



# City of Columbia, Missouri

## Meeting Minutes

### Planning and Zoning Commission

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Thursday, March 18, 2021  
7:00 PM

Regular Meeting

Council Chambers  
Columbia City Hall  
701 E. Broadway

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#### I. CALL TO ORDER

MS. LOE: I would like to call the March 18th, 2021, Planning and Zoning meeting to order.

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

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

MS. LOE: Thank you.

**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: Mr. Zenner, are there any adjustments or additions to the agenda?

MR. ZENNER: Yes. As we had mentioned this evening in our work session, there is an adjustment to the agenda tonight. Placed in front of you was a request to table Case Number 90-2021, a platting action under Roman Number VI on your agenda. I'd like to move that to the beginning of the agenda under the approval of the minutes.

MS. LOE: Mr. MacMann?

MR. MACMANN: I move to take Planner Zenner's suggestions.

MR. STANTON: Second.

MR. MACMANN: And we modify the agenda whereby this item is dealt with first.

MS. LOE: Thank you. And I believe we have a second by Mr. Stanton. I'll take a thumbs up approval on the motion to approve the amended agenda. It looks unanimous. Ms. Geuea Jones? Yes.

MS. GEUEA JONES: Sorry. I had my thumb up. It got tired.

**Approved Agenda**

**IV. APPROVAL OF MINUTES****March 4, 2021 Regular Meeting**

MS. LOE: All right. Everyone should have received a copy of the March 4th meeting minutes. Were there any additions, amendments to those minutes?

MR. STANTON: I move to approve the minutes.

MS. RUSSELL: Second.

MS. LOE: Thank you. Second by Ms. Russell. Take a thumbs up approval of the meeting minutes? We have seven for and one abstention.

**Approved Minutes.**

**VI. SUBDIVISION AND PUBLIC HEARINGS****Case # 90-2021**

A request by Crockett Engineering (agent), on behalf of Michael M. Menser Properties, LLC (owners), for approval of a replat of 0.38 acres of property addressed as 1009-1021 E. Broadway. In addition to the requested replat, the applicant is seeking approval of design adjustments from Sections 29-5.1(c), 29-5.1(f) and 29-5.1(g) of the Unified Development Code relating to required alley width, lot frontage and shape, and dedication of public utility easements, respectively. The applicant wishes to replat the existing single lot into two to facilitate the division of the existing improvements into individual ownership.

MS. LOE: All right. That brings us to our first case of the evening which is a tabling, as Mr. Zenner just described, Case 90-2021. Since this was advertised -- no? Yeah? Should we read it and --

MR. ZENNER: Please, if you would, ma'am.

MS. LOE: All right.

MS. LOE: Are there any staff comments on this?

MR. ZENNER: Yes. As mentioned, we received a request to table this item early this afternoon to the April 8th, 2021, agenda. There has been some additional discussion related to the requested design adjustments that may necessitate a change in the actual plat that has been presented with this evening's packet, and the applicant is desiring to be able to discuss the said revisions to those design adjustments with staff, as well as the City's law department. And the staff supports the requested delay, and we believe that the two weeks should be sufficient to allow us to bring back a revised report, as well as the revised platting action that may be accompanying it.

MS. LOE: Thank you, Mr. Zenner. Since this was -- are there any questions for staff? Seeing none. Since this was publicly advertised, we will open up the floor to public comment in case anyone was here to make comment on this case.

**PUBLIC HEARING OPENED**

MS. LOE: Seeing none, we'll close public comment.

**PUBLIC HEARING CLOSED**

MS. LOE: Commission comment? Ms. Russell?

MS. RUSSELL: I'm going to go ahead and make a motion. In the Case of 90-2021, I move to table till the April 8th, 2021, meeting.

MR. STANTON: Second.

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

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

MS. CARROLL: We have eight votes, the motion passes.

MS. LOE: Thank you. Recommendation for tabling to April 8th will be recommended.

**Move to table till the April 8th, 2021, meeting**

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

**Excused:** 1 - Rushing

**V. SUBDIVISIONS**

**Case # 82-2021**

A request by Anderson Engineering (agent), on behalf of P1316 LLC (owners), for a preliminary plat revision to PD (Planned Development) zoned property included within the *Discovery Park Subdivision Preliminary Plat Revision #3* to include new lot arrangements and new right of way dedication for the extension of Artemis Drive to connect to Endeavor Avenue, and to be known as *Discovery Park Subdivision Preliminary Plat Revision #4*. The property is generally located north and south of Endeavor Avenue, approximately 300 feet west of the intersection of Nocona Parkway.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of Discovery Park Subdivision Preliminary Plat Revision #4.

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

MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Smith, tweaked these roads a couple times now. Are roads and streets and the sewer folks all on board with this? Is this all good with them --

right-of-ways, layouts, so on and so forth?

MR. SMITH: Uh-huh. Yeah. It was reviewed by all our utilities. There was no specific deficiencies that were identified. And I think it's all with realm of being served by all of our utilities.

MR. MACMANN: So it seemed pretty straightforward, but I just -- because we've tweaked this a couple of times, I just want to make sure that we're still on top of it.

Thank you.

MS. LOE: Any additional questions for staff? Ms. Carroll?

MS. CARROLL: Do sidewalks go with the PD plan? On the subsequent three lots, should that be pursued, or is that at this juncture?

MR. SMITH: So the -- the sidewalks would be required once the -- once those lots are platted. So the street will be constructed without sidewalks. It's typical for the sidewalks to come with the actual development of the lot. So I don't think -- we do have a final plat in for two of those lots. I'm sorry. For the right of way, but, yeah. Usually, the sidewalk construction will come with the building of the site.

MS. CARROLL: Thanks.

MS. LOE: Any additional questions? If none, we'll open up the floor for public comment.

#### **PUBLIC HEARING OPENED**

MS. LOE: If anyone has any public comments that they would like to share with the Commission on this case, please give your name and address for the record. We do limit you to three minutes or six minutes if you're speaking for a group.

MR. WOOTEN: Good evening. Tom Wooten with Anderson Engineering, 4240 Phillips Farm Road. I don't have anything to add, but would be happy to answer any questions.

MS. LOE: Thank you. Are there any questions for this speaker? I see none at this time. Thank you.

MR. WOOTEN: Thank you.

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

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission comments? Mr. MacMann?

MR. MACMANN: I don't mean to cut off any of my fellow Commissioners. I was going to make a motion unless you all had questions or commentary. In the matter of Discovery Park Subdivision Preliminary Plat Revision #4, Case 82-2021, I move to approve.

MS. RUSSELL: Second.

MS. LOE: Second by Ms. Russell. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, do you have a comment?

MS. CARROLL: My only comment is as follows. I'm eager to see the PD plans as they go along. I have no problem with the creation of the extra road. I think it makes sense. As we move closer to a park and a school, I would hope that some consideration would be given to the uses and the density and the surrounding context in future plans. That's all I have to say.

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

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

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 Discovery Park Subdivision Preliminary Plat Revision #4, Case 82-2021, I move to approve.**

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

**Excused:** 1 - Rushing

**Case # 88-2021**

A request by Civil Engineering Design Consultants (agent), on behalf of Bucky C LLC (owner), seeking approval of a 3-lot preliminary plat that will reconfigure Lot 1 of Crossroads North Subdivision Plat 1 which is zoned M-C (Mixed Use-Corridor) to provide separate parcels for potentially restaurant, retail and automotive repair uses, and will be known as Crossroads North Subdivision Preliminary Plat. The approximately 4.36-acre property is located at the southwest corner of Vandiver Drive and Range Line Street.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the preliminary plat.

MS. LOE: Thank you, Mr. Smith. Before we move on to questions for staff, I would

like to ask any Commissioner who has had any ex parte related to this case to please disclose that 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? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Smith, the right-of-way that's being granted by the Waffle House, will that ingress and egress throughout their current parking lot?

MR. SMITH: The right-of-way is being granted on Lot 3, so not on the Waffle House lot, per se. That is a separate lot. It's not included in this one. The access itself, as you -- as I think you're describing, coming from Range Line Street?

MR. MACMANN: Uh-huh.

MR. SMITH: Yeah. The dedication right-of-way there shouldn't impact it. I think they're -- any additional right-of-way dedications for Lot 1; was that the question?

MR. MACMANN: I'm just wondering, they're granting private easements. How is that going to play out? That's -- that's my -- that's where I'm going, ultimately.

MR. SMITH: Sure. So it is going to be a requirement of their final plat. We've communicated to them that we'll need to have that easement and be reviewed by our legal team for compliance with the UDC standards for what an access easement needs to grant, and then it'll need to be recorded and shown on the final plat before we'll take that to Council.

MR. MACMANN: All right. Just -- again, just following up. Thank you very much.

MR. SMITH: You bet.

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

#### **PUBLIC HEARING OPENED**

MS. LOE: Please give your name and address for the record.

MS. GOUCH: Allison Gouch with Civil Engineering Design Consultants, at 10820 Sunset Office Drive, Sunset Hills. I have a quick presentation. I'll try to just zip through this. Okay. I'm Allison Gouch; we're the civil engineers on the project. You've seen the site. I think all that was covered already. Just to go into a little bit --

THE COURT REPORTER: Please speak into the microphone. I'm not picking her up. Sorry.

MS. GOUCH: Sorry. Okay. So just to show kind of how we got to where we -- we are now, we started with a concept meeting with City staff, and that's how we came to the agreement that we would develop the Starbuck's lot -- or the Starbuck's portion first because they already had Starbuck's kind of on board and they were ready to go. So we didn't want to take the time to do the whole subdivision and then start developing the

Starbuck's lot since that lot was -- already had some interest. So one thing that's a little unique is as we were doing that Starbuck's development, we did actually pick up a lot of the requirements that were going to be needed for this subdivision. So you can see all the shared roads are being installed under the Starbuck's project. The public sanitary sewer that will serve all three lots is -- is installed under the Starbuck's project in an easement. And then also we designed the water quality detention and storm sewers with the intent that it would serve all three lots ultimately. The only thing we did not pick up under that Starbuck's project would be the water mains. The City wanted them served a little differently, so they wanted the Starbuck's served off of Range Line, and the other lots served off of Vandiver, so that's why we did the Starbuck's lot, but not the other two. So in the preliminary plat, that would be the only real infrastructure that we still need to build with -- with that portion of it, so we'll be dedicating the right-of-way along Vandiver. We'll be dedicating the cross access for all the lots. And the owners do -- the same owners own Waffle House, too, so that is under the same ownership. And then we'll be granting all the utility easements that the City has asked for. Does anyone have any questions for me?

MS. LOE: Mr. MacMann?

MR. MACMANN: Yes, ma'am. Thank you, Ms. Gouch. I noticed that there were 32 notices sent out and the majority of -- I'll call it the biore for the sake of the conversation. Neighbors are commercial properties. Did you receive any feedback, positive, negative, neutral?

MS. GOUCH: I have not.

MR. SMITH: No. I did not receive any -- any feedback from any notices we sent out.

MR. MACMANN: All right. They give a lot of commercial neighbors. I just wanted to see if anybody had said anything. I do not have any more questions at this time.

MS. LOE: Thank you. Any additional questions for this speaker? I see none at this time. Thank you. Any additional speakers on this case? Seeing none, we'll close the public comments.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission comments? Ms. Russell?

MS. RUSSELL: Since there are no comments, I'll go ahead and make a motion. Regarding the Crossroads North Subdivision Preliminary Plat Case 88-2021, I move to approve the preliminary plat of Crossroads North Subdivision.

MS. MACMANN: Second.

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

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

MS. CARROLL: We have eight to approve; the motion carries.

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

**Move to approve the preliminary plat of Crossroads North Subdivision.**

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

**Excused:** 1 - Rushing

## VII. PUBLIC HEARINGS

### Case # 92-2021

A request by Engineering Surveys & Services (agent), on behalf of TKG San Jacinto Place Development, L.P. (owner), for approval of a PD (Planned Development) plan, constituting a major amendment to the Breaktime at Stadium and Ash C-P plan, and a statement of intent for the development of the site with a Scooter's Coffee, accessory drive-up, and associated off-street parking, to be known as Scooter's Coffee Near Shoppes at Stadium PD Plan. The approximately 0.54-acre property is located at the northwest corner of Stadium Boulevard and Ash Street.

MS. LOE: May we have a staff report -- you were just all stacked up tonight, weren't you, Mr. Smith?

MR. SMITH: I am. I like to get everything at one meeting.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the PD Plan amendment for -- which will be now known as Scooter's Coffee Near Shoppes at Stadium PD Plan, and the Statement of Intent.

MS. LOE: Thank you, Mr. Smith. Before we move on to Commissioner questions, I would like to ask Commissioners if anyone has had any ex parte related to this case to please share that with the rest of the Commission so we all have the benefit of the same information on behalf of the case in front of us. You are a quiet group. All right. Any questions for staff? Ms. Geuea Jones?

MS. GEUEA JONES: You may not know the answer. This may be for the owners, assuming someone is here. How did they deal with the underground storage tanks? Did they remove them or did they cap them?

MR. SMITH: You know, I will let the owner ask that question. That's not specifically that we discussed. So I know they have an engineer there, as well as an owner representative.



MS. GEUEA JONES: Just before we start building especially something that's a food establishment, that would be good to know.

MR. SMITH: Sure. Good question.

MS. LOE: We'll probably get to that when we get to public comments, so save -- save your answer, and we'll finish up with staff questions. Did you have any more questions, Ms. Geuea Jones?

MS. GEUEA JONES: No. That's -- that's the only thing on my mind.

MS. LOE: Mr. MacMann?

MR. MACMANN: That was my exact question, also. Thank you.

MS. LOE: Okay. Any additional questions for staff? Then we're going to open the floor to public comment.

#### **PUBLIC HEARING OPENED**

MS. LOE: Please come forward. If you can give your name and address for the record, that would be great.

MR. THOMAS: Good evening. My name is Zach Thomas; I'm with Engineering Surveys & Services, 1113 Fay Street, 65201. And to answer your question regarding the tanks, they were removed. I do know that there is state-federal requirements that whenever gas stations close, they have to be removed. And so, yes, they -- they have been removed in their entirety.

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

MR. MACMANN: Thank you. I was aware of the -- the law when it changed, like, in the early '90s or whatever. I also know that old gas stations tend to have some toxic issues. Do we know anything about this soil?

MR. THOMAS: I personally am not aware of anything with that, of any soil contamination or anything.

MR. MACMANN: All right. I'm just -- I'm just trying to be thorough so we get that on the record.

MR. THOMAS: Uh-huh.

MR. MACMANN: All right. Thank you.

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

MR. THOMAS: Thank you.

MS. LOE: Any additional speakers on this case? Seeing none, we'll -- oh, sorry.

MR. GREEN: Good evening. My name is Robert Green, 4100 White Pine Court. I'm here representing the owner to address any questions you might have. And to the discussion -- the query regarding the tank removal, so I'll address that forthwith. The tanks were removed and the soil excavated and removed by the prior owner prior to us

acquiring the site. We do have a Missouri DNR notice of site being clean, so happy to provide that to the City or whoever might be interested in seeing that, but I did not bring that with me to the -- tonight's meeting. Does that answer your question, sir?

MR. MACMANN: Yes. Yes, it does. As -- as long as we have it on record, and we do, she's writing it right now, that you all have that, if it's required in the future. Thank you. Just I've had -- we've had issues with toxic soil in the past. That's all. That's why I asked the question.

MR. GREEN: And we wouldn't buy it if we didn't have it.

MR. MACMANN: I didn't think so, but I just wanted to be sure. Thank you. I don't have any questions of this witness.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. If there's no additional speakers, we'll close the public comments.

**PUBLIC HEARING CLOSED**

MS. LOE: Commission comment? Ms. Russell.

MS. RUSSELL: Well, I'm going to go ahead and make a motion then. In the case of 92-2021, I move to approve the PD Plan Amendment for Scooter's Coffee Near the Shoppes at Stadium.

MR. STANTON: Second.

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

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

MS. CARROLL: We have eight to approve; the motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council. That concludes our cases for the evening.

**Move to approve the PD Plan Amendment for Scooter's Coffee Near the Shoppes at Stadium.**

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

**Excused:** 1 - Rushing

**VIII. PUBLIC COMMENTS**

MS. LOE: Any additional public comments? If not --

**IX. STAFF COMMENTS**

MS. LOE: -- any staff comments?

MR. ZENNER: Yes. You have a meeting coming up on April 6th -- or 8th -- I apologize. And on that meeting, we will have some items.

MS. RUSSELL: Really?

MR. MACMANN: Thank you, Mr. Zenner. I appreciated that report.

MR. ZENNER: I just, you know -- I wanted to hesitate, so, you know, just maybe you thought you were going to get lucky. No. We have six items on the agenda, one of which is a carried -- carry forward item from this evening's meeting. You have two subdivision plats, both finals, and typically you don't see final plats on your agenda unless they are not considered previously platted legal lots. Normally, our final plats go directly to Council, but these two just happen to not fit that bill. So, now the first is the 600 Rollins Street. This is actually a replatting of a site that will be redeveloped for the purposes of a new fraternity house. They are combining two lots, and the second lot is parts of previously platted lots. And then the second final plat that is under the Subdivision section is down off of Route KK, and this is -- when you see the documents, you will scratch your head a little bit and wonder what's going on. It's -- it's a menagerie of lots that are being reconfigured and a couple of lots being added to other property and a new lot being created. So, at this point, from what we have concluded in the review, there is nothing illegal about what's being created, it's just an oddity. And because one of the lots is a surveyed tract of land, it must come through the Planning Commission first. The Public Hearings, one of them is what we were going to discuss this evening on North Tenth Street. It does have a design adjustment or a series of design adjustments associated with it. All of the design adjustments that were read this evening will not be eliminated, so it will still require a public hearing on April 8th. The next two items are actually co-joined. They are a permanent zoning request, along with the corresponding preliminary plat for the same property. This is at the corner of Gans Road and Bearfield, an annexation request from County A-1 to R-1 and then a corresponding preliminary plat for the subdivision with design adjustments. So that should be an interesting presentation to make, a pretty traditional preliminary plat layout, but it backs up to the state park and then has some other issues along Gans Road that need to be addressed by the design adjustment. And the final item on our next agenda will be a public hearing out at Old Hawthorne. This is something that's a little bit new to us. This is actually a request to rezone planned development zoned property to R-1 on the very northern edge of the Old Hawthorne development. When we get to the aerial map, if I can ask Clint to move forward to give you the context of these, these are your cases that are the finals. Again, our final plat on the right is the one down off of KK, and then, of course, our other final plat. And then if we go to the next slide, you'll see our Tenth Street, or Broadway, and then the annexation parcel, the permanent zoning request there at Gans and

Bearfield, and then the last slide, the graphic on your right is the actual replatting of the common lot on the northern edge of Old Hawthorne. This is part of a much larger combined request that's in two different pieces. It's actually in three. The parcel that's immediately north of the area highlighted in red, which is sought to be rezoned, is also being reviewed at this point for a preliminary plat and an annexation. And as part of ensuring that they have adequate access, the rezoning of the common lot to R-1 is needed in order to allow for some of that common lot area to be utilized for new lots pursuant to the preliminary plat with the annexation to the north and to points of ingress and egress into the property to the north in addition to access per the preliminary plat out to Richland Road. A lot to unpack there. We will have the graphics associated with the proposed preliminary plat, which is under review, as I said, likely not to be brought before the Commission for at least two months given that there are some other issues that need to be addressed with the platting and the annexation before we can bring those two topics to you to consider. The pursuing forward, we believe, with the -- the annexation and the preliminary platting is contingent upon this rezoning request because it is being relied upon as access to the future development. So we have indicated to the applicant that we would be willing to take this piece separate from the other two, but we would not have been willing to accept this piece without the other two being presented to us concurrently, and that is what they did at our last submission deadline. So as part of our arrangement with the applicant, we're willing to take this rezoning request forward, but not the annexation and the preliminary plat at this point. As I said, this is not something that we commonly see where we're taking common land out of a development to have it added to another development. Mr. Smith is reviewing this, since he is -- there wasn't an expert on the development here to the north, as well as this portion of Old Hawthorne, so you'll get to see his presence again next month. With that, those are our cases for the April 8th agenda. As we discussed this evening in work session, we have completed at least the first round, at least at this point, of zoning text changes to our use specific -- to several uses within the Code that we will be preparing to advertise for the end of April as a public hearing item. Staff will be working on changes that were discussed during work session, and we will also be preparing to probably have a discussion with you at our next work session on April 8th for several items -- more administrative items that we have discussed previously at the beginning of this year. We may also have some additional conversation as it relates to some other topics that have come up recently as it relates to some density discussion that Ms. Loe has been working on and provided to staff, as well as we may have a little bit of added discussion just to make things lively at the next work session about live-work units and possible use specific standards, but that's only if we

want to get, you know, dicey with each other again. So with that being said, that is all we have to offer for this evening and, again, we thank you for your time, your attention, and your service.

MS. LOE: Thank you, Mr. Zenner. We do like to keep our meetings entertaining. Mr. MacMann?

## **X. COMMISSIONER COMMENTS**

MR. MACMANN: If staff is finished, I'd like to ask Mr. Zenner a question, and then go to our time and then let Lee make -- and then let Lee make a motion; is that all right?

MS. LOE: Sure.

MR. MACMANN: Mr. Zenner, Mr. Menser has a lot of things to do. Does he have enough time by 8 April?

MR. ZENNER: He does. I think part of what -- part of what the issue that exists, if you all read the staff report, he is -- there's a dedication requirement for increasing the alley width on this particular property, and that's really what the delay is associated with is to discuss options as it relates to the potential nonconforming of the back of the Buchroeder's building with an alley -- with a dedication of additional alley right-of-way. The topic came up Wednesday afternoon with his legal counsel that was presented to our staff and I talked to that legal counsel today and talked with our legal counsel as to what would be the appropriate action to take, and we were all a little bit mystified. And we said, well, we probably need a little bit of time to just clarify what is desired, so that level of clarity, I think, won't take but a week.

MR. MACMANN: I just want to make sure he's -- he's got a lot of small tweaks and a couple of more less than small ones. That's all I wanted to make sure that he's going to --

MR. ZENNER: Well, the smaller tweaks with the lot configuration, some of those are -- we -- we acknowledge are just unrepairable. The alley is really the issue that resulted in the tabling, and that's the primary issue, and that one, I believe, we will come back and provide in the revised staff report some clarity.

MR. MACMANN: All right. I just -- you know me. I just want to make sure that we're not wasting everyone's time nor his. Thank you, Mr. Zenner. Something for the rest of us. In case you do not know, the Gans and Bearfield development has received significant public attention. It would behoove us to be very thorough in our considerations. I have nothing else. Ms. Russell?

MS. LOE: Ms. Russell?

## **XI. NEXT MEETING DATE - April 8, 2021 @ 7 pm (tentative)**

**XII. ADJOURNMENT**

MS. RUSSELL: I move to adjourn.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We are adjourned.

(The meeting adjourned at 7:53 p.m.)