approval of a four-lot preliminary plat with additional right-of-way dedications on property currently zoned R-2, two-family dwelling, to be known as Victory Christian Church preliminary plat and includes a design adjustment to Section 29-5.1(c)(3)(i)(F) regarding cul-de-sac length. The 13.42-acre property is located on the west side of Ballenger Lane approximately 1,200 feet north of Clark Lane and includes address 1705 Ballenger Lane. A request to table this item to the September 9th, 2021, planning

commission meeting had been received. Any staff comments on this?

MR. ZENNER: The request, as contained within your packet, indicates that there is a conflict with the applicant's agent to be able to attend. This is why there is an extended request for approximately a month, little bit over, to allow the opportunity for that conflict to be resolved. We are also currently working through some technical issues with the platted document. This is a preliminary plat; therefore, we're trying to get certain aspects of the development more clearly articulated as a part of the proposed design of the subdivision. This period of time will allow for that to happen. We are supportive of the request.

MS. LOE: Thank you. This was publicly advertised?

MR. ZENNER: Yes. It was publicly advertised. That is why it is before you as a formal request to table, unlike other platting actions that don't have design adjustments associated with them, which would not have been. So if there are any individuals of the public here to speak regarding this case and tabling this evening, they would be welcome to come and address the commission.

MS. LOE: Thank you, Mr. Zenner. Any questions for staff? Mr. MacMann.

MR. MACMANN: Thank you, Madam Chair. The standard Commissioner MacMann question. Is the -- will the window of time be sufficient for staff to resolve the issue?

MR. ZENNER: Yes. We had it pretty well worked out just before this meeting and then we were informed of the conflicts. And we were trying actually to put this in at the second meeting in August, but that was still a conflict, so we want to bring this back as quickly as possible to resolve the outstanding issues and this was the soonest that it could be.

MR. MACMANN: Thank you, Mr. Zenner. If my fellow commissioners -- no?

MS. LOE: No. Any additional comments, questions for staff? No? If there aren't, I'm going to open up the floor to public comment --

MR. MACMANN: I'm sorry.

MS. LOE: -- since this was publicly advertised. Is anyone here to provide public comment on this case with respect to the tabling action? Seeing none, we will close public comment. Commissioner MacMann.

MR. MACMANN: Thank you, Madam Chair. Pardon my eagerness previously. I vote to move, in the matter of Victory Christian Church preliminary plat Case 179 [sic] -2021 be tabled to date certain 9 September 2021. 2021.

MS. GEUEA JONES: Second.

MS. LOE: Second by Commissioner Geuea Jones. We have a motion on the

floor. Any discussion on that motion? Seeing none, Commissioner Carroll, may we have roll call please.

MS. CARROLL: Commissioner Burns.

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing.

MS. RUSHING: Yes.

MS. CARROLL: Commissioner MacMann.

MR. MACMANN: Aye.

MS. CARROLL: Commissioner Geuea Jones.

MS. GEUEA JONES: Yes.

MS. CARROLL: Commissioner Placier.

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell.

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Commissioner Loe.

MS. LOE: Yes.

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

MS. LOE: Thank you. Recommendation for tabling is supported.

In the matter of Victory Christian Church preliminary plat Case 179-2021, move to tabled to date certain 9 September 2021

Yes: 8 - Burns, Loe, Rushing, MacMann, Carroll, Geuea Jones, Kimbell and Placier

Excused: 1 - Stanton

VI. SUBDIVISION REQUESTS

Case # 200-2021

A request by Simon & Struempff Engineering (agent), on behalf of Jeremy Spillman and Brooks Chandler (owners), seeking approval of a final minor plat of 2.40 acres to be known as OPR Subdivision. The parcel is located at 200 West Old Plank Road. The lot is currently zoned R-MF (Residential Multi-Family) and the purpose of the plat is to secure legal lot status for redevelopment.

MS. LOE: That brings us to the next section for the evening which is Subdivision Requests. Our first case is case 200-2021, a request by Simon & Struempff Engineering on behalf of Jeremy Spillman and Brooks Chandler seeking approval of a final minor plat of 2.4 acres to be known as OPR Subdivision. The parcel is located at 200 West Old Plank Road. The lot is currently zoned R-MF, residential multi-family, and the purpose of the plat is to secure legal lot status for redevelopment. May we have a staff report

please.

MR. PALMER: Yes, you may. Thank you, Madam Chair. Excuse me. On this property it is just a final minor plat, so we send out the public info postcards for those. Those were sent on the 30th of June and 35 property owners were notified via that method. This is the aerial kind of isometric view I guess. It gives you a little more context. Bethel Street and Old Plank Road is just to the east of this here. That's the intersection. Bethel Church on the top of the screen there. And then you also see the kind of multi-family and single-family mix of the neighborhood, but we've kind of already addressed that with the zoning. So this is kind of the next step in that process. We annexed this property about a year and a half ago. At that time we zoned it R-MF, which actually was county zoning at the time. And the final plat that we are considering now is to grant legal lot status for development purposes. The applicant intends to develop a multi-family structure here. You can see at the top of the plat there that we dedicate -- the plat dedicates 33 feet of additional right-of-way. For Old Plank Road and also adjacent to that, a dash line just below it there, is the standard ten-foot utility easement. This plat actually also rededicates electrical easements crossing the center of the property. You'll notice that, if you can actually read these, this -- these two notes here say 30-foot electric easement, no recorded document found. That is important because that was one of our comments; that still needs to be addressed. And also the way that we have recently handled easements is when we have a new plat that comes in, we ask that they rededicate the easements to make sure that we're basically covering -- there's an issue with the --

MR. ZENNER: The conveyance component of it. So it -- so the older easements do not contain -- the older easement dedication language does not contain the same content that our current easement dedication requirement has within it. So the rededication of an easement that may have been recorded under a former, separate document is supplemented by having it shown on the actual recorded plat with our dedication certificate. So that helps to ensure that all of the rights associated with that easement are actually being properly established as a part of the new platting action. It's more of a surveying, and if I'm not incorrect and Ms. Thompson can speak to this, more of a law department-related matter, but we're trying to make sure that all the rights that are bundled together with those easements when they are dedicated are properly reestablished in a sense and associated with the right parties.

MR. PALMER: The other minor thing that I forgot to mention, this dimension here should be 33 feet. For some reason it's slightly below that couple, you know, a thousands of a foot for some reason. So as you'll see here, Staff fully believes that the

plat is fully UDC compliant except for those two issues which are outstanding surveyor comments. They are being addressed now, and we should have that within a couple days, if not later before -- definitely before it goes to Council obviously. So our recommendation would be approval of the final plat for the OPR Subdivision pursuant to those two minor technical corrections. Happy to answer questions.

MS. LOE: Thank you, Planner --

MR. PALMER: Palmer.

MS. LOE: Palmer, sorry.

MR. ZENNER: You can just refer to him as comrade.

MS. LOE: Thank you, Comrade Zenner. Before we ask for any questions of staff, 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 the case in front of us. Seeing none, are there any questions for Planner Palmer? Commissioner MacMann.

MR. MACMANN: Thank you, Comrade Loe. This is a question about how to structure a motion. Normally we would approve or disapprove with the scrivener's errors adjusted or amended, added to our motion. Would this be with the outstanding surveyor comments or what would that be.

MR. PALMER: Yeah. I would say pursuant to the minor technical corrections.

MR. MACMANN: Pursuant to minor technical corrections. All right. I just want to make sure we get the wording correct. Oh, I do have another -- like a point of order thing. And this again may be a Ms. Thompson question. We're just doing this on old plats as they come up rather than seeking people out and asking them to change their wording. Is that correct?

MR. ZENNER: That is correct. So as a project is presented for --

MR. MACMANN: So we're not putting that burden on anyone that has -- okay. That's what I wanted to know. Thank you very much.

MS. LOE: Any additional questions for staff? If not, we will open up the floor to public comment. Seeing no public comment, we will close public comment. Commissioner comment? Commissioner Burns.

MS. BURNS: I have no comment, but I'm here to make a motion if there's not any other questions by my fellow commissioners. In the case of 200-2021 OPR Subdivision final plat, I recommend approval of the final plat entitled OPR Subdivision final plat pursuant to the minor technical corrections.

MR. MACMANN: Second.

MS. LOE: Second by Commissioner MacMann. We have a motion on the floor.

Any discussion on this motion? Seeing none, may we have roll call please.

MS. CARROLL: Commissioner Burns.

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing.

MS. RUSHING: Yes.

MS. CARROLL: Commissioner MacMann.

MR. MACMANN: Aye.

MS. CARROLL: Commissioner Geuea Jones.

MS. GEUEA JONES: Yes.

MS. CARROLL: Commissioner Placier.

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell.

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Commissioner Loe.

MS. LOE: Yes.

MS. CARROLL: We have eight to approve. The motion carries.

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

In the case of 200-2021 OPR Subdivision final plat, recommend approval of the final plat entitled OPR Subdivision final plat pursuant to the minor technical corrections.

Yes: 8 - Burns, Loe, Rushing, MacMann, Carroll, Geuea Jones, Kimbell and Placier

Excused: 1 - Stanton

Case # 202-2021

A request by Crockett Engineering (agent), on behalf of Grant R. Drawing (owner), for approval of a 1-lot final plat of 14.31 acres to be known as Rory Point Plat No. 1. The subject acreage is located just north of Cascades Drive on the west side of Sinclair Road. The property is zoned A (Agriculture) and the purpose of the platting action is to secure legal lot status for development of the property.

MS. LOE: That brings us to our second subdivision request of the evening, Case 202-2021, a request by Crockett Engineering on behalf of Grant R. Drawing for approval of a one-lot final plat of 14.31 acres to be known as Rory Point Plat No. 1. The subject acreage is located just north of Cascades Drive on the west side of Sinclair Road. The property is zoned A, agriculture, and the purpose of the platting action is to secure legal lot status for development of the property. May we have a staff report please.

MR. PALMER: Yes, you may. Thank you. So similar to the last case, since this is a final minor plat, just the public info postcards were sent. Again, those were on June 30th. For this property, 14 other property owners were notified. Similar -- also similar to the last one, this is just a one-lot final plat. The aerial here gives you a little more to look at, but it doesn't really give us a whole lot of information. Obviously if you know, the Pinball Company is just to the north of this project and then the Cascades and Lake Arrowhead. Again, we were discussing the new middle school earlier; that's this property up here. And the Sinclair farm property is involved with this chunk that's kind of vacant land. Again, this was kind of the south end of the Sinclair farm property, and the University of Missouri deeded it to Mr. Drewing back in February. Normally we would consider that not a legal transfer and we'd typically require them to plat, but since it's the University, they are able to kind of circumvent our platting subdivision regulations. So they did that and transferred the property to Mr. Drewing. Again, the plat dedicates additional right-of-way for Sinclair Road, and in this case it varies slightly. They've kind of corrected alignment and there, as you can see, there's a little jog in the existing right-of-way there. So the end goal though is met with the 38-foot half level on the frontage. Again, there's also the ten-foot standard utility easement. There's also another easement on the plat, but this is similar again to that last plat where they are showing an existing sewer easement that's located along that frontage. It's, I believe, a 20-foot easement so it's probably the second line farthest to the west there if you can read that. So that's it in a nutshell. Basically it's pretty straight forward. But the purpose of this is Mr. Drewing wants to build a home on it, and so it's pretty straight forward again. But Staff finds that the plat fully complies with the subdivision requirements of the UDC and recommendation would be for approval. Happy to answer any questions.

MS. LOE: Thank you, Planner Palmer. Before we ask for any questions of staff, I would like to ask any commissioners who have had any ex parte related to this case prior to this meeting to please disclose that now so all commissioners have the benefit of the same information on the case in front of us. Seeing none, are there any questions for staff? Seeing none, we'll open up the floor to public comment. If you have any public comment, please give your name and address for the record. Seeing none, we will close public comment. Commission comment? Commissioner MacMann.

MR. MACMANN: If my fellow commissioners, my comrades have no questions, no further questions, I'd like to make a motion. Seeing no further questions, in the matter of the Rory Point Subdivision, final plat, Case No. 202-2021 transferring -- or status of the final plat, I move to approve.

MS. KIMBELL: Second.

MS. LOE: Second by Commissioner Kimbell. We have a motion on the floor.

Any discussion on this motion? Seeing none, may we have roll call please.

MS. CARROLL: Commissioner Burns.

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing.

MS. RUSHING: Yes.

MS. CARROLL: Commissioner MacMann.

MR. MACMANN: Aye.

MS. CARROLL: Commissioner Geuea Jones.

MS. GEUEA JONES: Yes.

MS. CARROLL: Commissioner Placier.

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell.

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Commissioner Loe.

MS. LOE: Yes.

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

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

In the matter of the Rory Point Subdivision, final plat, Case No. 202-2021, move to approve.

Yes: 8 - Burns, Loe, Rushing, MacMann, Carroll, Geuea Jones, Kimbell and Placier

Excused: 1 - Stanton

VII. PUBLIC HEARINGS

Case # 217-2021

A request by Crockett Engineering (agent), on behalf of JAJ, LLC (owners), seeking approval of a conditional use permit to allow an “assembly or lodge hall” on 4.73 acres addressed as 705 Port Way.

MS. LOE: That brings us to our public hearings for the evening. Case 217-2021, a request by Crockett Engineering on behalf of JAJ, LLC, seeking approval of a conditional use permit to allow an assembly or lodge hall on 4.73 acres addressed as 705 Port Way. May we have staff report please.

MR. PALMER: Yes, you may. So this being a public hearing, we sent the postcards and an ad in the Tribune and also sent property owner letters. Those postcards were sent on the 1st of July to 25 property owners and then the ad and letters were then sent on the 6th. This project was kind of fast tracked, probably a meeting

cycle because, as you know, we saw this property at our last meeting and the intent was to kind of get these on the same schedule as best we could, or close to it anyway. Another aerial view. Again, you saw this at the last meeting so it shouldn't be a surprise. Equipment Share there is to the east. The Jimmy John's and the bank is to the north. And then, of course, the residential which is actually in the county, that lies to the south there. And then, of course, at the top of the page you see the St. Charles Road and I-70 interchange. The original zoning, for a little kind of background refresher, CP was approved in 2001 when the property was annexed, part of a 300-acre parcel on either side of the highway at that intersection, at the St. Charles Road intersection. At the time it permitted C-3 uses except for farm machinery sales and services. At the concept meeting for kind of this entire project which involves the property to the north, we indicated a lack of support for M-C on this property in particular and supported M-N because of the loss of the P-D plan approval processes and the public input aspect. And having M-N, M-N basically permitted the bulk of the same uses as M-C minus the more intensive ones and many of them were still allowed by a conditional use permit which is exactly where we're at now. So there are actually six evaluation criteria for approval of conditional use. The first one is that it must comply with the base and overlay zoning district. The building envelope complies dimensionally with the setbacks that are required for the M-N zoning. Other matters such as screening and stormwater and tree preservation, those sorts of things, they will be ironed out as the building plans are reviewed for their building permits, so that will be addressed later in the process. The second criteria is is the use consistent with the comprehensive plan. This area was designated commercial district and the use being assembly lodge, really an assembly hall, those two uses are combined in our code. But fits within the commercial-use category so that is consistent. Third, the use must conform to contextual character within the same zoning. This is -- this will be the only M-N zoning in the neighborhood, but generally it is kind of transitional space and would be a transitional use between the kind of more intensive commercial in the Bull Run corridor and the residential to the south. Fourth, we have adequate access. The property to the north is actually going to provide some access and then the Port Way frontage obviously is another point of access, so I would consider that to be sufficient for traffic generated. One reason they provide the kind of cut-through access from the property to the north is because they envision this as a cohesive property despite the fact that it's two lots, and they intend to use parking as overflow on the property to the north because some of the events held in the assembly hall will be outside of peak hours for the businesses on the north lot. And also, as we discussed at the last meeting, there was some questions about the parking

provided. That will be another way that that requirement's met, so. The fifth criteria is that there's sufficient infrastructure to support the use. The assembly lodge will really create little demand, relatively speaking of course, compared to, you know, the Equipment Share property or the bank even. You know, definitely those intensive uses are going to require more and they're being served and there's capacity in the area. My thought is that the peak uses that require the demand for those services will be sporadic, and it'll be, you know, during events that are a few hours long, like two, three, maybe four days a week depending on how they book it out. But it would be in small spurts and not a consistent usage, so. The last criteria is that the use will not cause any significant adverse impacts to the surrounding properties. Again, the use is going to be pretty sporadic, so traffic is only really going to be during events. Any noise or visual impacts, like we discussed at the last meeting, again, are really mitigated by the 50-foot landscape buffer on the south property edge as well as the berm that was built. Obviously noise can travel and people will still hear things, I'm sure, but a lot of that will be deflected. And again, the use of it is going to be, you know, the events will be few and far between I think and it'll offer them a little bit of respite from that. I think that covered all of that. So our conclusion would be that the assembly lodge -- well, so the assembly lodge is permitted by the current P-D. The building height was relaxed 30 -- 10 feet to be 35 total by the rezoning which is going to Council at the next meeting. So upon that rezoning, they are able to build something ten-foot taller than they previously would have been. However, if that's a concern for you as a commission, I would suggest that, as we did with the U-Haul property on I-70 Drive or Business Loop, a condition could be added to your approval to hold the applicant to the 25 feet. The applicant has indicated that they don't intend to be build taller than that 25 feet anyway, so that's just for your information. Another thing that we've noticed is that internal sidewalks are not provided on the plan that we saw last week, and it is a preliminary plan, but we do want to ensure that proper pedestrian access is provided for those people who end up using the overflow parking. And so we've asked to add the condition that an ADA-accessible sidewalk be added in those locations. That's generally not in the recommendation there. So my recommendation would be for approval of the CUP pursuant to the construction of the ADA-compliant sidewalk, properly marked and signed, that connect the site to the adjoining overflow parking, which again, is on that property on the Bull Run frontage just north of that. That is all I have and happy to answer any questions.

MS. LOE: Thank you, Planner Palmer. Before we move on to commissioner questions, I would like to ask any commissioner who has had any ex parte related to this case prior to this meeting to please share that with the commission now so all

commissioners have the benefit of the same information related to this case in front of us. Seeing none, any questions for staff. Commissioner Burns.

MS. BURNS: Thank you, Planner Palmer. I am looking at the fifth criteria, the proposed variance will not cause significant adverse impact to surrounding properties. And you sent 25 letters you said to property owners within 200 feet?

MR. PALMER: Yes. I believe that's correct.

MS. BURNS: Did you have any contact or response from those?

MR. PALMER: I had no phone calls, no letters. The developer actually met with the neighborhood multiple times prior to the rezoning coming to you guys, so.

MS. BURNS: And then in your assessment about the adverse impacts, did you have discussions about what activities were going to take place at this assembly hall?

MR. PALMER: No. But I did kind of just assume the worst, but I feel like the berming and especially the landscaping -- well, probably the other way. The berming will do a lot to kind of deflect that noise. And then it's also heavily landscaped, so any visual impacts are --

MS. BURNS: And --

MR. PALMER: -- well-beyond the typical screening.

MS. BURNS: I remember from our previous meeting, I think there was like a 50-foot buffer?

MR. PALMER: Correct.

MS. BURNS: Okay. Thank you.

MS. LOE: We're going to go down the line. Commissioner MacMann.

MR. MACMANN: Thank you, Madam Chair. Refresh my memory. I think I may know the answer, but the 50-foot buffer will be in the plat?

MR. PALMER: It's already on the plat.

MR. MACMANN: Okay. So --

MR. PALMER: As a recorded easement.

MR. MACMANN: Because it really would only need a, say a ten-foot buffer or whatever it is. They couldn't decide to remove that buffer, that berm, could they?

MR. PALMER: So I don't believe the berm or the landscaping are a condition of it, but the buffer is. And I'd have to pull that easement to know for sure how that's laid out.

MR. MACMANN: The reason I'm bringing this up is -- Mr. Zenner may remember this. The Drawing (ph) property over off the Loop where they just decided to remove their buffer. And their neighbors were --

MR. PALMER: I think we're --

MR. MACMANN: -- displeased. I'm just concerned that down the road, you know. I think the berm and the landscaping over here is fine. My concern is we have a concert at 11 o'clock on a Friday night type thing and --

MR. ZENNER: And that was actually what was running through my mind. The code was coming up slowly. Outdoor recreation and entertainment uses are not permitted in M-N zoning district. So the types of activities that would occur in this would have to be within a fully-enclosed structure. And if I am not incorrect, indoor entertainment and recreation is either a separate conditional use or it is also not permitted in the M-N zoning district. So we are really looking at an event center, similar to something that is down at Peachtree where everything internal is going to occur. Now, that does not mean that a door to vent the space may not be left open and you may have noise emanating out of the building as a result. To Mr. Palmer's point, the berm and its landscaping will help to mitigate that. I think as a means of addressing the potential, not the likelihood of the berm and the landscaping being removed, I would agree, unless otherwise informed by our law department that we can't, you could conditionally approve the CUP on the berm being retained, the berm and the landscaping being retained --

MR. MACMANN: I personally wasn't going that far. I was kind of going, leaning towards the 25 foot for that reason, because the berm -- because the berm could be removed is my understanding.

MR. ZENNER: It could be, but I think -- and the applicant may be able to better speak to that, the --

MR. MACMANN: Well, I guess -- the reason I brought up the Drewing property, whatever happened 30 years ago, and we don't know regardless of what was said, people change their minds with what they're going to do with their property. And while you and I and neighbors can see no use to tear that ten-foot section down, they obviously did. So, I mean, things do change in 30 years, so that's not -- I'm looking at the 25-foot thing. That's what I'm looking at.

MR. PALMER: I will add that the -- just an eyeball kind of appraisal of it I guess, even a 30 foot -- 35-foot tall structure there I don't think would be visible. But I do think that that adds to the potential impact of --

MR. MACMANN: Sound and light would be my concern. Light, like with the U-Haul thing. And sound with the -- University Subaru would be a good example of that property where immediately you have lights pouring into the neighborhood. All right. Thank you very much. Madam Chair.

MS. LOE: Commissioner Geuea Jones.

MS. GEUEA JONES: Thank you. The old Ashley building, Tractor Supply, how

tall is that building, do you know?

MR. PALMER: I don't, but it's -- I would say it is probably close to 30.

MS. GEUEA JONES: Okay.

MR. PALMER: Just from personal experience seeing the building, but I can't really give you a straight answer on that.

MR. ZENNER: I believe the P-D plan for Ashley had it at 30. It was a planned condition so the building, I don't believe, was built over its maximum height per the former C-P plan for Ashley Furniture.

MS. GEUEA JONES: I'm trying to get in my head -- because that's one story which is very tall, so I'm trying to figure out -- it's not the building height that I worry so much about as second-story people being able to look down into residential yards, which would be the only reason I could think of to restrict the height in this scenario. So that's kind of what I'm trying to think of.

MR. PALMER: Yeah. If you're visualizing that building, it's also slightly at a crest at the site so the street elevation's higher than the base floor of the building. So that 30-foot-tall building really appears to be more like 25 feet probably.

MS. GEUEA JONES: And that wouldn't necessarily be the case over on the other side.

MR. PALMER: Yeah. It's -- I think the residential neighborhood is probably lower in elevation than the site, if I remember correctly. Yeah. So everything, all the stormwater drains south away from Bull Run, and so their stormwater stuff is on that west end of this property catching all the runoff from the property to the north. So that should be correct.

MS. GEUEA JONES: Thank you. That's all I had.

MS. LOE: Commissioner Placier.

MS. PLACIER: Yes. Just kind of following up on this, you mentioned in the staff report the word "large," like large events. What is your understanding of what the capacity of this building would be and how large "large" would be?

MR. PALMER: Right. So the conceptual plan they showed us at the last meeting just had a building footprint and that was also the source of your question about the parking. We don't know how big that building will be, and essentially the size of those gatherings will be dictated by that on their allowable occupancy. So at this time I don't have an answer for that, but that's something, as we discussed last time, they have a pretty restricted area that they intend to use and I don't think it's going to be, you know, thousands of people; it's more like maybe a couple hundred people at best, but.

MS. PLACIER: Well, I think my major concern is just with avoiding overflow

parking going into that neighborhood to the east. They can't -- it takes some effort to get into the directly-adjointing neighborhood, but I could see that somebody could think, Let's park over there, you know, on Camden or someplace and we'll get out more easily.

MR. PALMER: Yeah. And I don't think parking is restricted on Port Way either, not that you would want to, but, you know, people trying to get front row seats with their car I think might be inclined to try to park there.

MS. PLACIER: So is that a concern at all?

MR. PALMER: It is, but I think it's probably fairly easily addressable by making it no parking. I mean, you still have to kind of patrol that and enforce it.

MS. PLACIER: And that's not really within our, I mean, in terms of what we're doing here.

MR. PALMER: Yeah. I think it would be more of a completely different thing honestly.

MR. ZENNER: I would suggest, Ms. Placier, given the fact that notification has been sent out, there is an active homeowner's association in the development to the south and there has been no commentary given to us in respect to the use of the property, that that's not perceived at this point as an issue. But Mr. Palmer is correct. If it became one, that is something then that could be presented to the Public Works Department as it relates to signing for no parking, either on both or one side.

MS. LOE: Any additional questions for staff? Seeing none, we will open up the floor to public comment. If you can give your name and address for the record.

MR. MACMANN: Madam Chair, I have a -- I'm sorry to interrupt. I have a point of order request of Mr. Crockett. Mr. Crockett, I do this too and I say this with all due care. You and I tend to speak very quickly and sometimes the recorder has difficulty keeping up.

MR. CROCKETT: Okay. I will slow it down.

MR. MACMANN: Thank you, Madam Chair.

MS. LOE: Thank you, Commissioner MacMann.

MR. CROCKETT: Madam Chair, members of the commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I believe Mr. Palmer did a good job on the staff report describing the intent of this piece of property, what our use wants to be, but I would like to just go through some of the questions that the commissioners have asked. Just so we have clarification, I'll answer those a little bit. So with regard to the uses, we intend to use this piece of prop-- my client intends to use this property, wedding receptions, graduations, corporate events. They're working with Equipment Share, they're working with the hotel that's out there, working with those owners and those properties as

well to have various types of events over the lunch hour, in the afternoon, evening setting, those type of things. So it's a wide use, but again, it's nothing that's going to be used just consistently, constantly the entire day. With regard to the buffer, it's our full intent not only to leave the buffer and maintain the buffer, but to add to that buffer. Again, as Mr. Palmer indicated, my clients have met with the neighbors on two different meetings. They overall were well-attended. They explained the uses, what they're going to do, their desires. They didn't have any concern as noted by their absence tonight. So yes, we believe that that buffer, we do want to keep that buffer, we intend to keep that buffer, the berm, landscaping, everything there. The building height, it is stated at 35 feet. We would like to keep 35 feet if we can. We have no intention of doing a two-story structure; we have no intention of going with a tall structure, but there may be an architectural element to that building and that may go up a little bit. So if 35 is an issue, we'd ask for 30. You know, I think that the neighborhood protections in the UDC are present for a reason and that that would help mitigate any concern that we have up against the residential neighbors to the south as well as that landscape berm and landscaping, so that's what we respectfully ask for. The building size, Ms. Placier, you asked how many people. I think really maximum usage out there is going to be 250, 300. That's the maximum. We fully don't -- we don't intend to have every event that large. There's a lot of places that, I mean, we can get a room in a lot of restaurants in town that can seat 20 or 30 people, but there's not many places in town that can seat, you know, 75, 85, a hundred people. And so with the caterer that's going to be, you know, assigned to this or attached to this development, they do want to cater within, that -- we intend to have a lot of smaller events as well. So what's our large, 250, 300, but that's not going to be every event by any means. We do believe that there's going to be adequate parking throughout this entire facility, not just on the property but to the commercial developments to the north as well as some shared parking arrangements out there as well. Given that we're not going to have 300 people at every event, we don't want to build a parking lot for the ultimate build out that's only going to be used once a month, you know. If it's going to be typically that hundred number, 120 number, we want to make sure we have adequate parking for that number, but certainly we don't want to have a large parking lot that's going to be served but once a month or so. So with that, if there's any additional questions, I'm happy to answer any questions that the commission may have.

MS. LOE: Thank you, Mr. Crockett. Are there any questions for this speaker?
Commissioner MacMann.

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, would your clients be amenable to some lighting conditions? I don't mind the building at 35 feet. I just would

be concerned, you know, five years from now the lights poured over to the neighborhood.

MR. CROCKETT: Sure. And I think -- I think that our lighting standards --

MR. MACMANN: Generally they are.

MR. CROCKETT: Yeah.

MR. MACMANN: Generally they are.

MR. CROCKETT: I mean, if there was something specific that we could do. I mean, we don't have any issue -- we don't want to have any spillage of light. We don't want to, you know, disturb the neighbors by any means, but I don't know what kind --

MR. MACMANN: I -- honestly it just occurred to me and unless I made it broad enough and specific enough, I couldn't -- my concern is -- I'm concerned about the light coming over because that's something -- that's one of the first things whether you're --

MR. CROCKETT: Right.

MR. MACMANN: -- loud or not.

MR. CROCKETT: Well, I don't think -- I don't think we would have lights on the tallest part of our structures. I mean, we'd probably have some under eave lighting which would be relatively low. So we don't really envision having a lot of lighting that's tall enough --

MR. MACMANN: I think I have -- I think -- may I have leave to ask Staff a question?

MS. LOE: Yes, Commissioner MacMann.

MR. MACMANN: Mr. Zenner, the signage on this building, would it be towards Port Way? Is where it should go?

MR. ZENNER: Is where it would go. I would suggest that probably -- the way that the sign ordinance is written, it has to face a public right-of-way. The signage could be on the northern side of the building, that may be --

MR. MACMANN: But that's the business side.

MR. ZENNER: Yes. So I would suggest that if you want to restrict signage, you could restrict signage as well to not be on the southern side of the building.

MR. MACMANN: So the southern -- the reason I ask this question, it couldn't go on the southern side?

MR. ZENNER: No. It could -- technically it could not --

MR. MACMANN: Not without --

MR. ZENNER: -- not --

MR. MACMANN: -- conditional --

(Simultaneous speakers.)

COURT REPORTER (to Ms. Thompson): Would you let them know I can only

take one person talking at a time.

MR. ZENNER: And it very likely could not go on the northern side of the building either, given the fact that it's not facing a public right-of-way.

MS. LOE: Just one speaker at a time please.

MR. MACMANN: I apologize. Thank you, MR. Crockett.

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

MS. BURNS: I guess, you know, I don't have a problem supporting this. I guess I just wish I had more information about some of the things we've talked about. I wish I could see a site plan. I wish I knew what the lighting looked like or what the building might look like. If Mr. Crockett indicated that they could work with 30 feet, I guess I'd be supportive of that versus the 35 if it really doesn't make a difference. Those are my thoughts.

MS. LOE: Commissioner MacMann.

MR. MACMANN: I am in complete agreement with Commissioner Burns. I do have the concerns that I said going forward. Mr. Crockett is a man of his word and brings stuff forward, but I'm thinking -- the reason I brought those other developers up is because stuff changes over time. I think in the near term what's before us is fine. The question is do we want to do anything for the future. That's the question. And I am open; I just need us to be cognizant of this as we decide.

MS. LOE: Commission Geuea Jones.

MS. GEUEA JONES: I think the things that we're talking about are the sorts of things that are usually addressed through a P-D plan. And as we continue to move away from that, which I am supportive of moving away from that, we need to trust that our UDC protections are sufficient for things like lighting, like landscaping buffers. The landscape buffer on here is recorded on the plat at 50 feet. Even if they take the berm down, that still has to be 50 feet of landscaping. And I think that they've been really careful and judicious of what they're asking us for and with the inclusion of sidewalks connecting to the overflow parking as a condition on the CUP, I'm fine even leaving the building height at 35 feet. I really, I think this is an example of we've done a good job with the UDC and we need to trust it now, if we start granting things like CUPs instead of requiring them to come in with a full P-D plan. That would be my thought.

MS. LOE: Commissioner Carroll.

MS. CARROLL: I'm in agreement with Commission Geuea Jones. And I think this is a bit uncommon for me because I'm typically in favor of neighborhood protections.

However, we did approve the zoning in this case away from a P-D plan and I do feel like the protections are in place -- that are in place are sufficient. I've also heard and seen that they did the work of having neighborhood meetings with their adjoining neighborhoods and that apparently no one spoke up, no one called, made any comments on this. It sounds like they have done the work to find agreement with the neighbors. And so I guess my question would be, you know, if this is not the type of project that we could support with straight zoning, then what is. I consider this to be a good example.

MS. LOE: Additional comments? Commissioner MacMann.

MR. MACMANN: I'll do it. Just to let you guys know. Okay. I'd like to make a motion. In the matter of Case 217-2021, 705 Port Way, conditional use permit, I move to approve as requested by the applicant with the addition of an ADA-compliant, properly marked sidewalk connected to the adjoining overflow parking areas. Ms. Thompson Mr. Palmer, is that sufficient to cover your all's needs?

MS. RUSHING: I think Commissioner Burns wanted the 30-foot height. No?

MS. BURNS: I don't feel that strongly about it. Again, just circling back to Mr. Crockett's comments.

MR. MACMANN: No further modification?

MS. RUSHING: I second.

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

MS. CARROLL: Commissioner Burns.

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing.

MS. RUSHING: Yes.

MS. CARROLL: Commissioner MacMann.

MR. MACMANN: Aye.

MS. CARROLL: Commissioner Geuea Jones.

MS. GEUEA JONES: Yes.

MS. CARROLL: Commissioner Placier.

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell.

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Commissioner Loe.

MS. LOE: Yes.

MS. CARROLL: We have eight to approve. The motion carries.

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

Council.

In the matter of Case 217-2021, 705 Port Way, conditional use permit, move to approve as requested by the applicant with the addition of an ADA-compliant, properly marked sidewalk connected to the adjoining overflow parking areas.

Yes: 8 - Burns, Loe, Rushing, MacMann, Carroll, Geuea Jones, Kimbell and Placier

Excused: 1 - Stanton

VIII. PUBLIC COMMENTS

MS. LOE: That concludes our cases for the evening. Any additional public comment? And usually -- Mrs. Dokken. Thank you.

MS. DOKKEN: Yes. I feel compelled -- Dee Dokken, 804 Again Street. I feel compelled to talk about parks tax money. And I'm sorry I didn't do it before you had your CUP discussion. The 2015 parks tax, the first thing -- I think they listed four things. The very first thing they listed when they were promoting that is acquisition, land acquisition of natural areas and green space. The first thing on their project list, land acquisition, green space, natural areas, \$2,000,025. Okay. Last August about a year ago they were asked to make cuts for COVID. And it all came out of that. It came out of a contingency fund. And then about \$1,300,000 came out of land acquisition. That is not mentioned. When he says -- when Mike Griggs says, All the projects were done, he didn't say, At the expense of land acquisition. And that's what happened. I think he feels a lot of pressure. People always -- he tells me people are always saying, Why do we need more parks. The Parks Commission is heavily sports people. I think there's one natural areas person there. And that is, you know, a project for the Sierra Club and other people to try to get more people on there. But, so right now on the CIP, they -- I think they've spent a hundred thousand in 2017 on land acquisition. I don't know what that was for. But they supposedly have about 600,000 that they assume will come in. That's what it was cut down to. And one request I have related to the CIP is if sales tax picks up, that should go back into land acquisition. They shouldn't start siphoning off into other projects, which maybe it's already gone to Flat Branch somewhat, but. And I -- and this doesn't really relate to what you all are doing, but for the upcoming sales tax, when they did a survey, I think 32 percent -- I don't have all these figures with me, but about 32 percent said they would want to spend 32 cents out of every dollar on park maintenance. Right under that was 24 cents of every dollar for land acquisition for natural areas. They are allocating 7 percent. That's their proposal. And of course Pednet is also feeling shortchanged. The two highest things on surveys, on this last survey and the previous survey, were hiking, biking, walking trails, nature trails, way up above everything else. That's what everybody loves. And there is a push for sports tourism; that's a great way to make money, but I'm

not sure it needs to come out of the things that residents -- that make living here, you know, good. And of course there's comprehensive plan arguments for it, there's climate adaptation arguments, but the one I'm more focusing on is this is not -- this is what was advertised when people voted for this tax. This is what is being advertised on the upcoming one also. And they really -- even though they feel pressure, oh, we don't need more parks, most people think we do. And we want to be able to buy that expensive piece of land that maybe is buffering Gans wild area or some similar area like that. We don't have that money right now. There was one other thing I was going to say. All right. I think that's enough. Thank you.

MS. LOE: Thank you, Ms. Dokken. I think is the type of feedback we were asking for or needing that would help us better evaluate.

MS. DOKKEN: And I apologize for not doing that last time. The other issue I wanted to say is they say that they're getting a lot of land donations. Like a developer will donate some land for a tax benefit and then they'll pay them for the rest of it. And that's how they're getting most of their parks. And they're saying that that should make up for not putting as much as money into it. But in my view, and I think in the voters' view, that it's great that they could stretch out the money, make it go further, but they shouldn't be cutting it down because they're getting donations.

MS. LOE: Thank you, Ms. Dokken.

IX. STAFF COMMENTS

MS. LOE: I will close public comment and go to staff comments.

MR. ZENNER: Our next meeting will be August 5th. We do have several items on that agenda. So your upcoming cases are these four at this point. We will have a project that was intended on being on this agenda, however, ran into a technical issue at 107 North William Street. This is a final plat. At this point it may have a design adjustment with it; we are still trying to hammer out some of those details, but we believe that it may not. So that's why it's showing here just as a final. If it does have a design adjustment associated with it, it will not be on the coming agenda because it does require advertising for that design adjustment. We have the final plat for the Equipment Share property which is 5710 Bull Run Drive. This is basically the consolidation of the existing parcels that are there. Burnside Drive was vacated by City Council which separated the easternmost parcel from the balance of the tract which was two lots. The design adjustment is associated with the termination of Burnside Drive in the existing city subdivision to the south without a proper cul-de-sac. You know, this was an observed issue that was going to be created; the dedication was not the venue in which the closure of that street right-of-way was appropriately to be discussed. It is discussed more

appropriately at the final platting stage. So the commission and the council will need to make a decision as it relates to the necessity of proper closure for that terminated street now since it will not extend into the Equipment Share property. Mr. Smith will be providing you additional insight into the arguments for and potentially against that particular closure. I can tell you that the code is very specific. The closure, a proper-terminated closure is a requirement and therefore Staff's recommendation will be in its standard position of it needs to be done. The commission and council will then need to weigh the value of that closure and there are some extenuating circumstances associated with why it may be supportable and the applicant will have to provide those to you as well. The other two public hearings that you have are 3700 Buttonwood. This is a major P-D revision. This is a segment of Buttonwood that's actually on the south side of Grindstone Parkway. This is the old Burger -- or old Kentucky Fried Chicken site, so. To give you a little bit of context and the user as to why this major amendment is being proposed, if any of you frequent the Sonic down there at Buttonwood immediately adjacent to the Starbucks, Sonic is moving across the street. This is the purpose for this major P-D revision. There are some design exceptions that are being proposed internal with this major P-D plan. It is a significant upgrade, so if you like Sonic, maybe you're able to get your ice cream and your slushies more easily than you can today, and Starbucks may be able to expand. So your final version or final request is 5170 South Scott Boulevard or as it shows on our maps, Scotts Boulevard. This is a permanent rezoning request and it is immediately to the east of Creek's Edge, south basically of Thornbrook. So if you're familiar with where the water tank site is, this particular property is immediately across the street generally from that. It is where Crabapple Lane or Drive is supposed to extend and connect with Scott Boulevard. This is -- the purpose for the permanent zoning is to allow for the property to be brought in the city, connected to public sewer, and then redeveloped as a residential site. Ms. Smith will be handling this particular case. It is a zoning action, though there will be a subdivision component with it at a later date which has got some unique characteristics to it; it will be very reminiscent of something that we did off of ZZ where we dealt with the extension of -- where Broadway comes into -- north of Strong, but where Broadway comes in as the extension basically at Scott Boulevard. Driveway location related matter. But that's not really relevant to the zoning. This is currently an R-S county property being rezoned basically and we're currently zoned R-1. We'll have the annexation with it as well. Just so we can characterize or so you can get your bearings, our Freedom House project here on North William. The Eastport Center plat 2C which is the Equipment Share property with the consolidation basically of the three lots and the vacated waiver of Burnside Drive, our

property for the old KFC which is not there; as many of you are probably aware, it was torn down, for Sonic's expansion and relocation, and then our Scott Boulevard permanent zoning request there to the east of Creek's Edge. Those are the projects for your regular meeting. As we discussed this evening in work session, Mr. Smith, Clint Smith will be manning the driver's seat for your work session. We'll be going over upcoming text changes as it relates to the UDC and other code-related matters for zoning and then subdivision; most likely we're going to mix it up a little bit. All of our text changes that we have previously addressed were brought forth to the planning commission. The first batch has been adopted; the second batch I believe is about to be adopted at our upcoming council meeting or was just adopted. So we are slowly but surely progressing forward. We do have a number of pressing topics, but what we want to do is at the next work session is try to prioritize how we want to bring those back so we can make best use of our time. And then for those that may be interested in TV Land, we are going to be bringing back conversations and discussion as it relates to short-term rental likely in September, but we will be interspersing them into work sessions given that we do need to be bringing them forward to you. Also, comprehensive plan preparatory topics in order to get us ready to start that in earnest in 2022. So with that, that is all I have to offer for this evening. I thank you very much for your attention and your contributions tonight in work session. And we will produce our annual CIP memo for council tomorrow and have it delivered to our city clerk at that point.

X. COMMISSIONER COMMENTS

MS. LOE: Thank you, Manager Zenner. Moving on to commissioner comments, speaking of the CIP response memo, with the commission's consideration, I would like to build on a comment made by Commissioner Burns and also a comment made by Ms. Dokken to perhaps add one more comment to our memo, which is, if possible, could we get a list of projects that were completed in the last year and/or removed from the CIP list. And if they were removed, can we get a reason why. But I think it would be interesting just to understand what had, back to Ms. Burns, we can applaud the City for what's been completed, but understand what has just been completed so they don't just fall off the list and we're always forward-looking. Any comment or do we agree?

MS. BURNS: I support that.

MR. MACMANN: I support that. On a related commentary, Ms. Mayes, Susan Mayes had to go through many, many, many, many, many hoops to get a list of completed CIP projects.

MS. LOE: Ah. Okay. Yeah. No, I think it would be really helpful to look in the rear view mirror so to speak.

MR. ZENNER: And just for purposes of clarification because I see affirmation, nods of most of the commissioners that we add this as the -- this will be the fifth item to be added to your memo. You're wanting this moving forward. I mean, so for this year at least since we've concluded our work --

MS. LOE: Yes.

MR. ZENNER: -- we can at least give our partner departments the information and ask them to start keeping a tally list.

MS. LOE: Yes, please.

MR. ZENNER: I completely understand and I think part of that will require, just as an observation, is as we make budget adjustments due to unexpected projects that get, as Mr. MacMann pointed out, a road collapsed for example, instead of doing a sewer project or a water main replacement project, that money often has to be shifted within the budget and generally there's some council-related paperwork with that to understand where the project went as a result. As long as our staff is aware that that's something that we are going to be asking to have produced, I think we give them enough time to prepare for that. The other question as it relates to this topic, just as for data sources, as many of you are aware the CIP covers a vast spectrum of expenditures. And the purpose of us focusing our attention, are we looking at -- and we may need to have this discussion in another work session just for clarity -- but the way I would view what may be of most value to you in this respect is those projects that are dealing with either utilities, infrastructure, being public works generally related projects, or parks and recreation projects are the classic focus or our classic characters that come to us every year. We're looking in just those general lines of service. Is that correct? Because I don't want to -- if we're -- if we're being -- if I'm asking those that are engaged in the capital process, the capital budget process, I don't know if collecting every project that's been completed, for example, building maintenance for example that we've done or retrofitting building space, if that's as valuable to you as looking at the hard -- the hard projects that actually are affected by decisions this body makes.

MS. LOE: Commissioner MacMann.

MR. MACMANN: Just a thought and to follow up on what you said. I don't see a need for that, but there are times when there is a capital improvement project that flies in both directions like cleaning the polluted lake north of Business Loop cost more money than we thought so a PCCE by your house didn't get done. That then would be valuable to know that. And I was just going to say that some of the discretionary things, the money allocated is an aspirational amount. It will cost \$300,000 to do this, but until we start digging in the ground, we don't know. And sometimes projects will get cancelled

because the other one -- another one went over.

MS. LOE: Commissioner Carroll.

MS. CARROLL: I would say also that part of the use in this being a published item with an agenda that we have is clearing some of those hoops that Ms. Mayes and other members of the public might have to go through. And while not all of those details would necessary influence our overarching recommendations, while we're asking, let's include everything that might impact the public if I may.

MS. LOE: With your question about maintenance versus capital projects, that's been one of the questions of this body, sort of where it -- where is the cutoff, where's the threshold for what comes out of ONM versus what makes the CIP list. So I have to admit I am a little interested in how much is getting -- I'm looking at that maintenance list or those maintenance items because in my mind there should be a threshold. So I guess I am curious as to how much those are completed. And I have to say that was one item in the list that I found a bit confusing. We didn't get into that with our budget people, but it tells says us the year the project was started, and some of those years go back 10, 12, 14 and you have no idea if that means a thousand dollars was spent ten years ago and nothing was spent for five years and it's just been sitting there. So yeah, there's some obliqueness to this still. I'm going to go with Commissioner Burns first.

MS. BURNS: I wonder if a financial threshold might be helpful. If you say projects that were funded or removed or completed or removed from the CIP over X amount of dollars so that you aren't --

MS. LOE: Yeah. Getting into --

MS. BURNS: You won't be getting into the --

MS. LOE: -- the minutia.

MS. BURNS: Yes, the nitty-gritty that's still meaningful, but maybe won't give us the informed information that we're looking for. And I don't know what that threshold is, I'm just saying.

MS. LOE: We're talking projects, so --

MS. BURNS: Right.

MS. LOE: -- we have a definitive number of projects on the CIP.

MR. ZENNER: Ostensibly.

MS. LOE: Ostensibly. So we're basically saying how many of those were closed out or removed. So we're not talking about every active maintenance action being done.

MS. BURNS: They're all significant. I mean just the parks and rec list, there's nothing on here that looks like it's less than a hundred thousand dollars.

MR. ZENNER: I think what we can ask of our finance folks is what is the threshold of maintenance versus capital. And I'm fairly confident there's a definition fiscally associated with that as to what needs to be capitalized and ends up in the capital budget possibly as a result or is coming out of operations in a maintenance category that's either in public works or parks and rec or something else.

MS. LOE: Commissioner Geuea Jones.

MS. GEUEA JONES: To my mind if it's on a CIP, it needs to be included in the completed or removed list. I don't care how small it is.

MR. ZENNER: I would tend to agree. And I think that's the easiest for us to be able to track. I think what this -- the question that you're asking from us is a couple of things. I think one, if we're informing our partner agencies or partnering departments what we're looking for, they can track. We also have the ability within, I believe, our software now that we use for the purposes of legislation for council, we may also have the capability of filtering searches to be able to identify when an ordinance or bill has been introduced that affects a project of some nature or shifts money from one to another. I think removed is probably infrequent. I would say maybe infrequent because to remove a project which has been originally probably guaranteed is likely less to happen just based on the fact that it requires probably some other action. It may be delayed and I think that that's -- it's completed, delayed, removed is probably the categories we need to look at. Because if you've got to shift revenue from something that you expected to get done in one fiscal year to the next because you had to move that money around due to an unexpected expense, I think then we deal with that. The budget reallocation process is complex but working with finance, I think we can figure out a way that we can get you the information for next year.

MS. LOE: Commissioner MacMann.

MR. MACMANN: A couple things. Mr. Lu (ph), I'd like to give a shout out to Mr. Lu. He's done good things with our money. And one of the things he's doing is a -- it's a monthly report now for the budget. Is that what he's doing, Tim?

MR. TEDDY: Yeah. It's a periodic report.

MR. MACMANN: More periodic, they're more detailed, and they're easier to read. So Mr. Lu's making that aspect easier and I appreciate that, I really do because it's not so arcane or rabbit hole-ish. And again, this might be a Mr. Teddy question, the manager can spend up to \$40,000 at his own discretion. Is that correct?

MR. TEDDY: I'm not sure what the --

MR. MACMANN: There's a threshold.

MR. TEDDY: -- but there is such a --

MR. MACMANN: A threshold.

MR. TEDDY: -- a guideline.

MR. MACMANN: Yeah. So he can -- the manager could spend \$40,000, I think that's what the number is, it's what it used to be, on maintenance on his own without having council. The reason I'm bringing that up is once he exceeds a certain threshold, he must ask for money and then it has to go in one of these buckets and come out of one of these buckets.

MR. TEDDY: And the CIP traditionally has some miscellaneous lines like annual sidewalks is usually a category. So it's not named locations, but it's an amount for small-scale sidewalk projects.

XI. NEXT MEETING DATE - August 5, 2021 @ 7 pm (tentative)

XII. ADJOURNMENT

MS. LOE: Any additional comments, commissioner comments? Like our standing end of the meeting commissioner comments. Commissioner MacMann.

MR. MACMANN: I want to thank Ms. Dokken very much for your commentary and I hope that gets to council also. Otherwise, I move to adjourn.

MS. KIMBELL: I second that.

MS. LOE: Second by Commissioner Kimbell. We are adjourned.

(Meeting concluded at 8:23 p.m.)

Move to adjourn