



# City of Columbia, Missouri

## Meeting Minutes

### Planning and Zoning Commission

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Thursday, February 24, 2022

7:00 PM

Regular Meeting

Columbia City Hall

Council Chambers

701 E. Broadway

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#### I. CALL TO ORDER

MS. LOE: I would like to call the February 24th, 2022, Planning and Zoning Commission meeting to order.

#### II. INTRODUCTIONS

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

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Here.

MS. CARROLL: I'm here.

MS. CARROLL: Commissioner Loe?

MS. LOE: Here.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Here.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Here.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Here.

MS. CARROLL: Commissioner MacMann?

MR. MacMANN: (Silence.)

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MS. CARROLL: We have eight present, we have a quorum.

MS. LOE: Thank you.

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

**Absent:** 1 - Michael MacMann

### III. APPROVAL OF AGENDA

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

MR. ZENNER: No, there aren't, Madam Loe.

MS. LOE: Thank you. I'll take a motion on the agenda.

MS. BURNS: I move to approve.

MS. GEUEA JONES: Second.

MS. LOE: Moved by Commissioner Burns, seconded by Commissioner Geuea Jones. I'll take thumbs up approval on the agenda.

Commissioner Placier?

MS. PLACIER: Yeah.

(Unanimous vote for approval.)

MS. LOE: Unanimous.

**Move to approve**

### IV. APPROVAL OF MINUTES

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

**Absent:** 1 - Michael MacMann

#### **February 10, 2022 Regular Meeting**

MS. LOE: Everyone should have received a copy of the February 10th meeting minutes. Were there any edits or changes to the minutes?

MR. STANTON: I move to approve the minutes.

MS. GEUEA JONES: Second.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Geuea Jones. I'll take a thumbs up approval of the minutes.

(Unanimous vote for approval.)

MS. LOE: It looks unanimous. Thank you everybody.

**Move to approve**

### V. WITHDRAWN ITEMS

#### **Case # 43-2022**

A request by the Law Firm of Haden and Colbert (agent) on behalf of Columbia's Woodcrest Chapel (owner) to rezone their property from A (Agriculture) to M-N (Mixed Use-Neighborhood) to allow additional commercial use of the property. The approximately 9.56-acre property is located at the northwest corner of Nifong Boulevard and Sinclair Street, and includes the address 2201 W Nifong Blvd. **(This item has been WITHDRAWN by the applicant).**

MS. LOE: All right. That brings us to our first item of the evening, which is a withdrawn item.

MS. LOE: This item has been withdrawn by the applicant. Are there any additional staff comments?

MR. ZENNER: This was an item that was tabled to this date certain, the withdrawal has been submitted by the applicant due to issues that arose in trying to address the straight zoning aspects. We anticipate that a revised application will be forthcoming for potentially a planned zoning district. And once we receive that, we will begin the review process on it, and we'll keep the Planning Commission informed accordingly. There may be individuals here in the audience that did come anticipating this item was going to be a public hearing this evening, and my advice to the Chair would be that they be called for those particular comments that may be captured for the minutes.

MS. LOE: Thank you, Mr. Zenner. As staff said, this was an advertised item, so if there are any public -- it was not advertised -- it was advertised -- if there are any public that would like to make any comment on this case this evening, you can come forward and do so.

#### **PUBLIC HEARING OPENED**

MS. LOE: Seeing none. We will close comment on Case 43-2022.

#### **CLOSE PUBLIC HEARING**

MS. LOE: Is any action required on --

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

MS. LOE: -- the Commission? Okay. Thank you.

## **VI. SUBDIVISIONS**

### **Case # 73-2022**

A request by Engineering Surveys & Services (agent) on behalf of Conley Road Investments, LLC (owners) for approval of a 4-lot final plat to be known as, *Conley Marketplace*. The 18.44-acre parcel is located on the north side of the Conley Road Walmart, just west of the intersection of Conley Road and Business Loop 70.

MS. LOE: That moves us on to subdivisions. The first case is:

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

MR. PALMER: Yes, you may. Thank you, Madam Chair. Real quick, there were seven postcards sent for this property on January 11th, so that was our public notice for this case. Here is an aerial view, you can see the Country Club of Columbia

there pretty prominently to the north and west of the property. Obviously the Walmart/Lowe's shopping center there to the south. And then you can see from this aerial, it's a little older, it's got the construction of the connector of Business Loop down to Conley. And then actually at the new signalized intersection here, the roadway actually changes from Business Loop to Conley Road. So we have frontages technically on two roads, but the one continuous roadway around the corner there. As you said, it's a four-lot final minor plat. It's going to create three current development lots, one with a perspective buyer, the other two kind of speculative. The larger lot that you'll see in a minute to the west is intended for a future development, and possible future subdivision as well, so we may see the property again for that purpose. Access, again is provided by private streets internally that are entering from Business Loop. You can see the existing private streets on the aerial there. And if you've been out there you know that that intersection enters, then you have to take a left turn to get into the Walmart parking lot to the south. So a little background there. The north access road for the purposes of this plat will actually have to be reconfigured and moved to the west. Everything north of the Conley entrance will be moved to accommodate the larger lot which you'll see in a minute. Site served with all utilities. And in relation to the road being moved, and the lot being larger than what was anticipated, the utilities will also have to be moved. And I'll get into that in detail as well. Lastly, there is an electric easement that's dedicated across the plat, which you'll see.

I think this went completely backwards on me. But anyway, so this is the plat, you can see lot 2 to the north is the one that is a little larger than I guess was anticipated initially, and you'll see that there are easements circumnavigating that lot. Hopefully these will work. These are existing sewer utilities or utility easements, those obviously kind of encumber the buildable area of the property, and so they will be replaced by these two easements. They are dedicated by this plat. Initially the applicant was hoping to vacate the existing easements across lot 2, so everything north of the property line here in this area was intended to be vacated. Due to kind of how things are processed, and the way the sewer department accepts new utilities, we have to leave that on the plat, and that will be vacated at a later date separately. So right now the plat can move through, and they can get building permits, we're just

leaving them on there.

A couple of other things here. Well, I didn't include that. There is -- as I said, there was the new green easements here. And then the electric easement that circumvents the lot is out here. There is utility easement that's standard along the frontage and it connects to that and goes across the lot to get back to lot 1 to serve it. So that's dedicated by the plat as well. Additionally, there was a gap that was left by the arrangements of lot 3 and 4, and so there is an easement in this white space here that I'm trying to point to, that's 12-feet wide that's dedicated by the plat as well.

So as you can see a lot of thought process went into serving all of the different lots with the appropriate utilities, and they've got that addressed, so -- if I can get out of here -- Yeah, now they're coming up, earlier they didn't. So, yeah, the blue there is another important thing. That was actually dedicated as street easement previously, as kind of the apron if you will for turning into the site right here, and as a new kind of requirement the city requires everything street related to be right-of-way and not easement, so we've asked that they go back, and if we have a plat that comes in, they rededicate that street easement as right-of-way. And so that's what's indicated here. You can see, if you can read the note, it says, "Land for additional street right-of-way." And then up here it says, "Street and utility easement recorded," blah blah, blah. So we're showing that the street easement exists and we're rededicating it as right-of-way.

So -- Let's see. So we kind of touched base on these, but those unneeded easements across the property will be vacated separately once the new infrastructure is installed and accepted by the sewer utility. The plat does meet the requirements of the UDC; however, it does require a few minor technical corrections, which I think we actually address today, and we have a new plat here for you. So those should be taken care of. And with that I would give you our recommendation as for approval of Conley Marketplace final plat.

MS. LOE: Thank you.

MR. PALMER: I think we would go ahead and approve it pursuant to the minor technical corrections though, too, just to be safe.

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

Placier?

MS. PLACIER: I have just one. Could you point out on I guess the -- that map, good, where the entrances and exits are exactly?

MR. PALMER: So currently the main entrance is accommodated here with an easement, that's the yellow I've indicated --

MS. PLACIER: Okay.

MR. PALMER: -- and the blue also. And currently the private street comes in and T's off here, and these red lines for the sewer easements, those are basically under the roadway in that location, so you can follow those. And back on the aerial again, if I can get to one, you can see those under my red hashes, you enter on the -- basically if you come in on Conley, you can go straight across, and then enter Walmart from the north, as opposed to out on Conley, so that's why those were --

MS. PLACIER: Thank you.

MR. PALMER: -- that was all part of the intersection improvements was to kind of push traffic that direction instead of down Conley.

MS. LOE: Any additional questions for staff? Seeing none. We will open up the floor to public comment, if anyone has any comments they would like to share on this case, you are welcome to come up to the podium.

#### **PUBLIC HEARING OPENED**

MS. LOE: Seeing none. We'll close public comment on this case.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission discussion? Commissioner Stanton?

MR. STANTON: Madam Chair, if there is noother questions from my colleagues, I'd like to entertain a motion. As it relates to Case 73-2022, Conley Marketplace Final Plat, I move to approve the final plat pursuant to minor technical corrections.

MS. RUSHING: Second.

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

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: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Yes.

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

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. That brings us to our next subdivision case for the evening.

**As it relates to Case 73-2022, Conley Marketplace Final Plat, move to approve the final plat pursuant to minor technical corrections.**

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

**Absent:** 1 - MacMann

**Case # 80-2022**

A request by Crockett Engineering (agent), on behalf of MFL Golf, LLC (owners), for approval of a 2-lot preliminary plat to be known as, "MFL Golf, LLC , Plat." The 121.22-acre parcel is located at the eastern terminus of Van Horn Tavern Road. The purpose of the plat is to relocate and establish right of way for Van Horn Tavern Road and confer legal lot status to the proposed two lots upon recording of a subsequent final plat.

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

MR. PALMER: Yes, you may. Thank you, Madam Chair. As you said, it's a two-lot preliminary plat. Advanced public info postcards were sent on the 2nd, and they were sent to seven adjacent property owners.

So real quick, we want to just put this out there, one of the technical corrections came about because our law department reviewed this case since the publication of the agenda, and raised concerns about a note on the plat regarding responsibilities for construction of Van Horn Tavern once it's re-established through the lot. And we have

removed that note from the plat. And it's no longer a concern, but you -- we will talk about it a little bit. And you may have seen it on the plat if you look through there. I think that pretty much covers it. Don't you?

MR. ZENNER: It does. We will raise -- answer any questions that are associated --

MR. PALMER: Right.

MR. ZENNER: -- with that if they should arise. The roadway will be constructed at a future date; however, the way that the note was originally structured was, as Mr. Palmer just stated, troubling with the law department. We conferred with the applicant, we have a solution that we will be discussing internally with our staff that would be executed at the time of final platting. So it is not a matter that we wanted to have on the preliminary plat at this point, but we do have a strategy for how we will handle it moving forward. Any further questions, we can answer them at the appropriate time.

MR. PALMER: So this is the aerial view. You see I-70 pretty clearly cutting through there. Midway is in the upper left-hand corner. And then you come back down Van Horn Tavern, past Midway, USA, and then the golf course, and outdoor recreation facilities there at the end of the road. The road you see cutting through the site is the old Van Horn Tavern, it was actually vacated by MoDOT back in 1999. So part of this plat obviously was to include the future right-of-way to reestablish Van Horn Tavern, because of that right-of-way you'll see in a moment, it actually results in the two lots instead of one.

You may remember this property came through seven/eight months ago to be annexed for the purposes of gaining sewer access. And at that time it was permanently zoned generally O, except for a six-acre piece in the middle where their business is located, which is zoned M-N to meet that standard. Again, Van Horn Tavern vacated in '99; however, the main reason we want it back is because it remains on our CATSO Major Roadway Plan as a major collector. And they are showing appropriate right-of-way width for a major collector on the prelim plat here. A connection across Perche Creek to I-70 Drive Southwest is eventually intended; however, it does likely require construction -- well, it will require construction of two different bridges, and so the timing and final build-out of that is very tentative, and very theoretical at this point, so -- Here is the plat.

You can see the greyed area is the Van Horn Tavern, plus all of their kind of facilities are shown in grey as well, outside of the building's footprint. The kind of dash line in the middle, that's the zoning boundary, so this area is zoned M-N. Everything else is zoned



for open space, which is appropriate. The new Van Horn Tavern right-of-way makes this kind of S curve up to the northern boundary, and then there is this gap here which is actually a MoDOT right-of-way that was originally gained as -- there may actually be some drainage easement there as well, and that was due to the bridge abutment taking up more space than the rest of the highway does. So in that location, the highway widened out a little bit to support the bridge that then crosses over Perche Creek. So they have shown that the right-of-way will kind of jump over that and share a space in the MoDOT right-of-way, that's actually been indicated as maybe an issue, so some of the roadway right-of-way may be widened in locations. It may be relocated just outside of that MoDOT right-of-way at some point, but generally it will remain kind of the same route, it will traverse the northern property line as closely as possible, and we'll go from there. And again that's something that will be ironed out before the final platting of the property.

Again we've got two lots, the resulting lot up here on the northwest corner, and then everything else is on a separate lot on the other side of the roadway. Again this plat is going to require some minor technical corrections, one being an inadequate stream buffer. It looks like a drawing error in the CAD, basically it should be 100 feet, and it should be continuously 100 feet, and a couple of spots it dropped below that, so they'll be fixing that. Again the right-of-way does require some modifications potentially for topo in conflicts with the MoDOT right-of-way, so that will also be addressed. So with that, our recommendation would be for approval of the MFL Golf preliminary plat pursuant to those minor technical corrections. I'm happy to answer any questions for you.

MS. LOE: Thank you, Mr. Palmer. Before we move on to questions for staff on this case, I would like to ask any commissioners who have been -- had any ex parte, to please share that with the Commission so all commissioners have the benefit of the same information on the case in front of us. None. Are there any questions of staff? Commissioner Geuea Jones?

MS. GEUEA JONES: This question is for legal. Would us taking an action on this tonight in any way affects the quiet title dispute that's going on right now with regard to the easement?

MS. THOMPSON: Not to my knowledge, no.

MS. GEUEA JONES: Okay. So we aren't accidentally picking winners and losers in a related matter?

MS. THOMPSON: No, I don't think that should be a consideration in your all's determination this evening.

MS. GEUEA JONES: Correct. I'm just making sure we don't accidentally do something out of our purview. Thank you.

MS. LOE: Any additional questions for staff? Following on Commissioner Geuea Jones' question, Mr. Palmer, with the moving of the right-of-way for Van Horn Tavern Road, is there a reason that the 30-foot right-of-way access easement wasn't extended?

MR. PALMER: So the property owner to the south does still have access --

MS. LOE: We discussed this at the last --

MR. PALMER: Yeah. Via UU. And then also the applicant has indicated that they intend to, you know, maintain that current access across their property, so it's another issue that will be ironed out before we move forward with the final plat, I think, but their -- this plat is not doing anything to really impact that access. If that makes any sense.

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

#### **PUBLIC HEARING OPENED**

MS. LOE: If you have public comment, please state your name and address for the record.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. You know, I believe the staff did a pretty good job illustrating this project here before you tonight. This is a preliminary plat. This project came before you several months ago with regards to the zoning of the property. The City Council did annex it and did zone the property. Again, it's Midway Golf & Games, and what they want to do, the intent and purpose of this, is so they can expand their existing facility. That's what their purpose and intent of the plat is. We'd work with the previous city manager, as well as the public works director, with regards to the extension of Van Horn Tavern through this property for future construction. The biggest idea, the biggest issue there, is that the City doesn't know if that's going to take place or not, but what they don't want to do is have to require the right-of-way through this existing business in the future, they want to secure the ability to obtain this right-of-way at no cost in the way doing it, and we don't know exactly where that right-of-way is going to be. And we think we can handle it. And I've talked with Ms. Thompson with regards to how we can address this on the final plat moving forward, and I think my client would be in agreement to that, and don't think it's going to be an issue, so it's -- that can be resolved. The biggest issue is, is making sure that the City maintain that right-of-way at no cost and -- if and when they need it in the future. With that, I'm happy to answer any questions.

MS. LOE: Thank you, Mr. Crockett. Are there any questions for the speaker? I see none.

MR. CROCKETT: Thank you.

MS. LOE: Thank you. Any additional speakers on this case?

MR. FRITZ: Hello. I'm Scott Fritz, representing the Fritz Family Gift Trust. I try and bring up the right-of-way --

MR. STANTON: Address, sir?

MR. FRITZ: Sorry?

MR. STANTON: Address. Address.

MR. FRITZ: Oh, sorry. 216 North Strawn Road. My apologies.

MS. LOE: Thank you.

MR. FRITZ: I'm not a regular. The -- so we have the right-of-way up to the old Van Horn Tavern Road, and we're trying to ensure that we continue to have access through that because there is times when the creek that intersects between Highway UU, and that piece of property, makes it impassable. And it seems like we keep moving forward with a lot of things, but nothing ever gets addressed in regards to our right-of-way. I want to make sure that I get that in front of you. And I appreciate your concerns.

MS. LOE: Thank you. Are there any questions for this speaker? Commissioner Placier?

MS. PLACIER: Well then what would you request that we do about your concern?

MR. FRITZ: Well, we've been assured by MFL that they will get something in writing to us repeatedly over the last seven months, and nothing seems to be forthcoming, so that's why I keep appearing at these meetings. I'd rather not be here if I could avoid it. But I would like to see something formal and official so that we have a way that we can assure that we get -- are able to get in and out through the way that we have been using for the past 30 years.

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

MS. GEUEA JONES: If I remember correctly from the previous hearing, I think your right-of-way is at least denoted on this plat, do you not feel that's sufficient?

MR. FRITZ: It is denoted to what is going to become a piece of private property, a bridge to nowhere if you want to think of it that way, if that -- if we don't have access to that road. The 30-foot right-of-way is on a raised strip of land, this land is

in a floodway, not just a flood plain, so the strip that goes from our property to Van Horn Tavern Road is on a raised -- not really a levy, but it's sort of like a levy that gets out to there. If the road is extended up to the north, and we have to go through golf course ponds and things like that to get there, it's not going to be an effective right-of-way for us. So that's my concern is the right-of-way currently goes to a raised concrete road that we can get out to the world, and I don't see anything that's going to assure me of that in the future. And there is no guarantee from MFL that that roadbed that stays -- that is there currently, stays in place. I really don't know the plans, so that's my concern.

MS. GEUEA JONES: I think what we're hearing is there really aren't plans at least not to move that road in the future.

MR. FRITZ: Right. And I -- but I have no assurances.

MS. GEUEA JONES: I see.

MR. FRITZ: And so that's my concern.

MS. GEUEA JONES: Thank you for coming again.

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

Any additional

speakers on this case? If there are none, we will close public hearing.

COMMISSIONER BURNS: Could we keep it open?

MS. LOE: We will keep public comments open.

COMMISSIONER BURNS: Could I ask

Mr. Crockett to step back up to the microphone just to ask a question? Thank you.

MR. CROCKETT: Yes, ma'am.

MS. LOE: And we'll need your name and address again.

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

COMMISSIONER BURNS: I appreciate you coming back up. I know that we did talk about this when we were looking at the annexation, are you comfortable or could you give any assurances, Mr. Crockett, that what Mr. Fritz is concerned about is being addressed and he will have satisfaction that the right-of-way will remain?

MR. CROCKETT: Sure. Let me start first of all by making a clarification, MFL Golf is the landowner, so the operator of Midway Golf & Games is a tenant. So just so we're clear on who we're working with here. Midway Golf & Games is a tenant of the property, and then MFL Golf is a separate owner that has no ownership in the operation side of things. Just so there is clarification there. With regards to Mr. Fritz's concern, yes, there is an easement there. There is an easement that grants -- that granted -- that

grants his property access through my client's property to the old right-of-way. When MoDOT vacated that right-of-way, his easement stays in effect, it's still there, it goes to that old right-of-way, but it goes to nowhere as he has indicated. It doesn't go anywhere. I have -- had talked to my client's attorney who has said that we will obli- -- we will honor and obligate -- or honor those easements as stated. We're not going to let them go away. We're not going to -- you know, to vacate them, or get rid of them, or not honor them. We're going to honor those easements at all times. That's what they've committed to doing, that's what they've done since -- you know, since that right-of-way is vacated, so they fully intend to keep on doing that.

COMMISSIONER BURNS: And that's the owner. So then the tenant, as they develop the property, and put in golf course, or games, or whatever, I remember seeing the site plan --

MR. CROCKETT: Yeah, they have to honor --

COMMISSIONER BURNS: -- they wouldn't be able to impede that right-of-way?

MR. CROCKETT: No, they cannot impede upon that. No, it's a restriction that goes with the ground, with the property, and so if the tenant were to impede on that, Mr. Fritz has a -- he has a legitimate complaint to the owner because his tenant is impeding access through that right-of-way -- or, excuse me, through that easement.

COMMISSIONER BURNS: Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: Okay. Just for the record the previous questions were being asked by Commissioner Burns. We will close public comment.

#### **CLOSE PUBLIC HEARING**

MS. LOE: Commissioner comment? Commissioner Stanton?

MR. STANTON: If there is not any questions from my colleagues, I would like to entertain a motion. As it relates to Case 80-2022, MFL Golf Preliminary Plat, I move to approve the preliminary plat pursuant to minor technical corrections.

MS. GEUEA JONES: Second.

MS. RUSHING: Second.

MS. LOE: I'm going to say Commissioner Geuea Jones got in there first, so seconded by Commissioner Geuea Jones. We have a motion on the floor, any discussion on this motion? Seeing none. Commissioner Carroll, may we have roll call, please?

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: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Yes.

MS. CARROLL: I have eight votes to approve, the motion carries.

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

**As it relates to Case 80-2022, MFL Golf Preliminary Plat, move to approve the preliminary plat pursuant to minor technical corrections.**

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

**Absent:** 1 - MacMann

## **VII. PUBLIC HEARINGS**

### **Case # 78-2022**

A request by Crockett Engineering (agent), on behalf of LOCALE23 LLC (owner), seeking the rezoning of two parcels from PD (Planned Development) to M-N (Mixed-Use Neighborhood). The 17.92-acre subject site is located southeast of the intersection of Lenoir Street and East Sugar Grove and commonly addressed as 4130 and 4150 Lenoir Street.

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

MR. KELLEY: Yes. Thank you, Madam Chair. And for the purposes of the minutes, this is

Brad Kelley speaking as well. As you mentioned the request is to rezone the property from PD to M-N. Originally this request was to rezone from PD to M-C, that's what was advertised, but the applicant changed the request to rezone this to M-N. Public notice was given for this in the form of postcards on January 26th. And advertised on February 8th.

To give context to the site, it's fronting on Lenoir Street here, seen between Grindstone and a -- Discovery interchanges. Lenoir Street kind of serves as an outer road here

between the two interchanges, and then adjacent to the Sugar Grove Street here as well.

To the north is residential property zoned R-MF that serves as a Lutheran Senior Services. And to the east as ag property that is owned by the University of Missouri and improved with the Discovery Research Park. On the left you can see a graphic for zoning that I'll be referencing later.

To give some background, the site previously contained the Sunshine and Ed's Mobile Home Park, it was annexed in 2007, and zoned CP, and this was modified in 2015. The current Statement of Intent permits uses that are similar to M-N today that - the Statement of Intent had some restrictions that went along with it as well, including requiring a traffic study and -- that would go along with the development planned. And also required that the developer would be responsible for improving any -- or completing any improvements that were recommended through the traffic study. It also required that the property be platted. And gave some restrictions for the maximum gross floor area of the site, maximum height, and minimum open space to be retained. No CP plan has been submitted, nor has one been approved as to date.

The modification in 2015 was just to increase the gross floor area by about 20,000 square feet and to include the option of a hospital as a hospital was interested in locating to this site. This area is kind of in a -- has some mixed development patterns. To the north is developed. And across the Highway 63 is developed as well. To the east, it's mostly unimproved land, but once again owned by the University. While it is zoned ag, it -- they're not subject to local land use controls, so zoned ag, but they're able to develop beyond that basically, evidenced by the Office and Research Park that's there now. It is located at the intersection of two collector streets. And it was within half a mile of these two freeway interchanges. One is more significantly developed, and has been for some time. And then the other has been ongoing significant development since the site was originally zoned CP. And generally around that interchange it's mostly PD. Or ag on the other side. Columbia Imagined, and the East Area Plan, both identified this site as a commercial district. Again, the applicant is requesting M-N. M-N is consistent with this being designated as a commercial site. And it's intended to provide for shopping and services and/or near residential areas. Again here is the full surrounding land use that I provided in the staff report in case we want to come back to this later.

Future development of the site will require a plat to be reviewed by P&Z, then go to Council for approval as well. With any development, depending on its size and trip

generation, may require a traffic study. All of this to be similar with the original restrictions of the Statement of Intent, so that's not necessarily being lost. All UDC requirements will apply. When this was originally zoned CP, we didn't have the UDC. So now we have protections for significant trees, climax forest, we have additional landscaping, screening, buffering requirements, among other things as well. And I'll -- this will be relevant for my next slide as well, but there have been significant changes in the context of this site since this was zoned CP.

So again this is a picture of the site today, you can kind of see the more developed area to the northwest up here. And around this interchange. And then to -- what would be the south/southeast on here, you see some currently in-development parcels along either side of this interchange. This is a comparison I want to show you all here, is pictures taken in roughly 2007/2008 when this was zoned CP. So you can clearly see that the interchange had not been built yet, and so that was kind of in consideration of why this was zoned CP. Wanting to give some more consideration and thought to the context of the site in developing a PD plan to go with it, because there had been significantly less development at the time, and there has been some significant changes since then.

Rezoning to M-N would remove the Statement of Intent and PD plan requirements, but it would provide additional protections via UDC. So currently there is a height restriction of 45 feet, going to M-N would reduce that to -- or, sorry, currently the height limit is 45 feet, this would be reduced to 35 feet, thereby being more strict than the current PD. It would remove the open space requirement from 25 percent down to 15. And remove the gross floor area restriction as well. And I noted in the staff report that its additional height restriction would contribute to a potentially lower gross floor area as well. The PD is not seen as necessary unless significant control oversight development is seen as essential. And again the -- there is not much change in the permitted uses, the Statement of Intent uses, that are akin to M-N today. So with that, staff recommends approval of rezoning the site from PD to M-N. And I'm happy to answer any questions you may have.

MS. LOE: Thank you, Mr. Kelley. Before we move on to questions of staff, I'd like to ask any commissioners who have had any ex parte related to this case, 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 this Placier?

MS. PLACIER: Yes, just some clarification on the zoning designation M-N, with "N" meaning "neighborhood," you know, providing some kind of access to services to a



neighborhood. Really the only neighborhood of this is the Lutheran Nursing Home. And the other residential areas are across Highway 63. So I -- it's hard to make that connection there. So what's the rationale for M-N? MR. KELLEY: Sure, that's a good question. It kind of looks at the point of this as some mixed development patterns here. So both Columbia Imagined, the city's comprehensive plan, and the East Area Plan, identified the site as a commercial district, so with that it doesn't give clear direction to what commercial district that should be, so going into the analysis we're generally looking at between either M-N, Mixed-Use Neighborhood, or M-C, Mixed-Use Corridor, which is more intense than M-N. So kind of looking at that, we look at what uses that the current PD allows, those are uses that are allowed in M-N today, so the uses are - the uses requested are similar to what's permitted today.

MS. PLACIER: So the idea is that to go for less intense uses, even if there is not directly a neighborhood around it, that I shouldn't take that word "neighborhood" too literally? It's --

MR. KELLEY: Right. So there are uses allowed in the M-C that they -- may be more appropriate to serve like a regional commercial center.

MS. PLACIER: Gotcha.

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

#### **PUBLIC HEARING OPENED**

MS. LOE: If anyone has public comment, please give your name and address for the record.

MR. CROCKETT: Madam Chair, Tim Crockett, Crockett Engineering, 1000 West Nifong. I'll be brief in my comments, I believe Mr. Kelley did a good job in his staff report on this project. Again I would ask that when the Commission looks at the zoning map that surrounds this area, there is a tremendous amount of ag-zoned property, and I think as Mr. Kelley indicated, a lot of that is University of Missouri, and they're exempt from city regulations, so they are developing their property not in an ag designation, but rather something more in line with a commercial designation. And so just to kind of point that out so when you look at the zoning map for the area, you'll think, Wow, there is a lot of ag property out here, but it's certainly not being developed that way. As indicated also, when this property was originally rezoned PD, the storm water regulation was in -- was very young, it had just been approved, and so we had new storm water regulations that

really weren't -- you know, weren't tested yet, and I think there was some concern with that on how that will affect this property. And certainly not the UDC, the UDC was certainly not even thought about too much at that time. Since that time we have much stricter storm water controls, and the UDC, that helps protect this property, downstream property, as well as neighboring properties as well. So being rezoned from a PD into an open district I think goes along the lines of what the UDC was developed for. And so with that, I'm happy to answer any questions that the Commission may have.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, Mr. Crockett. Any other speakers on this case? Seeing none. We're going to close public comment.

#### **CLOSE PUBLIC HEARING**

MS. LOE: Commission comment? Commissioner Geuea Jones?

MS. GEUEA JONES: So I just want to take a minute and say thank you to the applicant for maybe moderating the zoning here, but -- and for coming to us as straight zoning. I think we've talked a lot about the UDC should mean we only use planned development when we absolutely have to. I understand what Commissioner Placier is saying about there is not really a neighborhood-neighborhood, but I think the idea of this being a waypoint for people who are working out at Discovery Ridge, working in some of the other sort of office parks that are out there, plus the residents of Lenoir Woods. I mean, I like the way this is shaping out, and I much prefer M-N to -- than I would to M-C.

MS. LOE: Additional comments? Commissioner Carroll?

MS. CARROLL: I do work at Discovery Ridge, so this would be directly next to my workplace. I can say that that portion of Lenoir Woods, it does have a certain neighborhood quality to it. There are residences that are not even attached to what would be kind of akin to a multifamily living building, and I think that it makes sense to have M-N in this location. I'm also thankful for that. It kind of provides a bit of a buffer as we go towards more of the heavier commercial aspects, my own workplace included.

MS. LOE: Additional comments? Commissioner Stanton?

MR. STANTON: If my colleagues don't have any other questions or comments, I would like to entertain a motion, Chair. As it relates to Case 78-2022, 4130 and 4150 Lenoir Street, Zoning Map Amendment, I move to approve the rezoning from PD to M-N.

MS. KIMBELL: I approve. I did approve, yes. I second that.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Kimbell. We have a motion on the floor, any discussion on this motion? Since there is

none. Commissioner Carroll, may we have roll call, please?

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: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Yes.

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

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

**As it relates to Case 78-2022, 4130 and 4150 Lenoir Street, Zoning Map Amendment, move to approve the rezoning from PD to M-N.**

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

**Absent:** 1 - MacMann

## **VIII. PUBLIC HEARINGS & SUBDIVISIONS**

### **Case # 71-2022**

A request by Crockett Engineering Consultants (agent), on behalf of Curators of the University of Missouri (owner), to rezone a 383.43-acre site that is currently zoned A (Agricultural) to 313.08 acres of R-1 (One-family Dwelling), 64.73 acres of R-MF (Multi-family Dwelling) and 5.46 acres of M-N (Mixed Use-Neighborhood) zoning that will allow the development of the site with single-family housing, multi-family housing, and neighborhood commercial areas. The property is located on the west side of Sinclair Road, approximately 700 feet south of Nifong Boulevard.

MS. LOE: This brings us to our public hearings and subdivisions. Question for staff, are we going to do the next two cases together?

MR. ZENNER: If you would please read the titles concurrently, and then we will have to take separate votes on your rezoning request, and the preliminary plat, and design adjustments.

MS. LOE: Thank you. So we're going to do two cases together. Case -- the first: Case 71-2022. A request by Crockett Engineering consultants --

MR. ZENNER: No. Oh -- Sorry. Read them in the reverse, please, if you will?

MS. LOE: All right.

MR. ZENNER: Or, no. I apologize.

MR. ZENNER: No; that's correct.

MR. ZENNER: I apologize, I've got them set up here on the -- start where you were, I apologize, Ms. Loe.

**Case 71-2022.**

**A request by Crockett Engineering Consultants (agent), on behalf of Curators of the University of Missouri (owner), to rezone a 383.43-acre site that is currently zoned A (Agricultural) to 313.08 acres of R-1 (One-family Dwelling), 64.73 acres of R-MF (Multi-family Dwelling) and 5.46 acres of M-N (Mixed Use-Neighborhood) zoning that will allow the development of the site with single-family housing, multi-family housing, and neighborhood commercial areas. The property is located on the west side of Sinclair Road, approximately 700 feet south of Nifong Boulevard.**

MS. LOE: The second case is:

**Case 59-2022.**

**A request by Crockett Engineering (agent), on behalf of Curators of the University of Missouri (owner), for approval of a 532-lot preliminary plat that will allow the subdivision & development of the site with single-family and multi-family housing, and neighborhood commercial areas, to be known as Legacy Farms Preliminary Plat, with a design adjustment to Section 29-5.1(c)(3)(ii) to allow longer block lengths on multiple blocks. The 383-acre property is currently zoned A (Agricultural) and is located on the west side of Sinclair Road, approximately 700' south of Nifong Boulevard.**

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

MR. SMITH: Yes. Thank you, Ms. Chairman. Just to kind of restate what we had said previously, so I will have kind of concurrent staff reports, I'll do case 71-2022,

offer my recommendation, and then go right into 59-2022, and also offer the recommendation at the conclusion of that. And then there will be three votes; one for the zoning, one for the design adjustment, and one for the preliminary plat. So with that, I'll go ahead and start off. There is a lot of information here, this is a large piece of property, so I will try to go as quick as I can. If there is questions, obviously I can answer them at the end, and I want to leave plenty of time for questions and testimony.

So just to recap, it is approximately 383 acres, and this site is located on the west side of Sinclair, south of Nifong. It's all currently zoned A for agriculture. And they're looking to rezone it a mix of R-1, R-MF, and M-N. It did require a public hearing. That information was sent out as early notification on January 25th. And advertised in the Tribune of February 8th. And 86 letters and postcards were sent out to surrounding property owners so again this is a very large site. It's actually very long north to south. It actually fronts along Sinclair for approximately two miles, so it's very long and skinny. So generally broken up between two parcels, the narrower parcel on the north, which is about a quarter mile deep to the west, and the southern parcel, which is about a half mile deep to the west.

So this is generally the way we're going to view this tonight, given the limitations of our screen size, so north is going to be to the right for most illustrations we look at tonight, just to clarify that for everyone's viewing purposes. I've highlighted a few roads on there for wayfinding. So Sinclair there will be on the bottom side. Nifong is to the north of the site. Crabapple stubs on the west side of the site.

So the requested zoning for the site is generally principally going to be R-1, and that is our single-family dwelling zoning designation. There is a sizeable piece that is also going to be zoned R-MF, and that is Residential Multi-Family, and it allows a range of residential options all of the way from apartment buildings, but also duplexes, and single family. Basically, the entire range of residential uses you could expect. And then approximately five acres of the site would be M-N, and that is Mixed-Use Neighborhood. So it's a commercial designation, principally designed to be located in proximity to neighborhoods to provide services and goods in a walkable location for surrounding neighborhoods.

So this is our zoning requested for the site. Again the entire site right now is zoned A. This is a surrounding zoning map. So you can see from the surrounding zoning there,

the light yellow color is the city's R-1, so that's areas that are already zoned R-1. The county, which is in the grey, the R-S, that is their equivalent to R-1. So as you can see, a lot of the property bordering this site is already single-family oriented. There are large blocks of agriculture out here. A lot of this piece and surrounding pieces were part of an annexation group in 1969, I think it was, where a large swath was annexed as ag, that's why you do see a lot of agriculturally-zoned property out here. And that was prior to us kind of zoning things when they came in at annexation.

Directly to the east, and so this is going to be in the bottom of the screen, kind of the large block across Sinclair, is existing middle school, John Warner. The site actually borders another elementary to the north, which is Mill Creek Elementary as well. So a lot of this we've covered already, but just to kind of recap. So the R-1, as you can see on the bottom, that's the blue. Of the 383 acres, 313 will be single-family zoned. There will be approximately 65 acres of multifamily. And five acres of the mixed-use neighborhood. R-1 is a majority of the site. And if you look at the surrounding land use, which is generally single family, single family on this site is consistent, and in context with the surrounding zoning.

The location of the M-N and the R-MF, what we look at when we look at a piece this size, when

you look at some of the goals of the comprehensive plan, one is to provide some additional housing options. So at this scale, at 400 acres almost, we would expect to see more than just single family, and

that's what we do see here, we see these two pockets of the R-MF. And the location of them is generally

along the major roadways. So Sinclair is identified as a major collector. And we'll look -- as we see later on in the preliminary plat, both of these are also located near

intersections with Sinclair. So there will be two new streets on the new site, one will be

the extension of South Hampton, that's the larger block of R-MF there, kind of on the

north side, we'll go right through the middle of that. So basically we have R-MF

surrounding what would be a major intersection there. The same with the south portion,

the R-MF zoning there would generally be located on the north side of Crabapple, and

Crabapple is the other major

roadway that bisects east/west of this site. So it's an extension actually of Crabapple that terminates

right now on the west side of this property.

So Crabapple will come through, M-N will be on the northern portion of Crabapple. When you're looking to target a neighborhood in commercial zoning and proximity, it fits within that commercial node aspect that's found in Columbia Imagined with being at intersections and being on the edge of neighborhoods. So it kind of integrates well and gives you the opportunity, especially when we're doing this, you know, now, not so much retrofitting a neighborhood, to put it in a location where you do have good natural separation from the single family, also from the multifamily, as much as possible.

You can see that really the separation of the R-MF on the north side is actually off by itself, because there is really a fair amount of grade going west of the larger R-MF where it goes down into the Mill Creek and other drainage way areas, so it's really almost out there on an island. On the southern part there is more drainage there, some topography there, so it offers a nice natural buffer and boundary between those two kinds of use areas.

The whole neighborhood -- or the whole area in general is identified as neighborhood in the Columbia Imagined, as the future land use, and as we've talked about, neighborhood is -- generally we're looking for a range of residential uses. So single family is appropriate, multifamily in certain locations is what we want to target, especially in this location with the major roadways, is also appropriate. Not every subdivision may be at a scale where we'd see all of these different uses, but at this scale we do want to take the opportunity to have something more than single family. And so -- and that's what we're seeing in this plat -- or, excuse me, in the rezoning request. So all of those three zoning districts would be appropriate at certain context and scale within the neighborhood.

And also just to kind of point out some of the other factors here, which I think really drives home that this area is a good location, especially for residential, and maybe some denser residential, is the proximity to the schools in the area. Specifically, Columbia Imagined talks about neighborhoods in close proximity to schools. We're going to have a middle school on the east side here. There is a plan potentially right now for a elementary to also be located next to John Warner Middle School. We have an elementary to the north at Mill Creek. So there are those pedestrian drivers that can kind of act as that walkability driver within a neighborhood.

And again the -- just to kind of reiterate what I've said previously that multifamily, that

really goes for that goal of having diverse and inclusive housing options within an area. It's going to provide a range of options there, not just single family. It also, with that density, is going to further support the commercial uses to help those be successful on that small scale, because we're not looking for ten acres of commercial in this proximity, five acres is probably appropriate. And also with the multi-family being located kind of along those major roadway corridors, it does open up the possibility of future expansion of public transportation. We look at corridors for public transportation with high density residential areas that can support the public transportation, so looking at these locations, planning for the future, this is a good location for that.

Again, the mix-use neighborhood commercial does speak to the goal of providing mixed uses in these commercial node applications where residents can walk and have services that they don't have to drive to every day. You know, it goes to creating a healthier and more walkability - walkable environment, which is one of the big goals of the Columbia Imagined plan. And again it's at one of those intersections of major roadway. Appropriate size, approximately three lots is what they'll be looking at on the preliminary plat.

So overall we do find the zoning is consistent with the goals of the Columbia Imagined, it's appropriate in this situation and context, you don't see any negative impacts to surrounding property, so we're recommending approval of the proposed zoning. So with that, I'd answer any, like, small questions, but I'll probably just go on to the next one if that's okay?

MS. LOE: Why don't you go on?

MR. SMITH: I would be happy to. All right.

MS. LOE: We'll keep any questions at bay.

MR. SMITH: So the next case, related case, Case 59-2022, it is the same property, again 383 acres. So this request is for a preliminary plat. So we're laying out the site lots, streets, and so on and so forth. As part of that, they are requesting a design adjustment, so they're asking for a little bit of relief from one of the requirements of the subdivision regulations. This was also advertised because of the design adjustment, so the same advertising date, 86 postcards and letters sent out to surrounding property owners. The same property again. And for context, and just to highlight a couple of the neighborhoods and features around there, we do have several



abutting subdivisions, and also again the elementary and middle school that are adjacent to the site, just to give you a little better context of the surrounding development and how their proposed layout will fit within the context of that development.

So I'll point out Mill Creek Manor there on the west side, which is the top of the screen here, that does have the extension of Crabapple, and I've highlighted kind of where that would be on this site, so we'll show that a little bit later in -- on the preliminary plat. So we'll be looking at kind of this image a lot, and it's page one of the preliminary plat, it is seven pages long, so it's fairly substantially sized compared to what we usually see. So I have included on here basically all seven pages for reference. I'm going to go through them real quick. I'm not necessarily going to stop and speak on each page, but in case there is a specific question where we may need to look into a little more detail at certain areas, we'll have it on the slide shows. So this is page one.

And page two we're going to move from the south to the north. And this is -- the south area is generally the location of some larger lots, one-acre lots. As we move north they get a little smaller, closer to what our minimum would be. You see here the Crabapple extension going across from west on the left to east where it intersects with Sinclair. Moving north, we're kind of in the northern parcel now, the skinnier parcel, you start to see the -- on the bottom of the screen some of the multi-family lots. And at the top of the screen the larger multi-family area that's going to be around the South Hampton area. Again there is the South Hampton roundabout, which we'll talk about a little bit here in a minute. Also the extension of South Hampton going west with the right-of-way extension. And finally up north, the far north piece of the property with a couple of larger lots, which we'll talk about as well. And directly abutting us to the north is the Mill Creek Elementary School. Again we're back on page one of the preliminary plat. We have color-coded some of this to kind of better illustrate what is happening and where on the site.

So generally the brown areas on the site are multi-family lots, and there are five multi-family lots in total. The red kind of in the middle there, that is the mixed-use neighborhood commercial area. The green and the purple are two lots, which again we'll discuss a little more later, but they're potentially CPS lots and city lots. The rest to the south that is left white is generally single-family area and common lots. So to kind of describe the property here, again it's a 383-acre site, so fairly sizeable.

There was a small piece of the property that was owned by the current owner that is not

incorporated within the preliminary plat in the far southwest corner of that, it's a indication that the curators of the University intend to retain ownership of that piece. We did look at providing access to that site, because the way it's laid out it doesn't have immediate street access, so there will be access -- easement through a common lot that will provide access to be able to get to that lot in the future when the street layout is done. So - as a whole for the rest of the site, there are no current standing buildings on the site, there are remnants from a past operation on there. Nothing official was disclosed to us exactly what the use of that site was, but I think, you know, from anecdotal information there was kind of a research facility there. You can still see some remnants of pavement and other buildings there.

There is a fair amount of timber on the site; however, the majority of it is actually not climax forest. So it's a lot of cedar, undesirable trees, there is actually only small amounts of climax forested area, which again is kind of your higher-end timber that you would want to preserve, and it's generally on the far north, with a little bit on the southern edge of the property. So a lot of it is going to be around that Mill Creek area. And if you're looking at the graphic on the left, Mill Creek is generally going along the boundary between the purple, and the green, and then the brown site. So Mill Creek kind of goes across the north portion of this site. Mill Creek is identified on the park's plan, the city park's department plan, future trail master plan, so there will be an easement granted on that at the time of final plat to allow them to construct a trail plan at that point in the future when they are ready to construct that. So that should go across the property basically along that same boundary.

Over 500 lots total on the site, 495 of those lots will be for R-1 single family, and again that's the area more on the south two-thirds of the site, ranging from that one acre, to about minimum, which is 7,000 square feet. As you can see there, the internal street connectivity is relatively good, lots of cross-street access, a few cul-de-sacs compared to the size of the site. Relatively we've seen smaller subdivisions with even more cul-de-sacs, that reduction in cul-de-sacs does improve the connectivity overall of the site, so more connections in between blocks and streets.

Of the cul-de-sacs, all but two actually do not exceed the 300 feet. Per UDC, you can exceed 300 feet if it's determined that it's due to topographical reasons. So if you have, you know, a steep cliff, or a river in the way, you can extend beyond 300 feet. Two of those we did determine were for topographical reasons, so they were allowed to extend

300 -- beyond 300, with the longest being about 500. So not -- nowhere close to that maximum of 750.

There are multiple common lots on the site, many of them for storm water purposes as usual, some of those are larger and intend to be used for more recreational purposes. You do see a lot of trails on the site, with the grades there it does kind of open up the possibility for better use of those sites. As far as providing some tangible amenities to residents there, and gathering places that can actually help, you know, a neighborhood create a sense of place, this site has a fair amount of those. So we do have open lots, and trails, and things that can actually help create community in a location, which is something we really look for and strive for in a development such as this. Especially with kind of the -- on -- as you move north they have, you know, Mill Creek, and the drainage areas, a lot of those are kept in common lots, so a lot of that will be preserved as well potentially for trails, but generally just to preserve that area for those purposes.

There are two large lots on the north side of the site, that's the purple and the green, we kind of covered that. So the green, per the applicant, their intent that they have shared with us is that they would like to seek to donate that to the school district to be attached or be as part of the Mill Creek Elementary School. It would be preserved more or less in its current natural state. And that's important because the way that lot is located, as you can see in the green, the only street frontage it has is on the extension of South Hampton. And why that's important is that the extension of South Hampton as shown there will require a bridge structure in the future. It's a little hard to see here, but there is about a 500-foot area of South Hampton, 500 feet west of Sinclair, and I think I -- let's see if I had it -- Yeah. Okay. So this is a better picture. So you can see here, the extension of South Hampton, this is a roundabout that's being proposed at South Hampton, will extend about 500 feet. Per the municipal code, applicants are not required to construct bridges, so when we get into a situation where the extension of a street would require a bridge structure, they do require -- they do dedicate the right-of-way for the extension of that street, which is shown, but they do not construct the bridge, but they are responsible for the corresponding residential street cost to extend it, and so they are responsible for that portion contribution to the city.

What that means is it won't be built at this time, the only portion that will be built right now is what you see here, about 500 feet west, kind of terminating in a turnaround. So that's important because that means that there is not really a plan to have practical street

access for lot 500, so if it was not to be donated to the school, they would have difficulties with access. In fact, we wouldn't let them plat that unless there was actually access to that site, so with that understanding, we've put a note on there basically kind of restricting the transfer of that site, so that it is transferred to the school, and if not, then something needs to be redone there. There may need be to be a revision in the preliminary to look at how we're going to get access to it, but given the context of what they're looking to do here, which is donate it to the school, we're comfortable moving forward with I think that note on the plat and the access as shown right now. I just wanted to point that out because it is a little unusual.

Oh, covered that. So -- and again this -- just to touch base here, so this is a good example, I'm not going to go through every page that has them, but you can see the common lot C6 kind of on the right there, a larger acreage site there, I do believe that could be the site of some future amenities. And they do have showing paved trails going across and behind it, several of the lots there, that again would be an amenity to the community and providing pedestrian access back and forth through that trail, and along one -- or around a couple of their larger storm water basins.

So access to the site generally is going to be from Sinclair, that is a major collector as identified on the CATSO Major Roadway Plan. There will be seven new intersections, street intersections, at Sinclair -- along Sinclair for this property. There is going to be -- two of those will be major roadway extensions, one being South Hampton to the north, and Crabapple further to the south. There will be two -- excuse me, there is two existing stubs to this property. And by stubs I mean a subdivision adjacent to it that is constructed that built a street touching this property. So they will be extending those. Crabapple is one. Crawford Mill Drive would be the other. In addition to extending those stubs, they are stubbing five new streets from this property to other adjacent property. Again, to further the connectivity possibility if some of those properties developed in the future.

And I'm going to jump on this. So this kind of shows our connectivity. So the green is connections to existing roadways. So you see on the west side the two greens there, that's Crabapple further on the south, and then Crawford Mill on the north. And then along Sinclair there you see the seven new intersections with Sinclair. The blue are five new stubs that will intersect with adjacent property. So you can see three there on the northern part, one to the south, and then an additional one kind of going west into the

larger county subdivision.

And just to kind of circle back to the major roadways, I mentioned this in the report, until today the alignment they had for their major roadways didn't align with what was shown in the CATSO Major Roadway Plan, they -- the applicant did bring a proposed revision to CATSO many months ago, and so this has been going on for over six months, CATSO's Technical Committee has looked at it a couple of times, and the Coordinating Committee has looked at their alignment that they proposed a couple of times, today was a public hearing at the Coordinating Committee where their alignment, generally consistent with what they're showing here, was voted on and it did receive approval. So the Major Roadway Plan was revised, and this is consistent now with the Major Roadway Plan. Part of that revision was the removal of a couple of segments, and I touched on those in the report, one kind of going north/south and one into Arrowhead Lake Estates.

As part of this development, given its size and the expected number of trips generated, they were required to hire a consultant to produce a traffic -- a transportation impact analysis, also known as traffic study. That's required by the City to identify when a development reaches a certain threshold any potential negative impacts on surrounding infrastructure. And it should identify any deficiencies, any improvements, and any other infrastructure requirements that need to be upgraded due to the development impacts due to the trips being generated from that development.

So the traffic study, which was attached to the report, covered a lot of ground. It looked at a lot of intersections. Public works traffic engineers reviewed that, and based on the findings, there will be improvements required per the traffic study that will be either constructed or be included within a development agreement to require them to make a corresponding contribution, so -- and I'll go through this real quick. Most of that information would be included in a development agreement that would go to Council, which is still currently under discussion with the applicant. There is some general agreement on the parameters of that agreement, but the four intersections I want to highlight real quick; the Sinclair/South Hampton, the Sinclair/Nifong, South Hampton and Forum, and South Hampton and Bethel, the applicant right now as part of this development will construct the roundabout at Sinclair and South Hampton as part of this development.

Per the traffic study outcomes, there are significant impacts on those other three

intersections as well, based on those findings and based on the recommendations, staff will be recommending that the development agreement include contributions to the upgrading of those facilities. And so those contribution levels, when reviewed by staff, was identified at a certain contribution level, the applicant in turn has offered to contribute to the City a lot in the subdivision that could be converted into a salt dome, which is a need identified by public works, so in that aspect there could be a basically in lieu payment for those contributions of those intersections, with instead it being met by the donation of that lot. So the applicant is responsible for those contributions to address those deficiencies, the intersections, but the city has agreed to basically accept that payment in a different fashion, in this case it would be donation of property.

This is from the traffic study just to kind of highlight those three -- or those four intersections that I've discussed. So this is South Hampton and Sinclair, that would be a roundabout constructed again by the applicant. The roundabout at Nifong and Sinclair, currently a one-lane roundabout, the recommendation would be to increase that to a two-lane, which it was designed at the time of construction to be able to be converted to that fairly, I don't want to say easily, but it is set up to be converted. The other two intersections were South Hampton and Bethel, and South Hampton and Nifong.

So all of those -- the contributions for those other three intersections again will roughly total about the contribution for the donation of the lot. In addition to those, there is the construction of turn lanes which are identified in the traffic study as well, mainly southbound on Sinclair. So we are again recommending that corresponding and proportional contribution.

The additional piece there as well that I wanted to highlight was based on our conversations very early on in there was the need for addressing some kind of pedestrian crossing on Sinclair. Given the amount of residential use out there, and the schools in such close proximity, I think both sides agree that that was a very important aspect of this project. They have agreed to design and construct something kind of in conjunction with the design and construction of the elementary school on the east side. And that's important to better locate exactly where that crossing will be. It will depend a little bit on the design of the elementary the most appropriate location for that. So it most certainly is going to be something beyond a crossing guard with a stop sign, so there will be something more there substantial. The final design of that would be by the applicant with review by the city at a certain point in time that the elementary is most likely to be

constructed. And right now the best information we have on that is probably fall of 2024 is when the elementary school, based on their long-range plan, the school's long-range plan, is intending to open.

So I want to go back and talk about the design adjustment. So there is a provision in the city code that regulates the length of blocks. It basically says streets within a subdivision have to intersect at intervals no more than 600 feet. So in effect you wind up with a block that's 600 feet long or less. Shorter blocks do provide for more efficient movement, and gives alternative travelways for pedestrians and vehicles, provides alternative routes, it's generally viewed as a component of walkable environments and sustainable areas to better allow alternative routes so that individuals are I think encouraged more to travel to a place or more directly to a place especially when you're looking at pedestrian travel. So in this subdivision we have 15 blocks that exceed the 600 feet. Somewhere between a little over 600 to, you know, 1,000 feet or more.

So the applicant did submit the worksheet kind of explaining the rationale behind that. Generally from their perspective it would reduce infrastructure cost and maintenance, have minimal impact on surrounding property, and could increase pedestrian safety by eliminating points of conflict. When you do have an intersection, and a pedestrian does cross an intersection, that does generate a potential vehicle and pedestrian conflict point.

They also looked at the potential of these pedestrian walkways in between blocks as serving at least the purpose for the pedestrian connectivity. So instead of streets every 600 feet, they'd have pedestrian walkways in between lots providing better pedestrian connectivity between the blocks. And they view this as kind of a unique design feature for this site. I lost one slide there, but we'll - just to kind of go through the criteria for design adjustment.

One is; is it consistent with a comp plan? I think we've discussed before there is language in there that does lend itself to stating that block links are a component of sustainability. So it doesn't get that specific in the comp plan, but we usually view that as a rationale for those shorter block links. There is language in there about reducing infrastructure as well, so again not that specific, but you could take each for what it is.

Number two, is adverse impacts. And I would agree that this probably is not going to have significant adverse impacts to surrounding property owners.

The third criteria is, is it going to be significantly more dangerous or difficult for automobiles and pedestrians to get around? While having those shorter block lengths makes it more efficient, if they are longer it's unlikely it's going to have a significant impact on it being more dangerous. The block length generally is there for efficiency purposes, not as much for safety purposes.

So you could make a case that the better vehicle connectivity through a neighborhood does provide emergency vehicles an easier path sometimes through the site, but that probability seems fairly low that that is going to be the situation in most cases, so I'd have a hard time saying there is a significant increase in the danger. The pedestrian walkways could be viewed as a unique design feature, we don't see that too much. We do have some concerns on that, and I'll touch on that here in a second. And again the possibility of some adverse impacts on public health, that again is the vehicle -- the emergency vehicle response kind of thing I mentioned before. So the -- it could happen, the probability does seem a little low.

So a couple of things to note with the idea of these kind of mid-block -- mid-block is not the right word, kind of in-between block pedestrian walkways, Council did recently approve one that had this on there as a substitute for block lengths, and it was Old Hawthorne North, which P&Z saw here, you know, six months ago or so. They recommended an denial for that, but that was prior to the applicant adding the walkways, so just for clarity there. So Council reviewed that and considered that in their decision, but ultimately did approve those longer block lengths with those walkways in between.

Another thing to point out, we do have, within the UDC, a minimum amount of site connectivity that we look for. So this kind of informs us is this a subdivision that has good access, good connectivity, are we not having lots of cul-de-sacs that basically require additional trips? And so their connectivity index, which is generally your street segments, divided by your intersections, so you want more segments, less cul-de-sacs, less long blocks, and so they do meet the minimum connectivity index, so that's one thing to take in consideration when looking at the design adjustment requests.

There is some concerns with the walkways. We do have some around town, I think there actually is one in an adjacent neighborhood, the Pines has one I think that connects it out to Nifong. There is a few others in town, I know the Brooks has one. This is a bit of a



wider scale for doing these, you know, on 14 or 15 different blocks, so I think we'll be kind of monitoring the perception out there from the public on how these are utilized and how they're -- how the property owners adjacent to it react, and what their perception of it is as well. So it will take some years for that to kind of work itself through, but at this point we're willing to look at it as potentially a unique design feature that might also meet that pedestrian connectivity that that shorter block length is also meant to try to meet.

All right. So with all of that being said, and I should have led with this, but I did want to point out that I did provide some additional public correspondence to the Commission. It is in front of you. There is four additional letters from surrounding HOAs, and residents, sharing their thoughts, comments, and concerns, and support for the project.

After considering all of the criteria in the design adjustment, staff is recommending approval of the design adjustment at this point. With the approval of the design adjustment, we are also recommending approval of the preliminary plat as a whole. That being said, I'd be happy to answer any questions.

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

MS. BURNS: Thank you, Mr. Smith. That was quite a report. And so I'm hesitant to ask, but if we would approve the design adjustment, and the preliminary plat, would this come back to us for any type -- unless there were other major design adjustments, this -- so this is our one crack at it?

MR. SMITH: Correct.

MS. BURNS: Okay. Thank you.

MS. LOE: Any additional questions for staff? Commissioner Geuea Jones?

MS. GEUEA JONES: In reading your staff report, and hearing you discuss it, it seems to me that you're not particularly -- it seems that there are a lot of negatives associated with having so many extra long blocks, and then at the end you say "approve," can you talk a little -- I don't want to go into a lot of detail, but is there a benefit to having these extra long blocks or is it just you think there is not enough negative?

MR. SMITH: Probably the second part.

MS. GEUEA JONES: Okay.

MR. SMITH: So we do try to stick to the criteria, and I did find that they met most of those criteria. So while I do think the 600 feet is the regulation, and if we can attempt to meet that, we should, I am somewhat tied to what the regulations say is the criteria, and if they meet the criteria, generally we're going to recommend approval. In this case for that 600 feet, a lot of the criteria is set up for, you know, really significant impacts, and having an 800-foot block versus a 600, it's hard to point to any real tangible significant impacts, negative impacts. There could be negative impacts, but when it puts in that kind of qualifier as significant, then it's harder to I think make that case. And it is somewhat unique. I would say it's a unique aspect, Attempt to provide the connectivity that the block length is providing, albeit just for pedestrians, not for vehicles. MS. GEUEA JONES: Got it. So you're relying on the fact that while the impacts may be negative, they are not significant?

MR. SMITH: I'd say that's accurate.

MS. GEUEA JONES: Thank you. I just wanted --

MR. SMITH: Sure.

MS. GEUEA JONES: -- some clarity because I was expecting a recommendation of denial, and then I got to the end and you're like, But go ahead and do it. So I was just trying to --

MR. SMITH: They were willing to explore the idea --

MS. GEUEA JONES: -- parse that.

MR. SMITH: -- of this design feature. MS. GEUEA JONES: And there is no way we can say "yes" on some of the block length and "no" on others?

MR. SMITH: I think you could make conditions of the approval in any fashion, I think. I mean, I think you might be able to say a certain length is acceptable, beyond that is not. We'd have to get back and do some additional measurements to find out exactly which ones those are, but --

MS. GEUEA JONES: I suspect we're going to have --

MR. SMITH: -- I don't want to limit conditions that you might come up with --

MS. GEUEA JONES: Sure.

MR. SMITH: -- but there is a possibility to put conditions on it.

MS. GEUEA JONES: I suspect we're going to have some public comment, so you may have a little bit of time. Is -- can you tell us approximately what the lot widths are? Because I notice some of the extra long blocks are where we have extra large -- or larger, they're not extra large, the larger lot sizes, and others are where we have the smaller lot sizes, and to me there is a difference between approving it if we've got five houses versus ten. So I would be curious if there is a way to parse it that way?

MR. SMITH: Or I'd say -- in general I would say maybe north of Crabapple immediately you have about 70-foot wide lots, south of Crabapple also 70, but they're getting up into the more 70s and 80s, so there is a bit of cutoff there. I mean, we'd have to kind of review it, you know --

MS. GEUEA JONES: Sure.

MR. SMITH: -- page by page to see if there is clear divisions there on sizes.

MS. GEUEA JONES: Yeah. And I know I'm asking something there is no way you could have anticipated. Thank you very much. Thank you, Madam Chair.

MS. LOE: Commissioner Placier?

MS. PLACIER: Thank you. This is something that is just a matter of I suppose planning philosophy or something, but could you tell me why R-MF zoning is located right next to major roads and commercial areas, whereas the other kinds of zoning, and especially the very large lots, are separated from those more hazardous, or desirable, or whatever you want to call it?

MR. SMITH: Yeah, and I think when individuals hear intersections of major roadways, I think the inference there is that it's dangerous, and it's loud, and it's noisy, and it's polluted, but really that's just significance of roadways that are a little bit higher classifications. And those are locations that we do target for commercial uses because you -- when you look to integrate something like that, that's a good location, because it is a busier area; right? There is going to be a little more noise. And typical planning practice is to try to have those commercial nodes, and then your residential behind it, so that residential can access it. Whereas kind of prior practice would have been, We're just going to do this commercial zoning along this entire strip, so think business loop. So now we look at more concentration of uses, and we build out from that. So you have your intense uses at these nodes, so commercial there, and behind that you have multi-family residential, so that they have -- because it is generally considered a little more transient, you don't own the property, you rent it, it's more dense, there is more expectation that you might need proximity to services more, you may need proximity to public transportation more, and those nodes are kind of concentrated to kind of aid the provision of those services because there is more density and there is more commercial there. And as you go further out, then you do kind of go down in that density into single-family neighborhoods, and that's -- has a little more separation because you have individual zoning property, and so that the sentiment has always been they have a little separation from those higher intensity uses. So it's kind of that -- to use kind of a term, this kind of intersect; right, where you have a stepping down of intensity as you go away from the center, which is commercial. So commercial, multifamily, two family, single

family, and so on and so forth. So that's general practice I would say.

MS. PLACIER: Yeah, I understand the location of the commercial, it was just -- my question was about why R-MF has to be near -- closer to these commercial areas? And why we have sort of a valuation of R-MF residence not being as buffered from roadways or commercial. But that's -- it -- I've seen this pattern before, and I never have known why.

MR. SMITH: Right. Well that's something, you know, we are doing the comprehensive plan, you know, revision, so that's something you could look at how it's addressed in the comprehensive plan, too, so --

MS. LOE: Additional questions for staff?

Mr. Smith, I had a few questions. Is 5.46 acres large enough for a grocery store?

MR. SMITH: That's -- potentially. A small one. And it's M-N, so you are restricted to no more than 40,000 square feet for a grocery store in the M-N. Yep. And that --

MS. LOE: There is -- the Trader Joe's are under 40,000. Yeah.

MR. SMITH: So, you know, yeah, you're looking at some of the smaller groceries.

MR. ZENNER: The Moser's that's out at Scott and Smith that's being built, would probably fit into that general category as well, but it's on the small end --

MR. SMITH: Yeah.

MR. ZENNER: -- right, for a single standing. And if I am not incorrect, the five-plus acres is comprising of three lots, so if you're wanting a diversity of your potential users, I don't think you'd be searching for that. We have other commercially-zoned property that is more regional in nature at the intersection of Scott Boulevard South, the roundabout there, and at Vawter, which is the site that was -- has been and is still getting interest potentially by a grocer that would serve more of a regional perspective at the opposite end of the other commercial node that we have on Grindstone. I would say that this is going to be something that is more self-serving to the neighborhood itself, to the passerby traffic as parents are dropping children off, and things of that nature, maybe more convenience commercial. The M-N zoning district does not allow without conditional use a gas station, so that is something to keep in mind as we consider what the intensity the automobile orientation possibly of these uses on this site could be. So as a part of that conditional use, of course, great consideration could be given to the impacts of lighting spillover, noise, and those other adverse --

MS. LOE: No, I understand, I was just -- putting in quite a bit of housing, not seeing the neighborhood amenities that I would think we would want to see to support

that neighborhood, we're starting to create a lot of crosstown traffic, so I would -- I was actually surprised to see the M-N was that small, because I questioned if it was supporting again the infrastructure, neighborhood infrastructure we actually need if we're going to see this much of housing going in in this neighborhood. You referenced one case in Old Hawthorne that we didn't approve, but City Council did, that had the sidewalks go in as a "in lieu of," I believe there was another case in that area, Arbor Falls on WW, that came back to us at least three times with only one overextended street, so it took -- so I have to admit I'm a little conflicted hearing staff now say that we don't have an objection, when we brought a case back three times to try to get them to come within the 600-foot requirement. And I am going to be keeping that in mind. And also their sidewalk was much more generous shall we say. As far as housing goes, yes, we do have some variety, but I'm surprised we don't have more variety. A lot of the developments we've been seeing coming forward have been going PD in order to get the cottage development footprint in. When I sized some of these lots, we're going 50 percent larger than the minimum single-family lot required, instead of smaller, and I have to have admit I was questioning that. So it does look like there is room to add infrastructure, and I'm going to be keeping that in mind as well. Those were my questions. Any additional questions for staff? If not, we will open up the floor to public comment.

#### **PUBLIC HEARING OPENED**

MS. LOE: Please give your name and address for the public record. We do limit comment to three minutes for an individual, we do limit it to six for if you're speaking for a group.

Mr. Crockett has asked if he can have ten minutes because he is speaking on two cases, and we are going to permit him to have additional time.

MR. CROCKETT: If I may have 12? Six for each item, if you don't mind?

MS. LOE: Now you're going up to 12. We'll see.

MR. CROCKETT: Thank you. Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering & Consultants, 1000 West Nifong. Now Mr. MacMann is not here tonight, so he's not going to get on me for speaking quickly, but I may get going a little bit quick, if I do, just - you know, you can say, hey, I'm going too fast for you, or by all means answer -- ask questions. With me tonight is Jesse Stephens, given the fact I have a lot of information to cover, Jesse Stephens is an engineer in my office, he's going to cover a couple of the topics for me as well. Shawn White, with CBB, traffic engineer, she's our traffic engineer, she's out of St. Louis, given the inclement weather in St. Louis, she wasn't able to make it tonight, we'll try to answer any traffic-related questions on her

behalf if needed. And, of course, Rob Hill, who was the applicant -- or, excuse me, he's the developer on the property is here to speak as well. A quick overview, again as Mr. Smith indicated, a very thorough review, a very thorough staff report, 383 acres, we're proposing 495 single-family residential lots, five multi-family residential tracts. And, Ms. Loe, I'll talk about the diverse housing here in just a moment. Three commercial lots. A conservation tract, which is very important, again we'll talk about that a little bit. And various common lots throughout the development. We are requesting zoning for to R-1, R-MF, and M-N. We're creating a mix-used development incorporating various housing styles, types, sizes, and try to hit many price points. Again this is just a quick little overview of the location. The really -- the biggest item for this is just to really illustrate that this is infill development. If you drive out there to Sinclair farm, as Mr. Smith indicated, you know, that's almost a two-mile stretch, it feels like, Well, I might be out in the county, or close to the county, but if you look on an aerial you'll see much of the city surrounds and comes around the Sinclair farm, so it's really developed on all sides. We're going to start with the zoning tract. This is the section that's R-1. I'm going to break that down further in just a moment, but it is the bulk of the development. And of course the R-MF tracts as well scattered at two different locations. And then the neighborhood commercial at the entrance to the development down toward Crabapple extended.

Again we're proposing the -- well, we've kind of covered that. Now I want to break down the different types of housing that we're proposing within the development, because we are asking for and we are seeking different types of housing. This location here, these are our city minimum 65-wide lots, that accounts -- that's a very popular lot size right now in Columbia, so we do have a good section of the minimal lot sizes. We're adding to that a step up, these sizes of lots are 75, 80, somewhere in that range. They're comparable to the Mill Creek Manor subdivision that's further to the west or to the top of the page. We want to make sure that our lots are comparable to what is adjacent to our development. The lots in that development, the backup to us, are basically 120 foot deep, our lots are a little bit deeper than that, we wanted to -- there is some tree lines back there, we've talked to some neighbors, our client has talked to some residents over there, and we committed on saving some trees, so -- between the two developments, so we wanted to make sure that those two lots were deeper.

Of course we have a section that's a little bit larger at this location, stepping up again, these are 80s and 85-foot wide lots in our estate portion. You add to that our R-MF, we anticipate these are our traditional R-MF areas at this location. The size on this -- and

this place just kind of goes to this little question, why do we place them here? Obviously at the intersection is one idea on a planning standpoint, that's where we place R-MF many times, but also in this case here the terrain is very rough, certainly not all is usable, and so, you know, being able to use the area, multifamily works very well for the rougher terrain at that location.

Ms. Loe, this is where we're going to talk a little bit about we are asking for some R-MF at this location, this area we've had inquiries about putting in 40-foot wide lots, looking at doing some villas, some townhomes, something along those lines, a different mix. Obviously if you look at that, that's not really suited for apartment buildings, or high-density residential, but, you know, townhouses that are higher density, something other than the single-family element. Then we add this portion of the R-MF. This piece of property is actually under contract, we talk about -- you asked about the cottage development, and that's what we envision here.

Now in the City of Columbia, cottage development can take place in R-2 with a conditional use permit; however, this user doesn't want to do the traditional, they're a cooperative housing developer. I'm not sure if you're familiar with that or not, but it's a cooperative situation where basically the residents own a portion of the entire development itself, and it's worked very well for them, and so basically when you buy into a development, you're buying a portion of the overall development, you as well as all of your neighbors own the development as a whole. And so in order to do that I believe we have to have the R-MF because it's all going to be done under one lot. It's one ownership, you own a small piece of it; therefore -- that's the reason why we're asking for the R-MF, but it is a totally different housing type and housing option here.

And of course the commercial at this location, we don't believe that this site, this location, this piece of property, is suited for a larger, you know, retail grocer store. You know, those are hard to come by, they want to be on the major intersections, they want to be on Scott, they want to be on Nifong, they want to be somewhere else, down on Sinclair. It's just not suited for the larger grocers. Does that not mean that we can have a small convenience center? Certainly we can. You know, certainly not have the gas pumps, not a gas station, but maybe a convenience center, something smaller in scale that would serve the residents, a coffee shop, something along those lines. And so that's what we envision at this location.

Again this piece of property here is the piece of property that the City has asked -- or is seeking for the salt dome. I would like to make one clarification in Mr. Smith's staff report, he indicated that we had offered the salt dome in lieu of payment, that's a little bit not correct. The City actually asked for that piece of property in lieu of payment, and so they're the ones that approached us and said, Hey, we would like to have this piece of property, we'd like to have it appraised, and then we'd like to use that as a tradeoff. And so that was the -- how it kind of started. They were the ones who approached us. The City manager asked us about that, as well as the public works director, so that's how that came about.

And then of course the green space. A substantial amount of green space throughout the development. My client will talk a little bit more about that here momentarily, but the piece on the - it would be on your right side, above the red, or above the section that the City of Columbia would like to have ownership of, that green space that consists of about 30 acres in size, that is a piece of property that Mr. Smith indicated would be -- we'd like to convey to Columbia Public Schools for the expansion of their outdoor classroom or their nature area.

We have contacted CPS about that, we've discussed it with them, we don't have a firm commitment on that by any means; however, should they not desire to have ownership of that, that piece of property will still be preserved. We'll have a conservation easement over it. We're preserving the trees on that piece of property regardless of whether or not CPS takes it or not. So that area is going to be left alone for the most part.

As indicated, we have gone to CATSO, and that says "Three times to Technical, two times to Coordinating," it could be two and two, I can't recall. The process is we started going to CATSO about nine months ago. It's been a lengthy process. CATSO meets every quarter, so it's not a quick process, but the fact is the major roadways out here, a lot of them were just simply not feasible, they weren't able to be built, and so we worked with the county planners, we worked with the city planners, to come up with a solution, come up with a plan with the major roadways that do work for this area long-term. And so that's the process. It's been going on for a long time.

This whole process, this whole preliminary plat, my client started it over a year ago, and a lot of the length of time that it takes to get there, is due to the CATSO process. And the major roads, we want to make sure we get them right, and so that's what we've done.



The major roadways in this area have been well vetted with the City, County, and MoDOT, all three of those entities sit on CATSO, and their representatives have looked at this project all of the way.

With that as well we have connectivity. This proposal presents both internal and external connectivity. The connectivity index is one measure that we use to determine if we have internal connectivity, but we've also had a reduction of cul-de-sacs, we have few cul-de-sacs compared to a development of this size. We also have sub-neighborhoods that we've talked about, the different sizes of lots, and the different uses on those areas, the little sub-neighborhoods. Many times you see these areas that are completely cornered-off. They're basically taken and each area is its own little area, has its own entrance, has its own exit, it's completely its own. In this case all of those subareas interconnect with each other very nicely.

And then we have the pedestrian connections. My client is going to talk on the pedestrian connections, which is an important part of this, and that goes along with the block length, and I think that when you see what he's proposing, and what he sees out here with regards to the parks in the area, hopefully you'll understand a little bit better why we're looking for the block length, and why we like those sidewalk connections, and where they lead, and what the purpose of them would be.

And again an eight-foot pedway, we're installing an eight-foot pedway along the west side of Mill Creek -- or, excuse me, Sinclair Road. When the school went in, there was very little sidewalk in this area, when John Warner went in. The City built some sidewalk, and I believe several of the neighbors had commented to us that the sidewalk is not safe because the sidewalk is at the back of curb in some locations. It's at the edge of the street. They have a new sidewalk, but it's not in a good location. We're building an eight-foot pedway at the proper location on the west side of Sinclair Road, nearly two miles. And so that's a significant improvement over what's there today.

Again we're talking about the design adjustment. Our internal connectivity is high. All segments connect to a main roadway. Again, we talked about the request that was made for the Old Hawthorne North development, and how this Commission looked at that, but if you recall a lot of those segments in Old Hawthorne North were dead-end cul-de-sacs that were -- they were too long, they were -- weren't block - their block lengths weren't there, they were -- they stubbed to the neighboring properties, you know, they just -- they didn't have two ways in and out necessarily. If you look at our areas, we

have two main ways in and out.

Basically we have main roads coming and going from our subdivision that interconnect on both sides. And so what we're asking for, if you take, for example, the circled areas that - just an average lot, a common lot, take that average lot, and there is two ways in and out. Okay? We're going -- you -- if you live in that home, you're going to take one of those two ways to leave or come to your home. If there is a street midblock, this would be the alternative route to take, that's not really efficient. I don't see that that's going to be, you know, used very heavily. It's not -- certainly not a emergency service issue. I believe that -- the conflicts with the roads and the pedestrians. And then again my client is going to talk a little bit more importantly, a little more in-depth with regards to these midblock sidewalks and what he envisions at this situation of why they're unique, a little bit more than what I believe staff has indicated. So we're asking that design adjustment. The old code allowed us to go up to 1,000 feet, I think most of our average distances are probably closer I'm guessing to 750, and not so much closer to 1,000. So we're asking for a design adjustment with regards to block length. We, you know, ask that. And I'll finish up here.

Off-site contributions, we are providing funds for Nifong and Sinclair roundabout, we're actually providing - our traffic study, depending upon how you evaluate it, is between 13 and 34 percent of the cost of that improvement at that roundabout, my client is picking up the entire tab, so instead of paying 19 to 34 percent, he's paying 100 percent. He's also paying for South Hampton -- he's providing funds for the South Hampton/Forum. I think Mr. Smith indicated all of those, so you can see that, and we can assign dollar values if you desire. Columbia Imagined talks about residential neighborhoods in proximity to schools, we check that box. Access to commercial services, while small, I think that this is more than what most neighborhoods provide, so we've checked that box. Access to open space, absolutely checked that box. Access to recreational facilities, absolutely. Support diverse and inclusive housing options? I think what you're going to see is we're going to have a lot of different housing options for this development as well as a mixed-use. And so with that, I know my time is up,

Ms. Loe, I appreciate the extra time. Mr. Stephens is going to talk. And then my client. And then I'd like to come up and wrap-up and answer questions. Thank you.

MS. LOE: Thank you, Mr. Crockett.

MR. STEPHENS: Hello, there. I'm Jesse Stephens, Crockett Engineering, 1000 West Nifong. I want to talk to you a little bit about the utilities serving this site. So it's

important to know that we are within the urban service area, so we're not asking for overstretching of the existing utility infrastructures. There has been a lot of conversation with the City utility, sewer, and water, and as well as Boone Electric, this -- there are two major trunk lines that are running through and adjacent to the site for sewer, that the sewer department has looked at and vetted, that have ample capacity for our development. So we have little concern about sanitary sewer.

One thing to note about water is the -- with the extension of Crabapple coming through, we'll be able to complete a fairly major water loop that connects everything together and provides better water pressures for that regional area, so that's something that will be helpful.

And also Boone Electric has indicated that it's their service territory and they are capable of serving this site. The other thing, this property is being purchased by our client from the University of Missouri, it's under -- there is a contract just to sell 383 acres, the property was previously a research facility from MU, they have ceased those operations some years ago, and they have -- title companies and -- have vetted this property, they -- it is very clear. There is a seven-acre tract that Mr. Smith talked about that's being left that the University will retain access to based on an agreement with DNR, but -- With that I'll turn it over to  
Mr. Hill.

MS. LOE: Mr. Stephens?

MR. STEPHENS: Yes.

MS. LOE: A quick question, what is that seven acres going to be used for?

MR. STEPHENS: The University will retain it, and we don't know of any plan that they have for it other than just to keep it. They will keep it, we will not be using it. We just need to provide access to it.

MS. LOE: Thank you. MR. HILL: Rob Hill, 5796 South Route K, developer. And I brought with me my handy-dandy travel board here, this is what I took to the residents that I spoke with, I might pull this up if we're talking about things, it's easy for me to see. Amenities. On the map up here there is a bunch of circles, the large circle is a 15.6 area, 15.6 acres, that's where we're going to put our clubhouse, pools, we anticipate pickle ball courts. One of the things I really wanted to do was put in an open field for play. We anticipate having a full-sized soccer field, so the kids will be able to both play baseball. We used to play a game called 500 back in the day, there is no area to do that in subdivisions anymore. I think it's critical to do that, get the kids out exercising. We

also anticipate having a shelter where parents can conveniently read a book while the kids are playing and that kind of thing.

The three green circles, this is something we don't see a lot in Columbia, it's something I saw in Florida called pocket parks. And when I first saw it, I thought it was kind of a waste of land because they're burning lots, but that's where everybody wants to be, and that's where everybody wants to gather, so we integrated three pocket parks into that element. I'm not sure if you can see well enough but (technical difficulty). The pocket parks are like here, green is where the sidewalks would go, and that's where we're asking for the variances, we want people to be able just to jump straight in and get right to the parks and meet there. The amount of people that will convene here is fantastic, it gives a great sense of community, and that's what we're shooting for here. That's why we're making it different, we want a sense of community individually in these three areas, as well as a comprehensive place to gather. We think that makes this very different and very appealing.

This larger area it's -- that's the land we're going to -- we're planning to donate to the school district. And like Mr. Crockett said, that's going to remain as it is with the conservation easement expected to be put on that after ownership is transferred.

Neighborhood engagement. You know, I have learned in my recent years that neighborhood engagement is pretty important, and I spent about five months engaging with the neighbors, I've done a little bit of everything. We started -- like, How are we going to get to everybody? So we started with the HOA representatives, and often they convened with the boards to see what the -- how the boards wanted to move forward, and we had varying messages from the boards and the directors at that point. Some of the boards we met with two or three times, some of the boards just had questions that I would answer, or that Mr. Crockett would answer, he's a little more technical than I am, and they had questions, we answered them. We met them wherever they wanted to meet, banks, just wherever. That took care of the HOAs. We have HOA support from the Pines -- I think you have these letters, the Pines, the Highland's, Arrowhead Lake, and another one I'm missing. And non-opposition from Heritage Woods.

There are lots of neighbors who aren't in an HOA, so how do you get to them? How many neighbors are in the -- live around here that I've talked with? Community engagement has been good. I have -- oh, let me get this next slide here. The light green

is the area of the parcel. The green areas are individual parcels and HOAs where we have gotten letters of support or endorsement from the residents to support or not oppose. (Inaudible) run the perimeter, there is a lot of people and a lot of work went into this, I spent many Saturdays and Sundays knocking on doors, met lots of new people. Sometimes I would be -- my longest visit was two hours, and people really wanted to know the information, and I wanted to get it to them.

If you look at the board here, "Support, support," of all of these areas there is one little piece here that's not, I'm working on Mill Creek Manor, I antici- -- we have a -- I have a meeting with their board on the 14th of March, and I anticipate that working. I think you have a letter from Jason Deprima in your folders that is very recent that talks about the positivity. And give me just one second to read - I met a 70 -- I won't say the exact age, but a lady she was in her 70s, she wrote up on the Facebook page, on my private Facebook page for the subdivision, Mill Creek Manor, "The developer stopped by my house Saturday. How many people would do that or care about our concerns? Although things will change, I was pleasantly surprised that they wanted our input and were even interested enough to listen. As a house that backs directly to the new subdivision, I appreciated that he intends to keep as many trees as possible. There will be noise for awhile, but all in all that sounds like a good plan." That's the kind of feedback I've gotten meeting with the people hours and hours and hours. I know it's important, I can't keep everybody happy, I know some people don't want anything in their back yard, and it's even tougher when you live on a street that's adjacent to Sinclair and power lines prohibit you from putting trees up to screen yourself.

That was one of the concerns from Heritage, and we had several meetings with them, and we tried to address that. I told them I would put a berm up and screen it with trees on my side of the road. And they came back with concerns that, Well, what if I don't develop that land myself, what happens to it? How do we know that's going to get done? So we went ahead and put that on the preliminary plat, so that will convey with whatever owner -- if I don't develop it, whoever owns it will have to do that per the plan. So I feel really good about the community engagement. I'm sure we'll have some people speak against or share some concerns, but overall I'm -- the feedback has been very positive, very supportive. Overall I think it's a great development infill, mixed use, diversity of housing options. There may be some more cottage before it's done, we're open to that, we'll just have to see what comes this way. And frankly I like the cottages, so --

MS. LOE: Are you willing to take questions?

MR. HILL: I am going to turn it over to Mr. Crockett.

MS. LOE: All right.

MR. HILL: Thank you.

MR. CROCKETT: All right. I'd just like to do a quick little conclusion to wrap things up real quickly. So again the proposed development is consistent with the goals and objectives of Columbia Imagined. I think we've covered that. Staff supports the three requests that's before you tonight. And then again we have quite a bit of community support behind us as well. And so with that, I am happy to answer any questions that the Commission may have.

MS. LOE: Thank you. Commissioner Carroll?

MS. CARROLL: We were just shown a map with pocket parks --

MR. CROCKETT: Yes, ma'am.

MS. CARROLL: -- noted on it?

MR. CROCKETT: Yes, ma'am.

MS. CARROLL: Are those noted on the preliminary plat?

MR. CROCKETT: Yes, ma'am, they are. They are noted on the preliminary plat. There may be one lot that might be switched a little bit, but they are noted on the preliminary plat. And the purpose of them is, is we see one may be a dog park, one a playground park, and maybe one in, like, a communal spot with, you know, a shelter house or something along those lines. You know, we want those to be sub little areas in the development. But, yes, they are shown on the preliminary plat.

MS. LOE: Commissioner Burns?

MS. BURNS: Thank you.

Mr. Crockett, I apologize if this was covered, but you mentioned pricing at some point in time, I didn't get a range of prices?

MR. CROCKETT: Well, I'd love to give you price -- a range of prices, Ms. Burns, but as - with the construction market the way it is, it's completely out of whack, and I can't give you exact prices. The lumber price is triple in value, and so on and so forth, but really what I'm looking for is the size of the lot, and the varying degrees of the homes, and so, you know, that's what we're looking for. I mean, I'd love to give you that -- the price range in homes, but I -- honestly, I couldn't tell you with the current pricing going up and down every day.

MS. BURNS: Right. And if I could just follow-up on, I'm -- in reading the neighborhood correspondence, I think it's great that so much outreach was done, it seems to be -- I'm not sure if the understanding of what the mixed-use neighborhood zoning could include, because somebody references a coffee shop, or only small

neighborhood businesses, are there any that you've excluded at the request of neighbors that you would not have, a particular business?

MR. CROCKETT: Well, they don't - they -- again, they don't want the gas stations.

MS. BURNS: Right.

MR. CROCKETT: They don't want the large-scale 24-hour, they don't want liquor stores, they don't want, you know, medical marijuana, which with the schools it's eliminated, but I think by giving -- doing the sense of scale, that's going to eliminate a lot of those. We don't want those either. You know, given the investment that my client has put into this property, we don't want the 24-hour liquor stores, we don't want, you know, the -- you know, the gas stations, we're not going to ask for a conditional use for that, so I think the size is going to eliminate a lot of those, but also those obtrusive uses aren't good for -- they're not good for the neighbors outside of the development, and they're certainly not good for the neighbors inside the development.

MS. LOE: Thank you. Commissioner Stanton?

MR. STANTON: So the -- I'm trying to understand the ownership and who is doing things here.

MR. CROCKETT: Yes, sir.

MR. STANTON: The case says Board of Curators, University of Missouri.

MR. CROCKETT: Yes, sir.

MR. STANTON: Do they own it now and Mr. Hill is just the developer making the vision happen?

MR. CROCKETT: He is the contract purchaser. So he's under contract to purchase the property if the entitlements are approved, meaning he gets his zoning and preliminary plat approved, then he's under contract to purchase the property and then develop it.

MR. STANTON: Oh, MU sold it to Mr. Hill?

MR. CROCKETT: They would sell it to Mr. Hill if the in- -- if the preliminary plat and zonings are approved, then they would sell it to Mr. Hill to -- for his developments; correct. The University is not going to develop the property.

MR. STANTON: Nor own it afterwards?

MR. CROCKETT: Nor own it; that is correct.

MR. STANTON: So it's not subject to any of the University --

MR. CROCKETT: No, if the University was going to own it, we wouldn't be here tonight, because they again don't have to abide -- you know, abide by city regulations, so they could simply go do what they want to do --

MR. STANTON: Well that's kind of why I was asking.

MR. CROCKETT: -- and that's certainly not the case. Right. And that's not going to be the case, it is a private situation here.

MR. STANTON: Okay. Thank you.

MS. LOE: Any additional questions? Mr. Crockett, who is building the amenities?

MR. CROCKETT: The developer will. The developer will build the amenities and then turn them over to the homeowner's association.

MS. LOE: Including the sidewalks?

MR. CROCKETT: Which sidewalks? You know, internal?

MS. LOE: Yes.

MR. CROCKETT: Because typically when you do it, all side- -- the sidewalks in a residential subdivision are always the responsibility of the homebuilder, they build them at the time of home construction. Now on the common lots, those are done at the time of street construction, so when you plat a sub- -- when you plat a piece of property, the residential lots, the home- -- the lots that -- or, excuse me, the sidewalks themselves get built at the time of home construction, because home -- you know, they grade the yard, they do yard finals, so that's common place. But on the common lots, when we submit a set of street plans to the City, we have to show on there the common lots and the sidewalks and those get built before the streets get accepted. So across all of the green spaces within the development, those sidewalks get built at the time of street construction, and they have to be in place before the City will accept those streets.

MS. LOE: Including the --

MR. CROCKETT: If that makes sense.

MS. LOE: -- interstitial sidewalks?

MR. CROCKETT: I'm sorry?

MS. LOE: Including the interstitial sidewalks?

MR. CROCKETT: The ones that go between the blocks? There is a provision in there, and we would propose to do similar to what we did before at Old Hawthorne, which would be really those lots still are going to be graded, and so they would be done at the time of home construction; however, there was a concern that they get built in a timely fashion, so there is a sunset on that. So if those homes get built within a certain time period, they'll get built with home construction, if those homes aren't built in a certain time period, then the developer has to go in and build those homes -- or, excuse me, has to go in there and build those sidewalks.



MS. LOE: How is the width of the sidewalk determined?

MR. CROCKETT: We're proposing, I believe it's six feet running through there, I believe, five feet. I can't recall off the top of my head. Six feet. While the average -- the normal sidewalk adjacent to a street is five feet, and so we wanted to go a little wider there.

MS. LOE: You just told us you were building an eight-foot sidewalk along Sinclair?

MR. CROCKETT: Well, that's a pedway, and so that's a different designation. Along major roadways, the City wants a pedway on one side or the other, and so that's a completely different designation.

MS. LOE: So you didn't do any study of trails, or sidewalks, multiple users, if this is a family-oriented subdivision or kids riding bicycles?

MR. CROCKETT: Correct. Well, the -- those same families and children you - riding bicycles, the City has determined they went from the four-foot standard, to the five-foot standard, several years back, and so they determined that five-foot sidewalk, standard sidewalk adjacent to a street, is adequate for passersby, and so given that, we exceed that limitation.

MS. LOE: Thank you. Commissioner Carroll?

MS. CARROLL: And the City typically uses how much for a pedway?

MR. CROCKETT: The City typically does an eight-foot for a pedway, but those are also higher-trafficked areas --

MS. CARROLL: Yeah. Thanks.

MR. CROCKETT: -- adjacent to major roads.

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: I'm just curious, when was this preliminary plat plan started?

MR. CROCKETT: Well, we started over a year ago.

MS. GEUEA JONES: The reason I'm asking is because you built this to pre- -- or you laid it out to pre-UDC standards, and I'm just wondering, you know, we talked about Arbor Falls, Old Hawthorne North, some of that, those block lengths, while they were over 600, were not massively over 600.

MR. CROCKETT: Right.

MS. GEUEA JONES: You've got block lengths ranging from 650 to 1,000 feet, I mean, you had to know when you were drawing this that that wasn't going to comply with UDC?

MR. CROCKETT: Well, and that's -- yes. And we knew that, that's why we --

you know, we wanted to put that internal sidewalk -- actually when Old Hawthorne -- when Old Hawthorne came through, we kind of looked at Old Hawthorne, used this as somewhat of an -- used this as an example for Old Hawthorne, if you will, because we wanted that internal sidewalk running through here, and so we kind of used -- you know, after the fact when we talked to Council, used that as a -- used this as a model for Old Hawthorne with regard to those -- with regards to the sidewalk.

MS. GEUEA JONES: So you went to the old maximum block length --

MR. CROCKETT: No. No, ma'am. No, ma'am. There is only -- I believe there is

--

MS. GEUEA JONES: But you did. You did, because they're up to 1,000 and --

MR. CROCKETT: But I believe there is only one that's over 1,000, I believe.

MS. GEUEA JONES: Sure.

MR. CROCKETT: Maybe two, but --

MS. GEUEA JONES: So you went to a high, high block length that is significantly higher than our current maximum length, and you went with the absolute minimum -- or close to the minimum sidewalk, as opposed to the pedway, and said, This is a good replacement for intersections.

MR. CROCKETT: Well, I don't think that the sidewalk -- the minimum width in a sidewalk for ADA is three feet, the minimum of the City is four feet, the city standard adjacent to a street is five feet, and we went six feet, so I don't think it's fair to say that we went with the minimum on a sidewalk -- on the width of a sidewalk, because really the minimum is a three-foot, potentially four, the City standard adjacent to a street is five, but again we exceed that even. The pedways, again pedways are along for collector streets, I mean, they're dedicated for collector streets where there is, you know, a much higher volume of traffic.

MS. GEUEA JONES: And you don't think that would be a more appropriate replacement for intersections?

MR. CROCKETT: Well I don't think so for the amount of pedestrian traffic that these are going -- that we envision that these sidewalks are going to see, we don't think that we need to go wider.

MS. GEUEA JONES: So you don't think that the pedestrian-ways that you have now said, Hey, let -- give us this design adjustment, and in exchange we'll put in these sidewalks, you don't think those are going to be used very much?

MR. CROCKETT: No, I think they're going to be used quite a bit, I just don't think that they're going to be used at the high level that a pedway along a major collector would be used.

MS. GEUEA JONES: Even though you're using them to replace what would be streets?

MR. CROCKETT: That's correct. Because I think that, you know, when you look at that, the pedestrians who are going to use them are basically just right in that subarea of that neighborhood. Okay? So we're looking at 30, 40 lots, whereas the major collector is -- has a pedway that serves -- anchored by two schools, potentially a third school, and all of the neighborhoods go up and down it, and on both sides of it, so those are potentially who's going to use an eight-foot pedway adjacent to Sinclair Road. Internal here we're not going to have that much traffic because you're -- if you're on this side of the neighborhood, you're not necessarily using those sidewalks, it's really for that subarea that's -- you know, that subneighborhood really, those are the people who are going to use that sidewalk. We're not reaching out -- other people in other neighborhoods aren't necessarily coming here to use that as their main mode of transportation to get through our neighborhood is going through those locations, if you will. MS. GEUEA JONES: Correct; but the intersection streets that they are being purported to replace --

MR. CROCKETT: Yes, ma'am.

MS. GEUEA JONES: -- would not be used by people outside the neighborhood, they'd be used by people internal to the neighborhood --

MR. CROCKETT: Correct.

MS. GEUEA JONES: -- trying to get around it.

MR. CROCKETT: You're correct; yes.

MS. GEUEA JONES: So you see what I'm saying, you're --

MR. CROCKETT: Yes. Right.

MS. GEUEA JONES: You're not solving the congestion flow problem by saying, Hey, we put in some pocket parks and regular sidewalks instead of streets.

MR. CROCKETT: Right; but if we -- let's go -- let me go -- if I may, if I can go back to this depiction, if we look at that, I don't think that those streets are going to have much traffic on them either, they're not going to be used very much at all because --

MS. GEUEA JONES: But there is a reason they're in our code.

MR. CROCKETT: I understand that, and I think that the code has also -- and I think that the director of planning has also indicated that he believes that the 600 foot is really probably -- probably too short and may need to be modified.

MS. GEUEA JONES: Oh, I don't think that's what he represented at all.

MR. CROCKETT: It -- well he actually told me that, so he may not represent it to you, but Mr. Teddy indicated to me that he believes 600 could probably be on the short side of things, it could probably be lengthened in that.

MS. GEUEA JONES: Well that's on the record now.

MR. CROCKETT: Yes, ma'am.

MS. GEUEA JONES: Yeah, I just - I really -- it seems to me that you weren't even trying --

MR. CROCKETT: Oh, I --

MS. GEUEA JONES: -- to meet the UDC standard of 600 feet --

MR. CROCKETT: Oh.

MS. GEUEA JONES: -- and that's concerning.

MR. CROCKETT: I don't -- I understand your perception in that, Ms. Geuea Jones, but that's certainly not the case. We're not -- we don't blatantly try to not design to the code, and I want to assure you of that, so I don't -- please don't think that, but I understand what you're saying.

MS. GEUEA JONES: Thank you.

MS. LOE: Any additional questions for this speaker? Commissioner Carroll?

MS. CARROLL: Can I ask why this couldn't have been oriented with shorter block lengths if you're representing that you're trying to meet the code?

MR. CROCKETT: Well because also when you look into adding additional block lengths, we're adding additional street, which is cost, it's reduced density, and then we also have the conflicts, we have, you know, all of the more intersections, and so we're trying something a little different, and this is what we've seen done in other places, and we're trying to do it here. And so, I mean, can we meet it? Certainly we can. You know, it's more pavement, more street, more impervious surface, take your pick, all of those things go along, we lose lots. I mean, those -- that's a development equation, I get that, and that's not necessarily your concern, but at the same time we're also trying to provide a safer place that we believe is safer as well.

MS. LOE: Commissioner Stanton?

MR. STANTON: Mr. Crockett, I like the overall plan.

MR. CROCKETT: Thank you.

MR. STANTON: I get it. This is my problem, are you blowing sunshine up my butt with all of these little amenities, like these walk-through sidewalks, and these pocket parks, is that just to win me over and then I -- when you get to developing them, Oh, we couldn't make it happen. Oh, we couldn't build this in.

MR. CROCKETT: No. No, Mr. Stanton, we're not. We're not doing that. Because I don't think we need the pocket parks and all of those things in order to get a development approved. I really don't. These are things the developer has seen in other areas that he wants -- this is a unique piece of property, okay? This is the Sinclair farm,

the southwest part of town, it's been undeveloped for forever, and it's one of the last remaining pieces, he wants to do something special with it. And he believes that this proposal that's before you tonight is something different and something special, and that's what he wants to do. That's why he sees these subparks, these pocket parks, scattered throughout the development, and then have the main anchor right there across the street from the school. There is no coincidence why that main open space, the main common area, is right across -- is where it's at, because it's right across from the school. We think that - you know, we don't pack a bunch of density right across the street from the school, but it's a nice place to have an open area, if you will. And again he wants to have a -- one of his first things he really wanted is, Listen, I go through a lot of subdivisions and I see green space, but people call green space flood plain, and trees, and creeks, that's not a place that you can go out and play catch, you can't throw a ball around there, I want a place where we can have an actual open field where the kids can go play soccer. I know it burns up developable property, I know it's going to cost me land, it's going to cost me money, but that's what I want. And he goes, I think that's an important element of a development such as this. And so, no, we're not -- I'm not blowing smoke up your butt, Mr. Stanton, these are elements that he absolutely believes in and he wants to put in this development.

MR. STANTON: Okay. Is this Club Med or is this -- leave it (inaudible) -- what's the neighborhood? You know where I'm getting at? You know what I'm into? I haven't heard it yet, so I'm not going to --

MR. CROCKETT: I don't understand the question.

MR. STANTON: Is this going to be for Club Med? Is this going to be high-end? I heard clubhouse, I heard --

MR. CROCKETT: No, I mean, I think --

MR. STANTON: You know, is it --

MR. CROCKETT: No, I think that's why --

MR. STANTON: -- my neighborhood? Can people like me in my neighborhood, can I go get a lot out there and be okay? Is it, you know --

MR. CROCKETT: Yeah, we have the city minimums, we're having, you know, cottage-style houses, we have developers wanting to put in 40-foot wide lots, you know, so, yeah, we want that diverse mix, we want that wide range of residential options. Absolutely. I mean, if we're looking for, as you referred to it, as Club Med, Mr. Stanton, we'd come in here with all 100-foot wide lots, but that's certainly not the case. Thank you.

MS. LOE: Commissioner Kimbell?

MS. KIMBELL: I have no questions, but I do want to say I appreciate the effort

that you've put forth in this in the past year.

MR. CROCKETT: Thank you.

MS. KIMBELL: I appreciate your passion. I am very much in agreement with this. You're welcome.

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

MR. CROCKETT: Thank you.

MS. LOE: Any additional speakers on this case? Please come forward. We need your name and your address for the record.

MR. MESSER: Hi, I'm Mike Messer. This is the first time I've ever done this. I'm at 4750 South Old Mill Creek Road. Thanks for having me. I'm speaking on behalf of a group of three property owners that are adjacent to the development. We have a private drive that comes off of Old Mill Creek Road. And I don't know if there is a way to get a map back up, but we do have a couple of concerns. I first and foremost want to say that I am in 100 percent support of this development, but these three concerns I think I need to make public record for possible liability issues for the developers and those involved in the future.

So if you look at the plat of the overall development, all of that is elevated above Old Mill Creek Road, which would be in the corner of the L of that development, and it's below that -- it's elevated, so all of this development is -- so I'm -- To get my six minutes, Jim Pescaglia of 4760 South Old Mill Creek Road, and Jason Nichols of 4740 South Old Mill Creek Road, have given me their proxy. So that creek is a natural watershed for this entire development, and if you've driven on Old Mill Creek Road ever in the summer or spring when it rains, it floods, and our driveway has a bridge, and the bridge is impassable, so we do not have a natural egress on or off of our property as-is. With the increased watershed from this development, I would like to see in writing how -- either how the Army Corp of Engineers, or Crockett Engineering with their expertise, are going to prevent either more watershed or be able to prevent more watershed. Old Mill Creek Road is impassable for all people for Magnolia Falls, Mill Creek Manor, and lots of Thornbrook, so that road floods right now, with all of that earth that you see that accepts water, instead of all of the pavement that will shove water down to Old Mill Creek.

The second issue that I'm really concerned about is that, that's a lot of homes, so you're talking about over 1,000 cars on average, and the infrastructure is not ready. If you've ever been in the Mill Creek Elementary area; Nifong, Vawter School, right now that all has

to be four lanes, Sinclair has to be four lanes, in order to get all of these people to where they need to go. And you put another elementary there, it's -- we live there, and we just deal with the traffic, but you literally cannot get anywhere at 8:00, 3:00, or 5:00. It's impossible. So most people just avoid it and go all of the way around and circumvent those areas which is -- that's not the way we want to live.

And finally, Madam Commissioner, you had a good question, why is the University holding on to that seven acres? It's widely known that there is radioactive experimental testing done on animals, those pads are still there, they're still leaking today. I guarantee if you went out there at -- as cold as it is today, fumes and steam is coming out of every one of the drains on the paddocks of those slabs. I've been out there and have seen it. I didn't believe it, there is -- it's an awful gruesome thing to imagine, but who is going to be responsible for the abatement of that soil that is going to be moved? It's going to have to be moved, even if they don't touch that seven acres, that drainage is going somewhere. My water table is right below that, I have a well, I have a family, I have three kids, I don't want that to be disturbed. And I would like a plan in place that guarantees that that radioactive ground is not moved and won't hurt not only me but the waterway that goes all of the way to the Missouri River. So, I'm sorry, I'm really passionate about this, I'm shaking up here, but I have concerns. But I want this to happen, I want this -- this looks amazing, I think they've done great work, but let's do it the right way and do it thoughtfully. Thank you for your time. I appreciate it.

MS. LOE: Thank you, Mr. Messer. Are there any questions for this speaker? I see none. Thank you.

MR. NINICHUCK: Madam Commissioner, members of the Commission, thank you for having me. Can we bring up the -- their slide that shows the Boone County and the City? MS. LOE: Do we have your --

MR. NINICHUCK: Do we have that one? Oh, sorry.

MS. LOE: -- name and address?

MR. NINICHUCK: Brian Ninichuck, 4700 Old Mill Creek Road.

MS. LOE: Thank you.

MR. NINICHUCK: Thank you. Do you have the colored one, with the colors, the yellow and all of that?

MS. LOE: The zoning map?

MR. NINICHUCK: There it is. No. Back, back, back, back. Yeah. I see the yellow. Where it's yellow and green and all of that. You went past it.

MS. LOE: There it is.

MR. NINICHUCK: There we are. The 15-acre lot there where you see Old Mill Creek coming through the R-5 and -- well it's all county, and I'm that chunk right there in the middle, that's my 15 acres. The whole south side of my property is Old Mill Creek. And as Mr. Messer was explaining, all of the water from this development goes through my property. I'm also concerned about the height of the water raising, because my house is not in a flood plain just yet, the water gets up there, it does flood Old Mill Creek Road, it does knock out his bridge -- it doesn't knock it out, it floods it over. And the water covers a good portion of the acreage coming up to my structure. If that water raises a foot, to another foot and a half, that water could be in my house. And that water has not gotten into the house since it was built. I'm also concerned about the flow rate. I haven't been able to walk the entire creek beds of the Old Mill Creek that I own now, but if the rate is up there, I'm concerned about the erosion issues that could occur, but those are my two concerns.

I will put it on the record, I'm very development-positive. I like what they're doing here. But then I had a little third concern come up with this gentleman here that was talking about the extension of South Hampton coming through with the roundabout, going through the little green space there, because they were talking about having to be able to plan ahead for bridges and all of that, and if -- we don't have to go to the slide, but I guess you guys might remember the extension of South Hampton, that bridge would happen to go right through my property, or the road if we're going to do a connection, so that's a new concern of mine. So I'm going to put a little bit of an investment in my property going forward because I'm a little curious about that. I just want to put that on the record that I have no idea what that is, but I don't want a highway going through my property.

MS. LOE: Understandable. Any question for this speaker?

MR. NINICHUCK: Thank you.

MS. LOE: I see none. Thank you. Any additional speakers on this case?

MR. JENKS: Brad Jenks, 3601 West Southern Hills Drive. I thank you for your presentation, I could understand it, I only had to Google a few words, thanks for all of your services here, so thank you. I'm one of those doors that the developer knocked on. We had a good 30-minute, 20-minute conversation. He brought his colorful board, showed me the project. I think the biggest benefit for me and my family is the doublewide roundabout by Mill Creek Elementary. I probably go through there six, eight, ten times a day. I've got teenagers getting ready to start driving to Rock Bridge, so traffic concerns is a big issue of mine. And I think that's the biggest benefit of this whole project is, like some people said, roads need to be wider, and him investing the time and



the money into doing that, is near and dear to me, knowing that two my kids will be driving that road quite a bit to Rock Bridge, other activities, dance studios, soccer practices. And I drive that ten times a day, and it is frustrating, and it is congestive at certain times. I do plan my day unfortunately around 8:00, 3:00, and 5:00, not to go through there. So I think that's a big bene- -- that was the biggest benefit when he explained his project to me. Mill Creek Manor being able to go through the new subdivision to get to the elementary school, or whatever middle school they get assigned to, I think is another great benefit to the community. It takes traffic off Nifong, it makes our lives a little bit simpler on that busy road, so -- the traffic is the biggest issue for me, and that sounds like they have a good solution for that, so I'm for this project. I hope you all will approve it and support it like I do. Thank you.

MS. LOE: Thank you, Mr. Jenks. Any questions for this speaker? I see none. Thank you. Any additional speakers on this case?

MR. PARKS: Hi, I'm Nick Parks, 5010 Thornbrook Ridge. I also Parks Proper- - own Parks Properties, it has property in that blue area. I think it's about 25 acres, we own about 11 of those acres, so I'm at the far south end of this development. So Rob did take the time to meet with me and go over his development thoroughly, I appreciate that. And I know he spent a lot of time with a lot of the neighbors. I've owned that property for, I want to say, seven, eight years. And I've talked to a lot of developers who've looked at that property, and most have passed because a combination of what the University was asking for that property, and just the lay of the land there, there is a lot of undevelopable property on that property, a lot of people have passed, but Rob saw this -- you know, had a vision for this property. And maybe some of the reasons why you're seeing longer streets and things like that translates into just it's not a very economical development for most developers, but he's taking the attempt.

I'd also like to say I grew up in Florissant, North County, St. Louis. I could ride my bike to Walgreen's, or to school, both my elementary school and my junior high, and it -- those were some of the best years of my life. So I didn't have to ride the bus. So the proximity to the schools, and the amount of pedestrian walkways that he's providing, even within the neighborhood, those were in St. Louis, we had a lot of these so we wouldn't have to go cross a lot of streets where there were cars coming, there were -- you know, there were actually walkways between houses, and I don't know how those neighbors felt about those walkways, but for us it was gold. So -- and it really aided us to get to school on our bikes. So I think it's going to be a very desirable place to live. I'm even considering

about moving from Thornbrook there. But Thornbrook is another one of those neighborhoods that's connected right to Beulah, I bring my kid to school in a golf cart, he loves it. So another -- again I might consider moving here just for that purpose.

MS. LOE: Thank you, Mr. Parks. Any questions for this speaker? I see none. Thank you. Any additional speakers? There are none. We're going to close public comment.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission comment? Commissioner Geuea Jones?

MS. GEUEA JONES: I like the overall plan, I am ex- -- I don't like the fact that this block length issue is in front of us despite us being very clear in previous cases. And this isn't one extra-long block, this is 15 extra-long blocks, and some of them with 11 or 12 houses along it, and that part I do not care for. I am open to creative ways to limit that impact without saying, you have to build 15 extra streets, but I cannot in good conscious approve the design adjustment the way it is now. So if we as a Commission have a better way to get around that, but I'm just going to say five-foot sidewalks with pocket parks do not replace streets. And there is a reason that this Commission adopted the UDC standard that it did. And this is a huge development with again exceptions to that rule, that's just too much I think for me.

MS. LOE: Commissioner Stanton?

MR. STANTON: I have a question for staff. I'm going to make the assumption as we would approve the prelim- -- we -- that you support approving the preliminary plat, that you've had the discussion with fire and safety?

MR. SMITH: They had the opportunity to review it, and they did not have any comments regarding, you know, impacts to fire safety for that site. And to be honest, it's probably a little detailed. I mean, I think, you know, 200 extra feet on a block length is not something that rises to the level that would be included in the fire code, and that's generally what they look at when they review the plan. So, no, no direct response from them.

MR. STANTON: (Technical difficulty) uncommon, if I'm correct? I've been around a little bit, and that seems uncommon, that -- I've seen them reply to smaller issues, so are you saying that they just didn't want to get into this fight by not responding? I guess because you see where our concern is, and we are trying to hold to the letter of the UDC, and then we get this, and then we don't have any data to base our answer "yes" or -- up or down, we don't have the fire code, we don't have the fire and safety's recommendation on, Oh, we don't have any problem with it, or, they do have a problem with it, we don't

know, we don't have that information. So --

MR. SMITH: I would say that I don't think -- the UDC subdivision regulations are what they are, I don't think there is anything that the fire code would provide guidance that would alleviate the 600-foot length restriction, so I don't think they're in a position to make definitive comments whether this is a significant impact to public health or safety. So they -- I mean, they have some subdivision regulations they look at, we looked at the cul-de-sac width issue, but as far as block length, it's not something I've ever heard them comment on specifically.

MR. STANTON: Okay. Maybe -- yeah, maybe it's -- because what you just --

MR. SMITH: For cases that I've been --

MR. STANTON: The way you just came at me I kind of felt like you just -- like they don't --

MR. ZENNER: So the UDC does include -- not only does it include the cul-de-sac length issue, which they do take exception to, they take exception also to the cul-de-sac design standards that are often presented in plats that are presented to this body, they also take significant exception to developments that do not provide adequate access in accordance to the code, and that is, more than one point of ingress and egress to more than 30 lots, and more than 30 lots off of a single street segment as well. So in their review of this project, given its curvilinear nature, and its limitation of cul-de-sacs, and those cul-de-sacs that did exceed the maximum 300-foot length but fell within the "up to 750," and the cul-de-sac designs, they saw no issues with this.

Intervening streets to them, I don't think as Mr. Smith has pointed out, really is something that registers with them as to how that may provide any value, given the fact that if you have an interconnected street network that allows them multiple points in and out of the development to reach those lots, that they would probably take apparatus down narrow street segments, or street segments that are midblock, it's going to potentially be a -- I would imagine from a response perspective, more time-consuming than following the primary road network. I think as Mr. Smith pointed out in his staff report, and I think part of why you've read the report the way that you may have as a lot of concern associated with the report, is because it is a deviation from what we would typically expect. It is a judgmental call that needs to be made. It is somewhat objective. And as Mr. Smith has reiterated, when we are asked and pressed, Is it significant? We did not feel that it was significant, even though we do have concern, and we have concern of the impact and the - - and not necessarily the precedent that it's stating, but what it means if we continue to see developments come forward with this type of alternative without having more specific

criteria by which to evaluate them. And I think that's partially the frustration that exists here, it existed with us as we did this evaluation.

We have no meaningful way of saying, Well, it meets A, B, C, D, in this particular instance, and may be appropriate. And I think that that's what we're struggling with as a body here tonight. It is an alternative, and it's an alternative that the commission has to give weight to based on all of the other factors; what's trying to be created, does it fulfill the general obligation of what is required? It may not fulfill it for vehicular purposes, but does it fulfill it for pedestrian connectivity? And I think if we're trying to create interconnected neighborhoods, pedestrian connectivity probably outweighs that of a vehicle. If your primary routes of ingress and egress to access each of the individual lots meets otherwise the general requirements that our traffic engineers expect to have met, and the fire service, meeting pedestrian needs next takes priority. And I think allowing for the alternative to avoid creating unnecessary streets that don't serve any public works perspective, or either the fire services, is something that's worthy of weighing.

Now if we want to continue to see plats like this, I think what we do need to do is we as a commission and as a staff, need to have a discussion about is criteria needed. Like I said, I think then you have something to evaluate it against, instead of having to be subjective as we are being asked to tonight.

MR. STANTON: And that's why I think - I think when we go to uncharted territory, we need as much support, or a lack of support, as necessary. I want them to toe the line. Hey, fire says no-go, fire says go. When we -- so that we can be progressive, we can try new things, but I don't hear that kind of expert advice, and we're going into uncharted water, I don't feel comfortable making a professional decision. So in the future I would like being across -- you know, draw a line and stand on the other side in the future.

MR. ZENNER: We will continue to work with our review partners to see if we can get to that, and I think what we will need to do -- as you know,

Mr. Smith handles our text changes to the UDC, I think we need to consider how we want to develop criteria that we can bring forth to the Commission that may help to provide clarity to this matter.

MS. LOE: I have to agree that the reasons given for the design request, limiting street infrastructure, and limiting long-term maintenance, are not unique, those could be made by any applicant, and we certainly considered the fact that requiring additional intersections would mean additional infrastructure and additional maintenance. And as

you point out, Mr. Zenner, we concluded that the benefit of having the opportunity for multimodal transportation, interneighborhood connections, weighed more than limiting that. So, yeah, I would have looked for a unique reason, like we often do, with the design adjustment to help justify an exception, and I have to admit I'm not seeing one here.

Commissioner Carroll?

MS. CARROLL: Yeah, there is a lot of things that I love about this plan, it is infill development that we've been asking for, I do see some variety in housing types, I like the parks. Something that you said, Mr. Crockett, really struck me, and that was that you want to do something special for this unique land, and I assure you we do, too. I am concerned about the block lengths, and like Commissioner Geuea Jones stated, it's the number of them, the fact that all of the central blocks wouldn't meet criteria is very significant to me. It's hard to look at all of the blue on that map and make that level of adjustment. That said, I do generally support shrinking graphic infrastructure in order to increase pedestrian infrastructure. I do wish that those sidewalks were wider. The width of sidewalk is not only for major trafficways, it's to allow for two-directional pedestrian traffic, and multimodal traffic, it's to allow for a wheelchair going one way, and a bicycle going the other way, and if you're looking at replacing a street, I think you should replace it with something that people could use in that type of multimodal fashion. I would also note that national standards for pedestrian paths are frequently accepted at ten feet, and the City of Columbia currently uses eight, which is a standard that we're applying to many of our pedestrian paths, I'll grant you that, but a five-foot sidewalk doesn't allow for the same type of multimodal transportation that a street would, and I think it should be wider in order to allow for that use.

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: Someone else? I think I have an idea, but I don't want to cut off others? Okay. We can put conditions on this approval recommendation, I wonder if we wouldn't all feel more comfortable if those intervening sidewalks were more like pedways, or more like golf paths, or something like that, where you can see reasonably two people on bikes crossing paths or something. Because I mean that, to me, they are there as a replacement for the streets that would be going through those exact same locations if we required it, and so if we're going to say, You don't have to build a full street, what you're replacing that with had better be more than a small walking path or the -- you know, it better be something that allows for some real travel and isn't just symbolic.

MS. LOE: Commissioner Burns?

MS. BURNS: Thank you. One of our speakers said that, you know, we should

get this right, and I agree with that speaker. I think there are a lot of questions. I think -- I would prefer to either vote up or vote down the design adjustment, I'm not an engineer, I'm not an architect, I'm not an expert on streets, and so I'd rather have the experts come back with some suggestions for us, and simply look at the rezoning, and make some other decisions on the two other issues.

MR. ZENNER: Ms. Loe?

MS. LOE: Mr. Zenner?

MR. ZENNER: I don't know if it would be appropriate or not, but I think in order to facilitate

Ms. Geuea's suggestion, it may be worthwhile to ask the applicant, his agent, if they would be willing to consider widening the pathways that they have proposed as the replacement to the street and amend- -- a consent in essence to amending the plan in accordance with that increased size. I'd also like to point out that the plans that you did not get to see at Old Hawthorne, which we have reviewed as we have been here this evening, the connection pathways between the lots were actually eight feet in width, so I would entertain you opening the hearing, asking Mr. Crockett to come forward, and asking him if he would consent to that, or what impact that may be toward this project, and then make your decision.

MS. GEUEA JONES: I don't even know if the --

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: I'm not even sure that the will of the Commission is to do that, I was just throwing it out there as a suggestion, because I do like where this is headed, I just don't like the fact that it appears to completely ignore that requirement

MS. LOE: I agree. I have to admit I have a couple more concerns about the internal sidewalks. One is that the design of them appears as if remnant, in that they're offsets of property lines, they didn't drive the design. You didn't design a path, and design the lots around them, you laid out the lots, and then moved the lines over five feet, and that resultant space became a path. And it feels like it. That puts it also into the category of this is not a purposeful or designed pathway. I'm in full agreement that they're just much too -- not wide enough. Three foot is the accessible minimum width when the sidewalk is less than 200 feet long, you have several sidewalks that are over 200, and a couple that are over 300 feet long in these cases, so the length of them I'm concerned about. I'm also concerned about fencing. You know, what are the neighbor's property allowed to do next to it? So I'm interested not only in what the width of the walk

is, but what landscaping or what offset we're going to have next to the walk This -- I agree this really should be if we're replacing an internal street system and saying that this is going to be a pedestrian route, if it is nice, it will be used. I totally applaud the pocket park, love pocket parks; however, I'm not sure three are going to be enough for this size community, especially if one is dedicated to being a dog park, one is dedicated to being a playground, that leaves one for adult gathering potentially, and I have to walk a mile to get to it. I mean, that -- I almost feel like you need one per block to bring that block together. So I guess I still have a lot of questions beyond just widening these sidewalks to make me feel as if it really is a working intended internal system. I also still have some questions about the seven-acre lot. We've been told that the University doesn't intend to do anything with that, can we restrict development on it? I'm not happy with this access easement across a common area that the homeowner's association is going to be required to build and maintain the driveway on. So there is a driveway to that pump station or whatever is up there? Right? No?

MR. SMITH: I think the expectation would be that it wouldn't be the HOA maintaining the drive, it would be shared to some degree, because the City would be maintaining a portion of it, but I'm sure that there would be an easement agreement structured at some point to lay out the maintenance of that I'm assuming between the owner --

MS. LOE: Then the City is maintaining a driveway for the private seven-acre lot?

MR. SMITH: It would be an easement, and it would likely be to the benefit of the City and the University, and it would probably lay out the maintenance agreement within that easement. It would be the HOA's property, but maintenance of the drive would most likely be for those two entities.

MS. LOE: Can we restrict it as a condition that nothing can get developed on there? Because it is being landlocked. If you're giving it a 35-foot right-of-way, and that can develop, what, 25 houses in there? And would have single access? And -- I just want to --

MR. SMITH: Not -- we can't restrict it necessarily --

MS. LOE: Okay.

MR. SMITH: -- because it's not in the preliminary plat, and they are not required to include it because of the size of the parent tract, they only actually have to include up to 80 acres of contiguously-owned property, so they are allowed to leave that out, but as we pointed out there is a little concern with the access, but --

MS. LOE: So can we require two access points given the size of it?

MR. SMITH: I mean, we can --

MS. LOE: And how it could be developed? We have stub-outs to other areas.

MR. SMITH: That could be a requirement, yeah.

MS. LOE: Okay. Yeah, I guess I would like to explore that more if we don't have a clear idea of how that seven-acre parcel is being developed and there is a potential for development.

MR. SMITH: It would have to come back before this body. It would have to have its own plat at some point to develop. Given the size of it, it would probably -- it could be a minor, but it would most likely also have a preliminary, so it would be back in front of this body if any further development were sought for that piece.

MR. ZENNER: It would be a major development given the fact that infrastructure is not being -- infrastructure at this point is not being stubbed to it. So as you see it today with only a 35-foot access, it's not a developable parcel of land because it doesn't have utilities, and it does not require to provide them pursuant to the code. Furthermore, I believe as Mr. Stephens raised, this is under an agreement that the DNR has with the current owner of the land, I don't know what the -- don't know what that agreement says, that's not really relevant to the case at hand, per se, I understand that there is a concern with that, but we don't regulate separate contractual obligations with the state agents -- to state agencies. I think providing secondary access, in my opinion, actually encourages the development of this property, which is potentially what we don't really want to do.

You normally wouldn't have a DNR agreement with the property if it was developable, it would probably have already been included in this project, so there is a reason to isolate it and not have residents of this neighborhood having easy access to that property possibly. You know, I think that it's remote, it's intended to be held by the current property owner in perpetuity as we know and that may be part of what a separate agreement states. And as Mr. Smith just pointed out, it is a major -- any development of this seven acres would be a major development, and it would have to meet all of our other requirements, and that -- probably given how it has been conveyed to you this evening, that may include some very significant environmental clearance documentation before it's even developable.

MS. LOE: I'm simply not used to approving actions that create potentially undevelopable lots so --

MR. ZENNER: Normally -- yeah, normally what we would see is this -- if this parcel were included, we'd normally see a "Not for development," note on the property, but the current



property owner has chosen to keep it in its ownership long-term, and the way that our code is set up, they are allowed to do so. So it is an oddity. It's unique.

MR. SMITH: We had suggested they add it to the prelim so we could regulate it in some fashion, but they had the option not to do that.

MS. LOE: Any additional comments? Commissioner Stanton? Oh, Commissioner Placier has a comment, too.

MR. STANTON: Oh, okay. Well go ahead.

MS. PLACIER: Oh --

MS. LOE: Commissioner Placier?

MS. PLACIER: -- well asking about the seven acres, if this -- if it has been deemed to be environmentally dangerous, or perhaps even dangerous to people, I would want to restrict access of children or whoever in the neighborhood to it actually, but I don't know if we could even do that.

MS. LOE: We can't take comments from the --

MR. STANTON: Yeah, we can't hear you without being recognized.

MS. LOE: -- audience, I'm sorry. It's not included in the preliminary plat, so we can't make any comment on it, is my understanding.

MS. PLACIER: Put up a big skull and cross bones or something?

MR. SMITH: I would suggest, Ms. Placier, it is in the best interest of the current property owner to secure that property from a liability perspective, and they will take whatever steps that they deem necessary to do so. I would imagine Mr. Hill, in his development of the property should that -- should this reach that point, would want to coordinate with them to ensure his residents are safe as well.

MS. PLACIER: I would think so.

MS. LOE: Any additional comments before I go to Commissioner Stanton? Commissioner Stanton?

MR. STANTON: I didn't want to hear it, but I heard it, and now I have -- we have to address it. I worked in environmental engineering before, and once you hear it -- you know, I did lead and asbestos abatement, once you hear it, you can't unhear it. So my thing is, what do we do about it? And what does Crockett and Mr. Hill know about it? And what is -- how are we going to protect it? I mean, I heard it. So either call him a liar or tell me something about seven acres that cannot be developed and it doesn't have infrastructure. I can't unhear it, somebody has got to tell me something. So we can open up public hearing, or we go off what we know, but I heard it.

MS. LOE: Commissioner Carroll?

MS. CARROLL: The University is going to take precautions for this. They own

the land, they've done that at their other research sites, radioactive contamination from medical isotopes used on animals is usually not an acute risk, as in you wander through the property and you have an acute toxicity. It is a prolonged exposure that you may be concerned about. And the University has mitigated those risks by taking precautions. They have an entire department in charge of this. They inspect frequently. It's not part of this for a reason I'm sure. We don't have someone here to speak on that tonight. I think that it's good to restrict access there, and I think there is a reason they've planned for that. I think it's good that there is less density back there and larger lot sizes. I -- We're not dealing with a plan that includes that lot. And that's all I'm going to say.

MR. STANTON: I'm not happy with that answer, but -- I heard it, I feel you, and you're a scientist, you're a chem- -- I --

MS. PLACIER: I have a --

MR. STANTON: -- so your word is gospel to me when it comes to this subject. I understand that it has been remediated, I understand that, but nobody said nothing about that from -- on the developer's side, we're just hearing that from a owner's perspective, he could be lying, we don't have any facts.

MS. PLACIER: Exactly, that's my point.

MR. STANTON: So somebody knows something somehow what has been done. What? There has got to be something -- some kind of document that says, Okay. Hey, this is clear for human consumption.

MS. PLACIER: I'm sure the documents exist at least internally within the University, they document this frequently.

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: So all due respect to the University, there are two cities in St. Louis County that are dealing with massive issues because someone remediated it, but here is what I'm going to say, they don't own this property yet, no one has done any of the study yet, they haven't applied for building permits yet, when all of that happens, someone is going to have to figure out was it medical isotopes, was it something else, was it nothing? Do the places over there steam because of reasons that are completely unrelated to radiation? All of that is going to be figured out. These owners may find out they bought a lemon, but all of that is above and beyond what we're doing here today, I think, but I think that I share a lot of Commissioner Stanton's concerns. I -- in fact, a lot of them. I think that we're going to find out this was a massive brownfield and that's why no one has built on it before. But --

MR. STANTON: (Inaudible) may have an answer.

MS. LOE: Any additional comments? If not, I'm going to open the floor back up

to public comment.

#### **OPEN PUBLIC HEARING**

MR. CROCKETT: Madam Chair, Tim Crockett, Crockett Engineering, 1000 West Nifong. Yes, there has been extensive remediation on this piece of property, the University has gotten clearance, it's my understanding clearance from the feds as well as the State on this piece of property. And, Ms. Carroll, correct me, this is in your world, so please forgive me, the -- they had an environmental engineer, an environmental remediation company come in and evaluate the work that had been done for closure, is my understanding. There is documents 500 pages, we've had our title work, we've had our professionals, we've had everybody else look at that information from the University. The University had to be cleared to be able to sell the property even just to start with. What they came back with is that exposure on that piece of property exposes people to -- now, Ms. Carroll, correct me here, 0.15 MREMs per year. Now the average person is exposed on a natural basis anywhere from 320 to 630 MREMs per year, and this piece of property is .15. Natural soil is more than that typically. What -- bananas have radioactive material in them believe it or not at .01. So what's on that property today, according to what the third-party environmental assessment agency says, is basically the same as eating 15 bananas. This was on the piece of property. And so, yes, has there been something in the past? Yes. But there is documentation that clears that site. And so that's what we're going off of, that's what our professionals have reviewed, that's with the University, the federal government, as well as the State. Now what's on that seven acres? I don't know. But they've cleared what we are cleared - what we have -- what we are able to purchase, they've cleared that for occupation, for dirt work, they've cleared that for development. Similar to the school right across the street, two schools, one school for sure, and possibly another one, is going in that location, and of course you know the school district has done all of their due diligence as well. And so that's the information that we have.

MS. LOE: Thank you.

MR. CROCKETT: So it's not just hanging out there with big unknowns, there has been a tremendous amount of work done on that site.

MS. LOE: Commissioner Carroll?

MS. CARROLL: I will give one more comment on this. I'm going to be extremely reticent to speak on the record about this having not seen actual data and numbers myself presented, I can only speak to the

department that I know exists, and the type of work that I know exists. I don't know what they're doing there, and I don't know what exists on the land if it's not presented to me, I do know that they are responsible to check it frequently.

MS. LOE: Any additional questions for

Mr. Crockett? Commissioner Kimbell?

MS. KIMBELL: This doesn't pertain to the seven acres, but it does pertain to the inner sidewalks.

MR. CROCKETT: Yes, ma'am.

MS. KIMBELL: Are you willing to make those wider?

MR. CROCKETT: We are.

MS. KIMBELL: Okay.

MR. CROCKETT: We'd be willing to make those wider, yes. We'd be willing to go to eight feet.

MS. KIMBELL: That's all I have. Thank you.

MR. CROCKETT: Thank you.

MS. LOE: Any additional questions? None. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. LOE: I'm going to close public comment.

#### **CLOSE PUBLIC HEARING**

MS. LOE: Back to commissioner comment. Commissioner Burns?

MS. BURNS: Well, I just have a whole new host of questions about what we're talking about. So regarding -- you know, as I say, I want to get this right, I want to be fair to the applicant, and fair to the homeowners who have brought concerns to us, so I don't think I can support the design adjustment or even the preliminary plat. I can support the rezoning action.

MS. LOE: Is there a motion in there?

MS. KIMBELL: Mr. Stanton has got one.

MS. LOE: Oh, Mr. Stanton.

MR. STANTON: If my colleagues don't have any other additional questions or comments, I would like to entertain a motion, Madam Chair. As it relates to Legacy Farms preliminary plat, Case 5 --

MR. ZENNER: Mr. Stanton?

MR. STANTON: Yes, sir.

MR. ZENNER: If you will please, we first need to do the zoning.

MS. LOE: Oh, yeah.

MR. ZENNER: Then we'll need to do the design adjustments. And then we will wrap up with the final -- with the preliminary plat.

MR. STANTON: I was kind of going off the screen Mr. Smith had lined up now.

MR. SMITH: I apologize, we are --

MR. ZENNER: We'll roll you back.

MR. SMITH: We are corrected there.

MR. STANTON: Okay. So as it relates to Case #71-2022, Legacy Farms Rezoning, I move to approve the rezoning of the site to R-1, R-MF, and RN - and M-N.

MS. RUSHING: Second.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Rushing. We have a motion on the floor, any discussion on this motion? Seeing -- Oh?

MS. GEUEA JONES: I was just going to say --

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: Thank you. Given the new information that we have, I may have become more reticent on this even than I was before. But just based on the fact that if any of this is true, and we have had none of it in any of the staff reports or any of the information that was presented to us until this very last minute, I don't want to put residences on a place where I haven't seen any environmental reports.

MS. LOE: I have to admit that thought has crossed my mind as well. Any other comments/discussion? Seeing none. Commissioner Carroll, may we have roll call.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: The rezoning? No.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

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

MS. LOE: Yes.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns?

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: No.

MS. CARROLL: We have six "yeses" and two "noes," the motion carries.

MS. LOE: Thank you. Commissioner Stanton, did you want to make the second motion? This one would be for --

MR. STANTON: Madam Chair, I would --

MS. LOE: -- design adjustment.

MR. STANTON: I would be honored, Madam Chair, since I've been batting, what's that, 1,000 all night? All right. As it relates to case --

Mr. Smith, are we on the right page before I say -- Okay. As it relates to Case 59-2022, Legacy Farms Preliminary Plat, I move to approve design adjustments from Section 29-5.1(c)(3)(ii) to allow block lengths to extended -- to extend 600 feet and approve --

MS. LOE: We can stop there.

MS. RUSHING: No, no, stop there.

MR. ZENNER: Stop there.

MR. STANTON: Okay.

MS. RUSHING: Second.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Rushing. We have a motion on the floor. Any discussion on this motion? Commissioner Placier?

MS. PLACIER: Yeah, just a question, we have had this discussion about the paths, and them being wider, and all of that, does that come into this at all as a condition or --

MS. LOE: Not as moved.

MS. PLACIER: -- would we be asking for a resubmittal of that?

MS. BURNS: That would be the preliminary plat, if we were to deny that, it would not allow those --

MS. LOE: Commissioner Jones -- or, Burns, I'm sorry.

MS. BURNS: Burns.

MS. LOE: Right; this would -- we would -- we have not made any conditions on the design adjustment.

MS. PLACIER: Okay.

MS. LOE: Any additional discussion? Commissioner Kimbell?

MS. KIMBELL: Can we go back to that motion -- to the motion?

MR. STANTON: What I just -- Okay. The approval of the design adjustments from Section 29-5.1(c)(3)(ii) to allow block lengths to exceed 600 feet.

MS. LOE: Commissioner Stanton?

MR. STANTON: And I'm just going to say this, I plan to support this. Number one, because like one of the homeowners said, he tried to make lemonade out of lemons with this situation. I understand that we are trying to hold firm to these principles that we put in the UDC, but just like I asked about the fire stuff, you know, it's left to us to be subjective, and my subjective opinion is, I like the way it is. It's not normal, but it's different. We're trying to go outside the box, and I do respect the fact that it's not as easy as redrawing these lines. I'm in this world myself and it's just not as easy as - as redrawing it on a piece of paper, so I plan to support it.

MS. LOE: Any additional discussion? Seeing none. Commissioner Carroll, may we have roll call, please?

MS. CARROLL: Commissioner Placier?

MS. PLACIER: No.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

MS. CARROLL: My vote is "no". Commissioner Loe?

MS. LOE: No.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns?

MS. BURNS: No.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: No.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: No.

MS. CARROLL: We have two "yeses" and six "noes," the motion is denied.

MS. LOE: Thank you. Commissioner Stanton, one more motion.

MR. STANTON: Right. As it relates to Case #59-2022, Legacy Farms Preliminary Plat, I move to approve the preliminary plat.

MS. RUSHING: Second.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Rushing. Any discussion on this motion? Seeing none, Commissioner Carroll, may we have roll call, please?

MS. CARROLL: Commissioner Placier?

MS. PLACIER: No. I want to see a new plan.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

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

MS. LOE: No.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns.

MS. BURNS: No.

MS. CARROLL: Commissioner Rushing?

MS. RUSHING: No.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: No.

MS. CARROLL: We have three "yes" votes and five "no" votes, the motion is denied.

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

**As it relates to Case # 71-2022, Legacy Farms Rezoning, move to approve the rezoning of the site to R-1, R-MF, and RN – and M-N.**

**Yes:** 6 - Burns, Loe, Rushing, Stanton, Carroll and Kimbell

**No:** 2 - Geuea Jones and Placier

**Absent:** 1 - MacMann

**Case # 59-2022**

A request by Crockett Engineering (agent), on behalf of Curators of the University of Missouri (owner), for approval of a 532-lot preliminary plat that will allow the subdivision & development of the site with single-family and multi-family housing, and neighborhood commercial areas, to be known as *Legacy Farms Preliminary Plat*, with a design adjustment to Section 29-5.1(c)(3)(ii) to allow longer block lengths on multiple blocks. The 383-acre property is currently zoned A (Agricultural) and is located on the west side of Sinclair Road, approximately 700' south of Nifong Boulevard.

All meeting testimony associated with Case # 59-2023 is fully presented within the minutes of Case # 71-2023.

**Motion # 1 - As it relates to Case 59-2022, Legacy Farms Preliminary Plat, move to approve design adjustments from Section 29-5.1(c)(3)(ii) to allow block lengths to exceed extend 600 feet. VOTING YES: Kimball, Stanton VOTING NO: Placier, Carroll, Loe, Burns, Rushing, Geuea Jones. Motion fails (2-6).**

**Motion #2 - As it relates to Case #59-2022, Legacy Farms Preliminary Plat, move to approve the preliminary plat. VOTING YES: Kimball, Carroll, Stanton VOTING NO: Placier, Loe, Burns, Rushing, Geuea Jones. Motion fails (3-5)**



**IX. PUBLIC COMMENTS**

MS. LOE: Are there any public comments? Seeing none.

**X. STAFF COMMENTS**

MS. LOE: Are there any staff comments?

MR. ZENNER: Yes, there are. Next meeting is March 10th. And as we discussed this evening in work session, we will be shifting track in the work session, we're going to have a discussion in regards to some updates to the engagement - proposed engagement plan to answer questions that the Commission had originally posed at the end of December. We've done some additional research and we're going to be presenting that to you as half of the work session. And the other half of the work session is going to be allocated toward scoping text changes for the next main round of UDC revisions that Mr. Smith will be spearheading. We want to be able to establish a framework of work moving through the early portion of this new calendar year. We will come back to the discussion with short-term rental on the March 24th agenda and pick up from where we left off this evening which was excellent progress.

You do have a gaggle of cases on the March 10th agenda. While it is not near -- well, I wouldn't say it may not be nearly as tantalizing as this evening, it definitely is more, and it may result in the same length meeting. We have a single final plat for College Park, this is the division of the College Park church, there is a church on College Park just to the north, if I am correct in my directions, of the school. They are looking at doing a division on that property. This is not a legal lot; therefore, it is required to come back before the Planning and Zoning Commission. So that is 1your sole free-standing subdivision. And it is one of these that it's a final. And the reason it's coming to you is because it's not a legal lot today. And then we've got in our center section of the agenda, public hearings and subdivisions. And in this we have an odd three-fer on the same parcel of property. So it is a parcel that has both frontage on Hinkson Creek Road and Paris Road, this is just to the north of the US-63 and Paris Road interchange. There is a request to rezone the property from A to M-C. There is also a CUP request on the property to authorize a travel trailer park on a portion of the acreage. And then there is a final plat that is being presented in order to establish legal lot status for the property to allow it to be able to be utilized for the travel trailer park purposes. All of that will be covered in one concurrent report. And then we will take three separate votes as it relates to the project. And then the second accompanying project under "Public Hearings and Subdivisions," is a standard two-fer. It's a permanent zoning request. County MLP and

R-M, they're multi-family residential, and -- to IG is the permanent request. This is up off of Prathersville Road. If any of you are familiar with that general area, Apac Paving is the business that's immediately behind this somewhat industrialized area. The MLP is the county's planned industrial zoning district. And it may be ML, I apologize, you know, you sometimes get county zoning designations a little bit jumbled. But the IG, if I understand correctly from the review that's been conducted on the property at this point, is consistent with the surrounding land use pattern, and then would likely be consistent with our comprehensive plan which would have identified future land use based on its current zoning. And then the second half to that two-fer is the final plat to allow legal lot status. The R-M parcel is actually currently improved with a single-family home, or was improved with a single-family home, and it is being merged with the larger parcel that is adjoining the industrial property. And then to wrap-up the meeting, we have three more public hearings, another conditional use, this is the old - the one at 3100 South Old Highway 63, it was a former landscaping center, this is proposed to be construction contractor's offices, is what they are proposing the CUP for, for those purposes, it's for a redevelopment of the property. This is just to the north of the Chinaberry/Bearfield roundabout. And then Quarry Heights, Plat 7, this was the rezoning -- or not rezoning -- of course, platting action that came forward about two or three months ago, where we had the homeowners come out in the adjoining neighborhood and said they wanted the sidewalk to have a design modification approved for it. So Mr. Gebhardt is taking this up -- taking the neighborhood up on that desire and submitted the design modification to waive sidewalk requirements for this particular single lot. And then the final sidewalk design adjustment is for the A-1 Rental Property at the intersection of Old 63 South and Stadium, which has frontage on Stadium Boulevard as you're going up the hill. They are seeking a sidewalk modification waiver to not install sidewalk along any of their roadway frontages, that's US-63 -- Old 63 as well as Stadium Boulevard. So those will be presented under the "Public Hearing" section. A total of nine business items, but just in three categories. So familiarize yourself. Here is our College Park property, the school is immediately to the south of the property, and then the recreation facility is there to the west. The same map for our Hinkson Creek and Paris Road properties, that acreage, and it's right there as I said at the interchange of US-63 and Paris Road heading up the industrial corridor. Our properties for Prathersville, the yellow line represents the city limit boundary, and then this parcel would be being brought in. A mobile home park behind you actually is still in place, but doesn't have that many mobile homes in it, that you see in the background. And then of course the more industrial property immediately abutting this to the north is the Apac facility for their paving operations. And then the final three

projects are Old Highway 63, CUP. This is -- Macher's Swim Club is what you see to the south of this. And then of course the Chinaberry and Bearfield roundabout there just to the south of the -- north of the daycare. Our Quarry Heights property that seeks the sidewalk waiver there. And then the last sidewalk variance is for Old Highway 63 and the A-1 Rental site. Those are your projects for this evening -- or for next meeting. And we look forward to seeing you all there. And we thank you for hanging out with us tonight.

#### **XI. COMMISSIONER COMMENTS**

MS. LOE: Commission comments?

#### **XII. NEXT MEETING DATE - March 10, 2022 @ 7 pm (tentative)**

#### **XIII. ADJOURNMENT**

MS. KIMBALL: I make a motion to adjourn.

MR. STATNTON: Second.

MS. LOE: Oh, wait. Commissioner Rushing?

MS. RUSHING: I'm just asking that for our next meeting we have a break.

MS. BURNS: We have a break.

MS. LOE: The conversation was so engrossing, I'm sorry.

MS. RUSHING: I know.

MS. LOE: It kept changing, new information --

MS. RUSHING: And I made it, but I can tell you, I don't sit well.

MS. LOE: Pass me a note.

MS. CARROLL: I'd like to make a commissioner's comment.

MS. LOE: I need a second on the adjournment.

MS. GEUEA JONES: Second.

MS. LOE: Seconded by Commissioner Geuea Jones.

Meeting adjourned.

(Off the record at 10:28 pm)

(End of audio recording.)

**Move to adjourn**