

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**February 22, 2024**

**CASE NUMBER 78-2024**

**A request by hdesigngroup (agent), on behalf of Grindstone Acres, LLC, et al. (owners) and Capital Land Investments and Diventures of Columbia (contract purchasers), for approval of a PD Plan and design exceptions for Lot 101 of the "Copperstone Corner Plat 1", to be known as "PD Plan - Diventures of Columbia." The 1.57-acre site is located approximately 530 feet southeast of the Scott Boulevard and West Vawter School Road intersection. A concurrent final plat will confer "legal lot" status to the 1.57-acre site.**

MS. GEUEA JONES: May we please have a staff report.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed PD Plan for Diventures of Columbia, inclusive of the design exceptions, subject to minor technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any contact with parties to this case outside of a public hearing, please disclose so now. Seeing none. Commissioner Carroll, and then Commissioner MacMann?

MS. CARROLL: Is there an existing sidewalk along Vawter School Road on the site of this development?

MR. ZENNER: It ends -- and I apologize. That sidewalk presently ends -- if I can get to a good aerial. That sidewalk presently ends at the end of Addison's. And then there would have been some sidewalk that was built, if I am not incorrect, along the throat, the westbound end of West Vawter School Road as a part of the capital project when we did the roundabout, but it is missing in between. There is a small retaining wall section that has been shown on the construction plans for the subdivision that will be built to retain the approximate middle section of what is shown from the corner from the roundabout to where the sidewalk is, but there is a fully compliant five- or six-foot wide sidewalk. There is also within the improvements for West Vawter School Road, which were a requirement of the development agreement, there is also a dedicated bike lane. So that's the -- with the plat, we'll have some other road-widenings and some realignments on the West Vawter School frontage in order to accommodate the anticipated trips that will come with this particular project.

MS. CARROLL: So the applicant is building a sidewalk?

MR. ZENNER: The developer --

MS. CARROLL: It's hard to tell on the plat.

MR. ZENNER: The developer -- so the applicant will build a -- will improve their frontage. The owner of the property, which is the Capital Investments, Capital Land Investments, the contract purchaser from Green Acres, they will be responsible as a part of the road improvements on Vawter, as well as the construction of Capital Drive, to also make improvements.]

MS. CARROLL: Okay. Thanks.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Zenner, I am fine with all these exceptions, except the last one. If I recall during the UDC, we even bumped up the parking maximum at the very end at the request of one of our large parking lot users. This is a lot of stormwater -- a lot, a lot, a lot. Excuse me. I appreciate the extra green space -- fantastic. So it gives me great pause, because every time we have a lot and stuff, we get a critical mass. And I'm concerned is there anything that's going to assuage my concerns?

MR. ZENNER: Well, what you don't see is -- is what may assuage your concerns, Mr. MacMann. So let me go back to this. This is maybe a good example. You will notice --

MR. MACMANN: I see that. I see it in the ground.

MR. ZENNER: So --

MR. MACMANN: So I go look -- this is how nerdy I am. I go look when these things are dug.

MR. ZENNER: I completely understand and I appreciate that. So this particular site, and I will let the project engineer with Olsson answer this question for you. But as I understand this, the site does drain from the north to the southwest, so the catch basins that are in the lower right-hand -- lower left-hand corner of this diagram, the site has been designed in order to accommodate that there is also -- and it comes back around the site, if I am not incorrect, to some additional underground storage that is up here that is discharging to the existing channel. So the design of the project for the infrastructure side of this, which is being designed by A Civil Group on behalf of Capital Land Investments, it has gone through our view process at this point. Our review staff is -- is comfortable with what is being proposed here. Notwithstanding, I think the point that you're making, but, yes, we are increasing impervious surfaces.

MR. MACMANN: It's just so large in and of itself. That's my concern.

MR. ZENNER: And what I am hopeful for, and I think we can look at this as projects come online further to the west, is that there is some opportunity to not continue to increase parking, but we allow some flexibility for shared arrangements. You will notice in the very lower left-hand corner, again, this stub that is leading to the adjoining parcel that is currently not being platted, but this is going to allow for cross-access. And so as we continue to build out projects, we will continue to monitor the excessive nature of parking that's being installed and continue to work to utilize the UDC's shared parking arrangements to the maximum. This particular area, of course, is just to the south of Mill Creek, and our playing field is the MKT access at Dix Park -- Dix Recreation. All of that, when we do get substantial spring time rains or summer rains even, is prone for flooding. And so those issues are not something that we are not aware of.

MR. MACMANN: This entire area. This is --

MR. ZENNER: But those are -- those are considerations notwithstanding your -- your observed concern here. Those are things that we are looking at, as well. And I -- I am assured at this point, from what our staff has reviewed, nobody has said that what is being proposed here overwhelms -- overwhelms the situation.

MR. MACMANN: All right. I just -- I needed to bring this up. I was displeased with the expansion in 2017, because that kind of fit the needs of one property owner. And my concern here is not just this unit, but as we start going along and building out this corner, it looks like --

MR. ZENNER: The mall?

MR. MACMANN: A mall. It can look like a mall if you bring it to the road and make small parking lots, and we have public transit. Unfortunately, we don't have all those things in place. Thank you for your forbearance, Madam Chair. I am done.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: Mr. Zenner, when the report included the design exception for the front entry, I fully expected it to be -- the proposal to be along Capital Drive, that you would be moving it from the public street to the private drive with the explanation that it's being constructed to the standards of when -- of that to a public street and UDC hadn't taken into account that developed commercial developments may have internal streets that meet that same. But it appears that they're asking for the entrance to be moved to the parking lot, and we have turned down projects prior to this with that being one of the reasons. So I'm having a little bit of difficulty with that one. I'm also having -- the explanation that the Vawter School Road exit, it that's an emergency exit, it will require an exit discharge, which is a paved route to a public way open space drive, and I'm not seeing that in the site plan. So I feel like we don't have a fully developed proposal for what the access might be and I'm not fully comfortable with the explanation for why the entrance can't be on Capital Drive.

MR. ZENNER: Well, it is on -- the -- the entry faces and is visible from Capital Drive on the very east of the building. So let's -- it's before you get to the bottom of the parking lot, the bottom corner of the site, it faces Capital Drive, and it is visible from that right-of-way.

MS. LOE: Okay.

MR. ZENNER: To address your other concern, so this is one access point that is on the back of the building for emergency ingress and egress.

MS. LOE: Yes.

MR. ZENNER: You also have emergency access that leads out to the sidewalk segment that comes back to the parking lot, as well as -- I would imagine this will be a controlled access point, but that would also lead out to the paved access to the side of the building. This site plan has not been fully approved --

MS. LOE: Uh-huh.

MR. ZENNER: -- from a construction perspective at this point. That would likely be part of the

analysis -- the Code analysis based on the space, based on the necessity for ingress and egress that our site development department would be reviewing and requiring them that if this is to be an emergency access/egress door, it needs to be tied back to the pavement that is on this side of the building. And that would be consistent with, I think, with the concern that you're having, because all of this is paved all along this side of the building. So if we're adding a door --

MS. LOE: Right. If they're capping it as an egress, it has to have the --

MR. ZENNER: Yeah. But that, I think, is -- that yet is not to be -- that hasn't been fully finalized at this point. And if that is a concern, that you would like to have that shown on this plan, I'm sure we can have that as a minor amendment, if you, as a Commission, would like to have that added, if you believe that's necessary.

MS. LOE: My -- my observation is more in keeping with how we're looking at entrances. Thank you for the clarification on the entrance facing Capital Drive. I'm going to mull that over now.

MS. GEUEA JONES: Other questions for staff? I do have a question. I understand that Diventures is -- I don't want to use the word chain, because that sounds dismissive, but this business with this building design exists in other municipalities. But my question is, is there anything in the PD Plan, Statement of Intent, anything that requires the fenestration along Vawter School Road? I love that word.

MR. ZENNER: You love that word?

MS. GEUEA JONES: I do love that word.

MR. ZENNER: So let me answer the first question.

MS. GEUEA JONES: Yes.

MR. ZENNER: Yes. They have multiple locations in various cities in various states. The architectural renderings package that we received by staff, you did not receive the entire, it was a marketing package. I extracted out the applicable elevations for you for this evening. The marketing package that was provided to us shows buildings in each of those jurisdictions that are significantly different. So this is not a prototype. This is a building that's been proposed in this location suited to this site. So to the second point, the building does not actually trigger, because it is -- the scale of the building does not trigger the architectural design requirements that we have within the Code in 29-4.6. Trust me, that was a question and an identification that I made early on when I got the plans.

MS. GEUEA JONES: My question is in exchange for not having to put their entrance there.

MR. ZENNER: I believe you will -- you can ask that question of the design team, and I think they have an answer prepared for that this evening, because that was what I told them to expect.

MS. GEUEA JONES: Thank you. Any other questions for staff? Seeing -- oh, sorry. Go ahead, Commissioner Ford.

MR. FORD: Mr. Zenner, you mentioned some road improvements.

MR. ZENNER: Yes.

MR. FORD: Can we talk about those?

MR. ZENNER: So let me go back to our overview. Yeah. I'm going to go back to this one. Hold

on. I went too far. So -- and this ties into some comments that we received late this evening, as well -- after 5:00 tonight. So there was a traffic study that was performed for the original Copperstone Corner development, the 14 and a half or so acres. Associated with that, there was a development agreement that was generated. That development agreement had some very specific triggers that would be tripped based upon particular development activities, and those triggers covered roadway improvements not only in regards to road dedication. There's a tremendous amount of the Scott Boulevard dedication was acquired through a street easement, so when the property is platted along the particular roadway frontages, we're actually converting street easements to platted right-of-way. And then, based upon the total number of lots that were being platted, there were particular triggers that would then require certain site improvements, off site transportation improvements. The first was triggered if you platted anything beyond the subject lot, and the common lot that was needed to accommodate Capital Drive. Now when this project came in, one of the first things I identified was the fact that it included not only the subject lot, it included two additional lots and it included the common lot. First conversation to the applicant was you do realize the first phase of all of the transportation improvements has now been triggered. Shortly thereafter, we received the final plat for the platting in this lot in the three, plus the common lot, and on that plat does show the actual dedication of the road right-of-way along Scott -- or along Vawter from, basically, where the Addison's property is back to just before we get into the right-of-way for the roundabout. That includes the relocation and installation of the retaining wall for the sidewalk to be accommodated, expansion of the road right-of-way to accommodate a turn lane and a shift in traffic, and it goes all the way through the main entry at Front Gate Drive to provide additional improvements of Front Gate over to Creekwood, which is across the street to serve this portion of the developments with a crossing, a HAWK's -- a HAWK's activated crossing flashing beacon, and some other improvements. All of that, pursuant to the way that the development agreement is written, all of those improvements must be installed, or we will have to have a security assurity by which to have them installed before this development plan can ever be presented to Council for approval. The platting action right now is in final plan review for construction plan approval. Once that is prepared, we will be able to take the final plat forward. But the other really interesting caveat to this is is this property still is not transferred from Green Acres, LLC, and its collection of four owners to Capital Land Investments. And before we can process the plat, the transition of that land sale has to occur, and the recording of the development agreement is a requirement. So we're not seeing any of what's being proposed or discussed here this evening being brought online probably or being brought to reality, through the Council process for, I would say, at least another month to two months, as we go through that plan review process and the closing of the land. That's phase one's improvements. When we plat the additional development, which will include the remaining seven lots, that will trigger some more significant improvement along Scott Boulevard. The dedication of additional road right-of-way will be part of that, but the bigger improvements there will result in the installation of a slip lane right bypass on the -- on the corner here that will allow individuals that want to head north through the roundabout on Scott Boulevard to do so without having to be impacted by

turning movements onto Vawter School. And so that was the other major component associated with the development agreement, which again, is tied in to a phase one and a phase two. We've looked extensively at this before we did the zoning on it understanding how the PD was being set up, and wanted to be assured that those initial and critical transportation infrastructure improvements were nailed down. The development was proposed at a full build-out with intensities on it, so that traffic study incorporated the most intense use that would be, and that is how it was designed. What may end up coming here may have far less trips, but the improvements that we've agreed to through the agreement are based on an intensity that is possible, but may not be at the reality. We're comfortable with what the design of this project is, the improvements that are corresponding to the platting action for this improvement. And as new development comes in, requisite improvements will be brought along accordingly.

MS. GEUEA JONES: Any other questions? And quickly, I was trying to look it up and I'm not fast enough. What would the maximum occupancy of this building be?

MR. ZENNER: That, I do not know off the top of my head, ma'am.

MS. GEUEA JONES: Okay. Thank you.

MR. ZENNER: They -- they have a capacity limitation based on the number of teaching stations that they have.

MS. GEUEA JONES: Yeah.

MR. ZENNER: And the applicant can probably address what their anticipated occupancy load would be based on their operations.

MS. GEUEA JONES: Their maximum.

MR. ZENNER: Yeah. Their maximum. I don't know what our official fire code maximum would be, but they know what their maximum would be based on how they do their business.

MS. GEUEA JONES: Does your gut tell you whether their maximum would be more or less than our fire code maximum?

MR. ZENNER: I -- it can't be more -- I don't believe it will be more than ours --

MS. GEUEA JONES: Okay.

MR. ZENNER: -- but my gut doesn't -- since I don't look at the fire code and I don't know what occupancy is, this is low.

MS. GEUEA JONES: That's okay. All right. We'll do some research.

MR. ZENNER: Okay.

MS. GEUEA JONES: Thank you very much. Sorry. Commissioner MacMann, go ahead.

MR. MACMANN: Before we go any further, I have a little forbearance. I'm always asking for forbearance. It'll just take a second. Do we have law students with us this afternoon or this evening? Thank you very much. Thanks for being here. I'll address that later.

MS. GEUEA JONES: Thank you. Any further questions for staff? Seeing none. We will open the floor to public comment.

## **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward.

MR. GARDNER: My name is Dwain Gardner, and my address is 1414 Rangeline, which is also Captain Nemo's Dive Shop. I might be the reason that we're all here tonight, so I guess I'll take the blame for it. My wife and I owned Captain Nemo's for 37 years here in Columbia. And for those of you that said I had no idea there was a dive shop in Columbia, please don't say that. So when it came time for retirement, we had some choices. We could just close the doors, or we could find somebody to take our customers. And we know a lot of people in the diving industry, and Diventures was it. We've known them -- sorry. We have known them for a long time. So we contacted them, and they agreed to come to Columbia. And one thing that is pretty interesting, I think, about the whole thing is they have stores in Omaha, they have stores in Springfield, they have stores in Atlanta. Columbia just barely made the cut. We didn't beg, but we knew the owner of the enterprise, he knew us. He was familiar with our business. And so the point I'm trying to make is it's been mentioned a couple of times that this is an out-of-town organization. The -- the way that Diventures grows is they're invited into communities, and we invited them. They -- they could have just come in and absolutely stomped us -- you know, building a pool, building the facility, and we -- we would -- I mean, there would have been no defense. But they only come with permission. We were store number six. They now have 18. And so another thing is you feel like it's a new business, and it's not. I mean, my wife and I are still actively involved, and at this point, I mean, we've got 40 years here in Columbia. So it's -- it's not a new thing. I mean, it's -- it's -- they know that it's a well-worn path and going to the number of spots that you need to park in, they know what they're talking about because the primary driving force of this business is the swimming classes for kids. And so that's -- it may seem like they need a few more parking spaces than what you would normally see, but that's why. They have a lot of traffic in and out of that building. But I just wanted to take my few minutes to -- to stick up for them and kind of explain who they are and why they're here, and their manager is here, Connor. I don't know if he'll have anything to say other than that. You can ask the engineers the questions.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner MacMann?

MR. MACMANN: Just FYI, sir. I am aware of your business, because several of my friends have taken lessons from you.

MR. GARDNER: Hallelujah.

MR. MACMANN: Business models. You heard my entire diatribe with Planner Zenner about parking?

MR. GARDNER: Yes.

MR. MACMANN: The 200 percent cap is already high. Sixty-seven, that's a lot of parking. Is that a deal breaker?

MR. GARDNER: I'm not one that can answer that, and I'm not putting you off because I'm not the one that makes those decisions anymore.

MR. MACMANN: And I appreciate that some businesses are very automobile driven -- kids' lessons. I appreciate that. I've had children. I'm sure many of us here have had children. It's -- and I'm fine with everything else. I'm fine. You have a surety bond to put up and all that stuff. That's fantastic. I'm sure it will be fine. We know the builders and developers. That's all great. I'm -- I love -- we've had significant -- you've been here for 40 years. We have stormwater problems. I'm very hesitant to move forward with this much asphalt, so I'll ask the engineer or whomever is here --

MR. GARDNER: You'll have to.

MR. MACMANN: -- but I just wanted to get something from you. Thank you very much, sir. Thank you, Madam Chair.

MR. GARDNER: There is one thing about the parking that I do know is from the scuba point of view, absolutely the parking is important. I mean, all these years, I always kind of wanted to have a business downtown. Well, that just wasn't possible, so we've always been up on the north side of town. You can't carry scuba tanks two blocks to get air put in them, so that's -- that's all I know about the parking as far as being close to the building.

MS. GEUEA JONES: Any other questions? Commissioner Carroll?

MR. GARNER: Yes?

MS. CARROLL: When I came through scuba training with MU actually --

MR. GARDNER: What year was it?

MS. CARROLL: 2004.

MR. GARDNER: Oh, that's recent. I took that class in '79, so I'm familiar with it.

MS. CARROLL: Yeah. There was a lack of locations that could -- of indoor pools that could support scuba instruction.

MR. GARDNER: Correct.

MS. CARROLL: Does that still exist?

MR. GARDNER: It's worse than ever.

MS. CARROLL: Yeah.

MS. GARDNER: In the time that we've been here, we've never had our own pool. So at this point, we use Hickman High School pool, we used the pool at the University, and Conner just recently got the University scuba program, so that's exciting. So we have access to that pool, but we'll have, you know, during those classes, that would just be for them. Columbia, Missouri is a swimming pool desert. The Stephens College dozed theirs, Columbia College dozed theirs, and so this is something that we've been fighting our entire career because you can't train people, you can't teach them to snorkel, you can't teach them to dive, you can't teach them to swim without water. So that is Diventures' plan when you go into a town. Now the stores that they're buying pretty much already have pools on site. But when they bought us, we were still kind of early in their acquisition process, and they bought us with -- with no water, and here we are with three and a half years later. Land is -- buying land in Columbia is like pulling teeth. I mean, they were ready on day one to sign a contract. And it's -- it's going to be almost five years before



we get into a building.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for being here tonight.

MR. GARDNER: Okay. Thanks.

MS. GEUEA JONES: Thank you. Next speaker? Yeah.

MR. HENDRICKS: I'm looking for the presentation.

MS. GEUEA JONES: Yeah. Where it says Brandon Smith.

MR. HENDRICKS: While he's getting that set up, I'm Connor Hendricks; I live at 1815 Lovejoy, here in Columbia, and I am the store director for this store. So I would love to educate every single one of you on the ins and outs of every part of our business as I would love to welcome you and we would have a great time. But I guess I want to speak to kind of the function of the building, so keeping out a lot of the fluff. But, of course, our main business, as you've already heard, is going to be swim. So in terms of I know parking is going to be the hot topic, and it's completely understandable. And our number one priority is safety. Our number one goal is fun. With safety being our priority, we all have kids, we want them to be safe. We want -- we don't want them traversing roads, sidewalks, anything. If we can house them, the better we can do that. The reason why we need to have so many isn't necessarily because we're going to have 500 kids in the pool at one time. That's not what's going to happen, but the big concern is going to be between lessons. So you have your course from 4:00 to 5:00, and then you have your kids from 5:00 to 6:00, 6:00 to 7:00, and then you've got that transition of parents coming in with their kids and doing this back and forth in between. So priority being safety, my two cents of this, Will Monroe, who is our general manager of all Diveratures, can speak a little bit more clarity on it for you, but that's going to be a main concern for the parking. Of course, as you can see there, we will have swim stations, so based on safety, we only have so many students per swim instructor, and we're not going to be filling the pool to the absolute max because there's going to be a deep end so that we can do some diving. So, again, we're not going to be just seeing water flying all the way up to the ends of the ceilings on these in terms of capacity. We will be training everything and everyone -- excuse me, everything is the wrong term -- from months old to full adults. Any level of training, any level of swimming. Scuba, what Dwain and Mary have done for 40 years, this is what they've been doing is teaching scuba, so that's going to be the other part of our major business, bringing in students, trying out scuba for the first time, doing actual lessons, doing specialties, and then traveling with us internationally, doing several trips every year like Dwain had mentioned just a minute ago. We will have retail as we do sell gear, as we do scuba training and swim training, so there will be a full retail space. Travel, I had just mentioned. I'll let the designers talk about the building layout as it's been molded over time. But that's why I wanted to mainly speak to is kind of the function of the building, primarily in the swim.

MS. GEUEA JONES: Thank you. Are there any questions? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair, and thank you for patience. Hi. I think the model is quite lovely. I really think it's amazing. Some quick questions, if you can. About how many employees will you have on site at any time; do you know?

MR. HENDRICKS: We will have three managers, we will have maybe one retail associate, and then it will be the lifeguards and swim teachers that will probably make up an additional four or five. I would -- and then we do have some dive instructions, so we would probably have concurrent classes going on, so --

MR. MACMANN: Eight, ten, somewhere-ish?

MR. HENDRICKS: Yes. Yes.

MR. MACMANN: All right. Next question, how many folks are you going to have in the pool at once?

MR. HENDRICKS: I would need to get -- I can get that answer to you in 24 hours.

MR. MACMANN: I would love to have that answer, because you know -- you know where I'm going with this. Right?

MR. HENDRICKS: Absolutely.

MR. MACMANN; And I -- I'm, like, okay. Let's give them two, let's give them one out and one in. But you don't have the rest of the answers to my questions right now, so I'm going to stop asking them. Thank you, Madam Chair.

MS. GEUEA JONES: Thank you, Commissioner. Any other questions for this speaker?

MR. HENDRICKS: If you do have those more specific questions, please -- and that way I can forward them on.

MR. MACMANN: How many people would be there, and if you gave every one of them car, even the four-year-olds, how much parking would we need? That's where I'm going with all that.

MR. HENDRICKS: Yes, sir.

MS. GEUEA JONES: So my questions along the same lines, but perhaps less specific. So your classes, you don't have down time, cushion time between?

MR. HENDRICKS: Between, like, swim lessons?

MS. GEUEA JONES: Because you're saying, like, if -- if there's a class at 4:00, does the next hour-long class start at 5:00, or is there, like, 15, 20, 30 minutes between the end of one and the beginning of the next?

MR. HENDRICKS: There's not -- no. they start right in, so we'll have students come in, and then they'll be with their parents getting changed and getting prepped and everything ready before. There will be a bell that goes off, and that's the five minutes that we spend with our kids, saying, hey, great job. Let's talk about what we need to improve on, and then there will be a second bell that goes off. It's, like, all right, Now, you're out, you go change, and the kids that were already on deck ready to go are now getting into the water.

MS. GEUEA JONES: I guess my concern is this is not a minor increase over the maximum that, as Commissioner MacMann mentioned, we've already increased. This is a massive increase. This is more than 300 percent of the minimum parking. So what I'm trying to figure out is, is that actually needed, or is it a convenience because that way you don't have down time in between where people

could shuffle in and out of the parking lot. And -- and those two very different things, because if you come in and said, okay, the maximum is 42, we actually need 50, that's a very different question than we need 67; you see what I'm saying?

MR. HENDRICKS: Certainly. So some -- I haven't ran a swim school, so just kind of take that as you will.

MS. GEUEA JONES: Okay.

MR. HENDRICKS: From the numbers I've seen from other locations, Springfield being a bigger -- so take to understand, they've had 1,000 students a month, so you can divide that by 30 days, and that's going to give you a number. North Liberty, which is more around or similar to the Columbia population has been anywhere from 400 to 800, depending on the season that they're having. So I didn't mean to answer kind of indirectly, but I would rather give you someone who has seen the actual business to give you a real straight answer.

MS. GEUEA JONES: So you're just managing the dive shop part? You haven't actually managed the swim school's part?

MR. HENDRICKS: Right. So when --

MS. GEUEA JONES: Okay. Then we will hold our questions for someone who can. Sorry to grill you when you're not the person.

MR. HENDRICKS: That's okay. Absolutely. That's just my two cents, but if you had those questions, I can certainly forward those to Will, and that way I can get those back to you in under 24 hours.

MS. GEUEA JONES: Thank you very much. Next? Oh, sorry. Anybody else? Seeing none. Thank you very much.

MR. HENDRICKS: Thank you.

MS. GEUEA JONES: Next person, come on up.

MR. SMITH: Hello. My name is Brandon Smith; I'm a designer at H Design Group. We're at 5039 South National Avenue in Springfield, Missouri. We are the architectural firm working on this office. I think, thank you, Pat, first of all, for doing such a good job.

MS. GEUEA JONES: Sorry. Can you stay close to the microphone. Sorry. Thank you.

MR. SMITH: Oh, sorry. Thank you for putting such a good presentation together. I feel like I don't have a whole lot to add at this point, but I do want to provide a few clarifications. So I can answer, just from my conversations that General Manager, Mr. Will Monroe, he's not here today, but I can answer some of those questions about the students in the classes. So my understanding is that the classes will run with 12 teachers, and we'll have four students in each -- with each teacher, so we're looking at roughly 48 students in each class or each session, and that's 96 coming and going every -- every swap. So -- and I do want to just kind of add, you know, on the parking, it's not entirely about, you know, having an efficient business or, you know, eliminating down time. It's also about, you know, having adequate space for -- for, you know, people to park and access the building in a calm manner. It's -- it really is also

about safety for the kids walking across the parking lot. So they want to make sure that they have adequate parking. The number that we were given to design towards is actually 75, so we are down from that number. I realize that's a lot of parking, but that's the way that the business works. I'll let Mr. Hoey, who will come up after me, talk about the stormwater issues. Other than that, I do have one clarification. Technically, it is a prototype, however, their prototypes evolve very fast. The last location was in North Liberty, and if you look at that building, it looks quite a bit different. So we have designed this prototype although, admittedly, we are early in the design process around this location. However, you know, there's still a good ways to go in the design. We're not quite at that stage where we're looking at construction documentation just yet. So with that, when we're talking about, like, egress, and things like that, you know, we have egress planned into the building, but some of those doors that are shown are not necessary shown because it's the final plan, but because we wanted to have them in there for discussion regarding this front entry piece. And then I think that's all I have.

MS. GEUEA JONES: Thank you. Commissioner Loe, go ahead.

MS. LOE: Mr. Smith?

MR. SMITH: Yes.

MS. LOE: Hi. Question for you. What occupancy or use is the parking based on. I see that it's based on one space per 400 square foot gross floor area. That seems -- I'm just -- what was --

MR. SMITH: So we had calculated a little bit differently, I think. I think you were showing 42. Correct?

UNKNOWN: Yes.

MR. SMITH: I can't remember. So we were looking at simply dividing the building. I don't know if you have that mark-up in the -- any of the documentation available today. But if you -- if you split the building up between recreation and retail, respectively, where recreation is pool and changing rooms and things like that, and retail is obviously the rest of the building, you're looking at around about 50 spaces with that.

MS. LOE: So -- and that's sort of where I'm going with this, because I would think that the -- do you know off the top of your head -- I don't have my Code pulled out. The parking requirement for retail space?

MR. ZENNER: The parking requirement for retail space is one to -- one to three hundred, and then the pool, which is the calculated space, at one to four is what is typical in the Code. So this was a hybrid, as Mr. Smith has pointed out, and this was a question that Mr. Hoey had also asked from the engineering side. Early on in the concept review process here, how would we address the parking requirement by taking -- would we require the whole building to be parked as retail or as instructional space/office, or would we break it down into its components, it's part components. The conclusion was that we would break it down into a part components, and that is how I think we arrived at the 42. And the 42 spaces is actually the 200 percent, so let's make sure that we establish the parking requirement. Twenty-two is all that this building, based on its UDC code requirement would require as a minimum, and

that's based on how the building was calculated in its parts. Forty-two -- or, I'm sorry -- 21 -- no. Yeah. Twenty-one is the minimum and 42 would be 200 percent. So we are parking, when you look at the minimum, we're parking 300 percent over what the required minimum is. Be that as it may be, but this is being taken based on the parts of the building. That's how we arrived at the parking standard. Because otherwise, you would have only required -- I mean, if we parked the entire 8,000 square feet at one per 400, we would have parked this building with, like, 25 parking spaces, or 12. So, I mean, that was not reasonable, given what was going to be happening here. So we had to look at a hybrid model, and that's something that we occasionally do. We don't do it very frequently, but in this particular instance, it seemed to be the most appropriate way to handle the parking that would be generated out of the -- out of the structure.

MS. LOE: Great. So we're seeing that general retail is also 400 square feet, but, I mean, it seems to me that this is -- this is classroom to some extent.

MR. ZENNER: So you have to take school. If we took classroom space out of school, that's based on a different calculation of seats. A pool is different. Retail floor space would be different. And if I'm not incorrect, the 400, the one to 400 is based on a -- on a retail business that is larger than general retail which is one to 300.

MS. LOE: Got it.

MR. ZENNER: A medical office is one to two. So -- and this is indoor recreation, actually that's the technical definition of it is indoor recreation. I believe we also have pool is called out, and I cannot recall right off the top of my head about the specific with how we calculated it. But what I -- what I'm saying is, it was calculated based on a -- a broad mix of the uses. We calculated it based on the individual areas to arrive at what the minimum requirements were, and then went 200 percent of that.

MS. LOE: Right. I guess where I'm going is a better understanding of what the base calculation was, and I guess the number -- I mean, as shown on the plans, the required number is 20.

MR. ZENNER: Twenty-one.

MS. LOE: Twenty-one. So doubling that is 42. And 21 seems low. I mean, that's -- that is based on the 400 square foot --

MR. ZENNER: Yeah. And that's part of the problem this has got because of the generation, it becomes low. I -- and, again, this project has evolved probably over the last --

MS. LOE: Right.

MR. ZENNER: The original submission on this project was in the beginning of our fiscal year 2023. And so it has evolved since that point. I just -- I do not have those numbers specifically with me as to how we arrived at that. I do have very specific diagrams, though. And the allocation of space in the building between the original submission and today has not changed substantially.

MS. LOE: I'm -- I just wonder if we're really talking about 300 percent of what the actual use is. I don't either, which is, if you remember -- sorry. We're getting into a little bit of discussion here, but we've gone through some of these exercises before, so -- thank you.

MS. GEUEA JONES: Any other questions? I wanted to talk a little bit about what you were saying about safety in the parking lot. I'm not seeing specific internal sidewalks, crossings. I think I see maybe speed bumps, but how are you imagining, especially given how deep and narrow this parking lot is, how you're imagining the pedestrian.

MR. SMITH: So, generally speaking, Diventures parking lots, they -- they try to design them in a way so that we eliminate cross traffic through the lot, so all of the traffic is internal to Diventures. That said, we do have that cross access up front, but you'll see that we don't have through traffic going through the site. So it is designed in mind that people will be walking across the lot, but -- but part of what we're doing by -- by adding the parking or making that number a little bit higher is -- is trying to make the parking lot a little bit calmer and a little bit less hectic.

MS. GEUEA JONES: Got it. And last question, and then I'll let you go, unless there are others. But I see you've got an internal sidewalk across the green space that goes in front of your main entrance. Would it be a consideration, given that we've got some heartburn about the front entrance being -- facing the parking lot instead of a main street. I grew up in Springfield. I can just tell you we have a very different idea about car usage and what makes the neighborhood look good than Springfield does.

MR. SMITH: I think that's fair.

MS. GEUEA JONES: Yeah. If -- I'm wondering about a sidewalk going from your secondary entrance across that green space, or across the front where you would just extend where it's already existing across the green space so that it connects with that side of Capital. Does that make sense?

MR. SMITH: You're saying connect the -- the east side of the sidewalk running across the south facade to the sidewalk --

MS. GEUEA JONES: Yeah. Yeah.

MR. SMITH: -- along Capital Drive?

MS. GEUEA JONES: The Capital Drive.

MR. SMITH: I think that's a good compromise.

MS. GEUEA JONES: Yeah. And we'll --

MR. SMITH: The grading is a challenge.

MS. GEUEA JONES: I see. I see. I'm just trying to think of what would create the sense that if you were walking from one of the residential areas that are there, either across Vawter School or from the neighborhoods behind, where would that pedestrian traffic go, and especially given the lack of good pedestrian access internal to your parking lot. I'm wondering if that would be a compromise so that you've got, yes, a very clear main front entrance, but also a secondary entrance. Just keep that -- that's in the ether. Perhaps other people will have thoughts. Commissioner Loe?

MS. LOE: If I can just piggyback on that. On the Site Plan with grading, this would run parallel to the contour, so it should actually be fairly level to connect directly east from the edge of the parking there to Capital Drive. The other reason that I think I would like to see that connect is we have a bike trail system here in Columbia, and it has a big network that comes just north of here, and you do have those

bike stands just east of the entrance. And right now if someone wants to bike, they would be brought all the way along, around the south side, through the parking lot, and I think it would be much safer if they could actually just come up through and connect right there.

MR. SMITH: Okay.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for your patience as we worked it out, but having you here is easier than pulling back up later, so thank you very much.

MR. SMITH: Thank you. ]

MS. GEUEA JONES: Next public speaker on this case?

MR. HOEY: I'm Will Hoey, 550 St. Louis Street, Springfield, Missouri. I'm going to start kind of a little bit higher level to try and address your question directly, and kind of maybe domino into the rest of the traffic parking lot. I don't think you can overlook the added green space. I could go in and meet your parking requirement and make my drive aisles 45 feet wide and give you the same problem you're -- you're discussing. I'm not saying that's something we would ever want to do or do. Right? But essentially, we could look at adding more sidewalks to increase the pedestrian. So as far as defending yourself from the future against other developments, that's your play. As Mr. Zenner mentioned, there's -- they're required to uphold a certain percentage, and the fact that we're exceeding that addresses the stormwater issue beyond the fact that we'll have underground detention, and whatever flow rate is currently running off will be at or under, so I think that's a really valuable piece to even know that the parking and the impervious, the numbers are higher, that green space part plays a huge role in that argument, if you will. And then I also wanted to note kind of more back to the sidewalk question, all accesses connect around the building, and then we have an ADA access that runs all the way down the west side of the parking lot. It might be clear if we added the striping, and it might be safer. It might be a way to delineate that, but that comes down and connects again to another sidewalk that wraps all of Capital Drive, so there is connectivity from a pedestrian standpoint. I don't disagree with you at all that I -- I -- initially our first concept had a sidewalk coming off in that exact same location. The most recent preliminary grading we received, that's eight feet of fall, so if I do put a ramp in there, it's going to switch back, so it may not be so efficient for a biker. If I'm trying to gain that eight feet, I have a feeling to meet ADA, I'm going to end up having to do at least one bend. I could be creative with it and maybe do it more of a V-shape instead of a hard 180 degree turn each time, but if -- if that's a stipulation, there's no issue with us looking at that and trying to come up with a solution to get connectivity to the east. That's not an uncommon ask in general, so I'm -- regardless of it being a stipulation or not, I'll probably go back and look at being able to do that. Again, part of the issue is that normally at this point, I would have liked to have some preliminary grading, but we are waiting on that final grading from the developer. The fact that we're kind of running concurrently, it doesn't help this conversation as much as I would like it to.

MS. GEUEA JONES: Thank you. Any questions? Commissioner MacMann?

MR. MACMANN: Thank you, ma'am. I appreciate everything you said. I also spent five years in federal court suing this city over stormwater. So you appreciate my focus on this particular issue and

your desire to be a successful businessperson. So I have to be hyper cautious because we have fecal matter in houses when it rains. We have roads that are destroyed with stormwater. So if I may be seeing overly careful -- and maybe your -- I don't know you. Maybe you're the best engineer and your stuff is rock and roll. You replace that, so you don't like the way it perked when it gets six feet down, so you bring in a quarter million dollars. Maybe you do. That would be awesome. I still need to be quite cautious. Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Placier?

MS. PLACIER: Yeah. Is there anything that can be done about the imperviousness of the parking lot, and could that be a point of negotiation?

MR. HOEY: I don't know what your experiences are here. I -- my understanding is there is a lot of clay up here underground, and that's how we are in Springfield, as well. Those pervious surfaces that, you know, I -- you've probably seen videos of a -- a water truck just dumping water straight through the parking lot. That works for six months, and then it doesn't, and then you have a bigger problem. So trash gets in, it gets infilled. They're really hard to maintain, especially when the soil layer is below or a clay, something that holds water, prevents water from going through fast enough. Outside of the pervious pavement, the ADA underground retention basin system that we'll put in, it has a lot of filtration. It'll -- it'll do a pretty good job of hiding that water and then again discharging it at a rate that is equal to the current or below. I would be open to hearing anything that you've had success with here that we could run by and evaluate, by all means. But I -- I will say that the ADS system hides it, it's gone, it's out of sight. It requires an annual maintenance to clean it out and make sure it's free of debris. That manual stays in the store. They bring a superintendent on site that the manufacturers themselves inspect it. It's a very good quality system. Again, as far as outside of the pervious pavement, I don't know that we've dealt a lot with any other alternatives to making it feel more pervious, because then you turn into -- you're asking a maintenance -- it turns it into a maintenance. The owner, from my perspective, people stay away from that, lead certification, things of that nature, because it becomes so expensive to maintain and keep up.

MS. PLACIER: I know one of our local schools, didn't Jefferson Junior High --

MR. MACMANN: Correct.

MS. PLACIER: -- install a parking lot with pervious surface? I haven't heard anything about what's going on with it, though.

MR. MACMANN: If I may, point of order. They never maintained it, so they spent about \$35,000 putting it down and it doesn't work, and it still floods just as badly. The problem is it's really expensive -- in your defense, sir -- pardon, Madam Chair -- really expensive to put down, and if you don't maintain it, which is very expensive, you're wasting your money, so --

MR. HOEY: Uh-huh.

MS. GEUEA JONES: Any other questions? Thank you very much. Oh, actually, never mind. I was going to make a very unreasonable ask of you, do you know numbers off the top of your head, and I'm not going to do that.



MR. HOEY: What would that be? Give me shot.

MS. GEUEA JONES: Do you know what square footage is the pool area versus the rest of the space?

MR. HOEY: It's a great question that I don't know the answer to.

MS. GEUEA JONES: I realized before I asked it --

MR. HOEY: If you take me outside the building, if you just --

MS. GEUEA JONES: -- it would be unreasonable.

MR. HOEY: -- if you left the building alone, I'm good outside of the building.

MS. GEUEA JONES: It's okay.

MR. HOEY: But you get me in that building, that's out of my realm.

MS. GEUEA JONES: It's okay. We're -- it's okay.

MR. HOEY: I believe -- awesome.

MS. GEUEA JONES: I'm trying to get my brain wrapped around what's actually going to be going on. It is not important enough for you to go back and do it. Do not worry about it. Thank you. Any other questions? Thank you very much. Oh, I'm sorry. Commissioner Stanton?

MR. STANTON: It looks like the occupancy of this building in relation to parking in relation to parking is probably going to be important. Again, just a hint, as I see people stirring around up here. I mean, if I was, I might be -- there's somebody in the line right now.

MR. HOEY: I was sitting over here trying to do it a little bit myself.

MR. STANTON: Okay. I'm just throwing that out there.

MR. HOEY: Obviously, we won't be able to exceed whatever the fire -- you know, rated fire occupancy of the building is. But again, and maybe the parking count that we've delivered of the 12 teaching stations, four kids a class, 48, 96 total. At a -- the ideal model is a 30-minute class turnaround. My kids attended lessons at Diventures in Springfield in a 30-minute class turnaround. In the ideal model, those are the numbers. I'm not going to say that that is going to be the numbers on day one, but that's where they want the business to be, and they don't want to go tear out all this landscaping five years from now to put in 15 more parking stalls.

MS. GEUEA JONES: Thank you very much.

MR. HOEY: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Okay.

MR. ZENNER: Madam Chairman?

MS. GEUEA HONES: Yes, Mr. Zenner?

MR. ZENNER: The documentation that we were provided by Mr. Monroe as it related to the pool size, it is a -- the pool is 60 feet in length, so when you look at that -- when you look at the floor plan that is here, it was a 60 by 12-foot-deep pool, so that's a 60-foot long pool, apparently. The building itself, if I'm not incorrect, is just under 80 feet in total length, 80, 85 feet. That's why it does not trigger the requirements for architectural treatment. So I would not be -- you know, 60 by probably about 20, maybe

25, is what the area is of the pool. And then to Mr. Stanton's question as to the total number of individuals, and we'll go back to -- we'll go back to give every child a car, as well, because every parent driving a child probably drives or has -- has a vehicle. So if you're looking at 48 -- if you're looking at 48 students, plus 12 instructors, plus staff, you're at about 65 people in the building in one period of time. So that is -- that -- the number that they are asking for when Mr. Hoey indicated they originally wanted 75, the 67 is probably with what they offer in a full training session is probably pretty tight at this point for what they would prefer. So just as a -- as a point of additional information as you deliberate on this. And my utmost apology for not being able to give you a cleaner answer as it relates to how we calculated parking. I'm looking at it now and I'm thinking what we must have recommended was use the one to 400 because it accommodated what we needed, though that does still again seem low, and I would agree that your observation intuitively is likely correct.

MS. GEUEA JONES: Thank you, Mr. Zenner. I'm sorry. With the indulgence of my fellow Commissioners, could one of you come back up and answer questions about windows real quick? I don't care which. Pick one. I just want to make sure that we're not going to end up with a completely solid side facing Vawter School Road. Is there any assurance you can give us? Like, this isn't a theoretical project. You're going to break ground as soon as you can. Right?

MR. SMITH: Yes. And I can tell you that the owner is very -- what's the way to put this? They want the natatorium to have as much natural light as they can, and what we're showing is probably as much or less than the windows we'll put in the final design. So if that's something that we need to make as stipulation, if we need to provide a square footage on the facades or however we need to do that, but yes, our intent is as shown, that's how we want to design it.

MS. GEUEA JONES: Thank you very much. Appreciate that.

MS. THOMPSON: And for the record, are you Mr. Smith?

MR. SMITH: I am.

MS. GEUEA JONES: Oh, I'm sorry. Thank you, Becky. Thank you very much. Any other questions before I let him go again? Thank you. Okay.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Commissioner comment? Commissioner MacMann?

MR. MACMANN: I have a question.

MS. GEUEA JONES: Microphone.

MR. MACMANN: Sorry? Oh, I'm sorry. I have a question. Adding a fenestration requirement to the Vawter School side; is that what you're thinking?

MS. GEUEA JONES: I'm more thinking saying something along the lines of substantially similar or more windows than shown in the plans we were given.

MR. MACMANN: Which we've done something similar to that before.

MS. GEUEA JONES: Yeah. Yeah.

MR. MACMANN: I am -- I have made these people's lives a little painful. It is me. It's not you,

it's me. And I would -- and it would have been my hope that City Council pays attention to this one, and the staff paid attention to this one. I can vote for this if we can show some close supervision going forward. I know you don't control all of the departments. I appreciate that. The rest of the site is going to develop. It's a corner. If I have a drive-centric business model, this is where I want to be where it's fast-growing down there. I am -- if these guys do what they say they're -- guys and gals do what they say they're going to do, it will be fine, if they do what they say they're going to do and if it stays maintained. There shouldn't be much maintenance requirement. I'm a little upset about the precedence and I'm still upset about the 2017 going to 200 percent. That said, what does everybody else want here? I've consumed this entire case.

MS. GEUEA JONES: Okay. Commissioner Loe, do you --

MS. LOE: Sure. I'll go.

MS. GEUEA JONES: Go ahead, Commissioner Loe.

MS. LOE: So when we looked at parking -- was it repair shops -- yeah. So we've gone through this. We -- we did take a closer look at how the spaces were being used. And I do feel as if we may be applying some uses that may not match the use or -- or not have a use that's appropriate. So in examining our parking table, I do see that for outdoor recreation, swimming pools have one space per 200 square feet of pool surface area. So I started with that. And based on the dimensions of 60 by 25, based on my trained eyeballing of the drawing, we have 1,500 square feet for the pool area, divided by 200 equals eight parking spaces. Taking 1,500 feet off the remaining square footage, or the total square footage results in 6,856 square feet. I'm going with the general retail small of 300 square feet, and I get 23. So that gives me a total parking of 31 as a minimum, or 62 --

MR. FORD: Sixty-two, two hundred.

MS. LOE: -- would be 200. So and this is where I did the math wrong. Sixty-seven divided by twenty-eight is 240 percent of -- no. Sixty-seven by thirty-one. Sorry. That was the previous number I came up with -- 216 percent. So they're basically asking for a 16 percent increase over what I think makes equal sense to what we were originally shown. All right. That was my parking. Sidewalk, understand the grade, understand I'm looking at the natural grade of the site in the plan. If you were going to buy that that's the front entrance of the building, I do think we need a connection to Capital Drive on that east side. So I would ask for that to be there -- included.

MS. GEUEA JONES: Other Commissioner comments? Actually, I usually wait and go last, but I'm going to say one thing and then I'll go to you, Commissioner MacMann. So thank you for your indulgence and -- and please believe that all of our secret whispering is to try to get to a good spot for you. I'm looking at our parking use table, and I can get myself to the idea that this is more of an assembly lodge hall educational space, something like that. All of those are in the 200 or 300. If we were super generous in determining our basis and went 100 to 200, you're -- you wouldn't even need to have the exception. So I personally -- and I hate big parking lots. I hate them, I grew up with them, I hate them. I can get myself to a place where this is a reasonable number of spaces given your use. So that honestly

takes care of my major concern. I do want to put something in that says substantially as much, if not more, fenestration as what was shown in the site plan. I think that's something we do pretty regularly. And with that, I mean, I'm happy for this. I think it's a good way to start developing the site as a whole so -- Commissioner MacMann?

MR. MACMANN: Just real quick, and I want to kick it to Commissioner Stanton. I could follow that on a motion. How would you want your walkway, entryway? Think about that because Commissioner Stanton has something to say.

MR. STANTON: I hate disagreeing with my fellow Commissioner, Ms. Loe, but I disagree about connecting to Capital Drive. This is a school. It's not a place that you're going to be riding your bike and going up there -- this is not a place you're going to ride your bike and go up there and go swimming. This is an instruction. This is a scuba instruction school. It is a swimming -- a swim school. This is not Hickman. This is not Douglass. This is a school. Am I correct?

MR. FORD: Yes.

MR. STANTON: So the first thing I'm thinking about is this gives you access. I could just see little kids running down this sidewalk and right into the road. I think -- I don't want to make a big deal out of it. I disagree with the sidewalk being connected to Capital Drive. I'm cool with it as it is. My two cents.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: I am going to throw in my two cents now. I didn't think I was going to. It's a swim school and a scuba school. It's adjacent to trails and there's a bike lane existing and being added to on Vawter School Road. People ride their bikes to this thing. I ride my bike to swim lessons for my kid, and I ride my bike to swim lessons for myself. That said, I don't think that bikes use the sidewalk from Capital Hill to access the site, especially not given the site, especially not given the site layout that I see here. They're going to turn either into the drive or onto the sidewalk and then access it from the parking lot. I don't think that they're taking a small pathway to a door. It's just not an advantageous turn. That said, I do agree with the need for a sidewalk based on that being your main entrance to your addressed entrance frontage to the road. It just doesn't make sense to not have a sidewalk for the frontage of your main entrance.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: As much as I actually disagree with that, we've been through this front-door thing. The definition is function. Right? The definition is functional. If you can't get to the door, it's not functional. I don't think it has to be a superhighway. I've walked this site. I don't know if any of the rest of you have. It's got some -- there are some elevation issues here. That's the reason why they're not going to go down. So --

MR. STANTON: That's another issue.

MS. GEUEA JONES: Commissioner Stanton, go ahead.

MR. STANTON: Yeah. That was another issue. I didn't have the numbers in front of me, so I didn't -- I couldn't -- I couldn't argue that point, but that is -- I'm thinking he may even have to have a

landing to break that lower, yeah, whimsical sidewalk to get it there and keep it safe, keep it ADA. I don't know. It could be done, but is it cost effective? Is it really necessary? Is it -- that's where I'm at.

MS. GEUEA JONES: Any other comments? Commissioner Placier?

MS. PLACIER: Yeah. My comments basically don't have anything to do with the proposal exactly, because I think you've all have done a good job of discussing various aspects of it. I think we're going to have to decide if we're going to include the sidewalk in the -- as a condition. But this is very autocentric because of the location and because of the business model. And my problems are with having 96 kids doing this. I mean, doing this switcharoo between classes and trying to have enough cars lined up outside to take care of that. It -- it's the business model that is concerning me more than the -- the other technical aspects. And that's not something that we have anything to do with.

MS. GEUEA JONES: Any other comments? I will -- the more I look at it, I would prefer an additional sidewalk. I don't want to make that a make or break on the plan. I want to strongly encourage it. I mean, we could -- Commissioner Loe, what do you want to do?

MS. LOE: Can we vote on that prior to making a motion whether or not to include it in the motion?

MS. GEUEA JONES: I'm looking over at legal.

MS. THOMPSON: You -- I mean, if you want to make a motion as to whether or not you include as a condition to the PD Plan the inclusion of a sidewalk, if, assuming again, I would open it up to the applicant and make sure that they are comfortable moving forward. I think they indicated that they were with that, but you may want to have some discussion to make sure they want to move forward with their PD Plan with that condition.

MS. LOE: All right. They did previously indicate that that was reasonable, but yes --

MS. THOMPSON: I agree.

MS. LOE: -- we can open up the floor again.

MS. GEUEA JONES: Commissioner Stanton, were you asking to open the public hearing?

MR. STANTON: Yeah. I was going to say if we could bring that -- and make a deal. Now, I'm looking at that grade, so --

MS. GEUEA JONES: Yeah. Whoever is responsible, please come forward, and name and address again.

MR. STANTON: Oh, I would -- I would question with this --

#### **PUBLIC HEARING REOPENED**

MR. HOEY: Will Hoey, 550 St. Louis Street, Springfield, Missouri.

MS. GEUEA JONES: Commissioner Stanton, I think wanted to ask you one thing first.

MR. STANTON: Okay. So I see is that 26 feet, and you have eight feet of rise in that 26? What am I -- what's your -- what's your cross slope?

MR. HOEY: So I'm going to -- I'm going to back up a little bit and try and give -- so off Vawter, it's 18 feet from Vawter to finish floor. They're cutting that road all the way down, and so it's climbing all the

way up till it gets to the high point, which is our access, which is why our ADA, our sidewalk connection out to the -- the right-of-way, the private street, is going down to that point. That's going to be our flattest location across the site. And so as you're coming into the property, that 18 feet is slowly being made up per the grade of the street. So it's my assumption -- again, we don't have the final grading. That's why I said I would love to look at it and vet it out. I would hate to add it as a stipulation.

MR. STANTON: Things change from day to day.

MR. HOEY: Because if it's eight to ten feet of fall, I don't even think you're going to be happy with what it looks like. We're going to have a big, massive concrete --

MR. STANTON: Yeah.

MR. HOEY: -- correct facade exact ramp to make it work. But I would love to vet it out once I have that final grading. I hate for it to be a stipulation of the PD Plan, but I would love to work with the Planning Department and then -- and the rest of the staff, as we go through the CD process to get to final plans, and now to be something we evaluate.

MR. STANTON: So we're almost looking at, like, a 30 percent grade?

MR. HOEY: Yeah. Which is three to one --

MR. STANTON: Like that.

MR. HOEY: -- which is the max you'd want in the green space.

MS. LOE: I'm familiar with grades.

MR. STANTON: So I'm just saying. I love concrete. I do concrete. I'll give you all the concrete you want, and we can go all the way up around and all. Is it practical, and that's -- that's what I was trying to get my colleagues to understand, but thank you.

MR. HOEY: In all likelihood, it's -- it's a switchback ramp with four to five turns, or a set of stairs.

MR. FORD: I'm not taking that on my bike. I'll just go down the road.

MR. STANTON: Yeah. And turn into the driveway. That's where I'm at.

MR. ZENNER: If -- if I may add, as well. Based on the platting action that is before us that we're concurrently reviewing, there is a public utility easement that is running along the western side of Capital Drive. So not unlike the same problems we have along Vawter, with a public utility easement with major infrastructure, the sanitary sewer, as well as storm sewer, that is on this site is in that same location, which again, foundations for any type of stairs, retaining walls, or the like are not permitted in those easements. So the ability to be able to do any type of staircase or anything that would require retaining walls is really out of the question. That -- that's what presents another technical issue here.

MS. GEUEA JONES: Could we include something that says if feasible, or is that too vague?

MS. THOMPSON: I mean, I would encourage against, like, conditional conditions. Right?

MS. GEUEA JONES: Very good.

MS. THOMPSON: I just don't think that it gives us really any ability to enforce those, or any assurances.

MR. FORD: Can we put a bike lane on the road?

MS. CARROLL: There is.

MS. GEUEA JONES: Well, there's -- yeah. There's -- there's going to be quite a bit of improvements on that road. And if I'm reading the plan correctly, there is a connection to -- let's see -- that would be the south bend of -- what are we calling it -- Capital Drive.

MR. ZENNER: Capital Drive. Yeah.

MS. GEUEA JONES: Correct?

MR. ZENNER: Correct.

MS. GEUEA JONES: But down at the bottom of the plan that's on the screen.

MR. HOEY: You can -- you can take a sidewalk path all the way from Vawter to our front door, and it all meets ADA.

MR. MACMANN: I don't think --

MS. LOE: It's -- I mean, it's a part -- the access in part, but it's also about this being the front door. And right -- we, again, we have not approved projects that have their front door off the parking lot. And right now --

MR. HOEY: If I may, I just wanted to note with the front door issue, too. We keep saying that Capital Drive -- I mean, as far as your frontage and your primary frontage, I know a lot of municipalities, we've worked across a few, say that it's the narrowest side if you're on a corner lot. So not the -- so I mean, Capital, I just want to clarify. Capital Drive is east and south, so we -- if we are addressed off Capital Drive, you could argue that that's to the south where our access is, so you could even almost argue that that door flips and faces south to the parking lot. Instead, we're not facing it at the parking lot. Facing it to the east, so it's kind of like a balancing act, if you will.

MS. GEUEA JONES: And there is sidewalk around that southeast corner of the building.

MR. HOEY: Yeah. The door on the east and the door on the northwest all connect to that front door.

MR. FORD: This is a tough lot.

MS. GEUEA JONES: Yeah.

MR. HOEY: There are some challenges to it that still haven't even vetted out yet, so --

MR. MACMANN: You guys haven't closed on it yet, either, have you?

MR. HOEY: No, but we can't close on it till the developer closes on it. I know there's an agreement in place to complete that, but holding pattern.

MR. MACMANN: I do construction for a living.

MR. HOEY: We know.

MR. MACMANN: I appreciate how that goes. So does Anthony.

MS. GEUEA JONES: Given that statement, question for staff.

MR. ZENNER: Yes, ma'am.

MS. GEUEA JONES: We have a PD Plan in front of us. Is this actually the PD Plan or is this just a potential PD Plan and we're really just doing a statement of intent?

MR. ZENNER: This is the PD Plan that is compliant with the overall statement of intent for Copperstone Corner.

MS. GEUEA JONES: Right.

MR. ZENNER: So this is the site-specific development plan that was identified as being a requirement when the entire acreage was approved. And the reason that this is being brought before you is because we needed to get through this stage and the final plat, which is being reviewed right now, concurrently. They will go together, they will marry up, but our process required the review to be complete. So we will hold this, as I said earlier, this would be held until the final plat and all of the contractual and other aspects of this property have been resolved. And everyone is aware of that, and I have been informed that the closing of the property was supposed to be occurring before the end of this month, which --

MS. GEUEA JONES: Will we have to vote on changes? If changes are necessitated, how major will they have to be for -- of this PD plan? What I'm trying to get to --

MR. ZENNER: Yeah.

MS. GEUEA JONES: -- is we've already been told, well, the -- the windows and some of the door -- like, there may be some changes to the exterior of the building. We're talking about you don't have total grade yet, so you may find out that it's got to move one way or another. I'm just wondering where in the process are we truly?

MR. ZENNER: So --

MS. GEUEA JONES: It sounds like there are a lot of questions.

MR. ZENNER: So as it relates to probably substantial enough changes that would necessitate coming back to this body, I think what Mr. Hoey and the -- the Olsson and H Design Group have prepared at this point, short of some final modifications to the architectural look, which I think what the proposed recommendation would be to address it the way you have discussed, substantially compliant with the design provided, with fenestration and openings, and if we have to, we can get calculations of what all of that is today so we catalog it, and then when the final plan --

MR. MACMANN: And we've had success with that motion in the past.

MR. ZENNER: We have. And I think there -- again, if you -- if that's what you want, I can take that direction and we can make sure that we have comparables. What would trigger a major amendment on something of this nature is a substantial reorientation of the building on the lot as a result of grading. But to the extent that the grading for the roadway improvements is going to alter what you're seeing on this plan, that is probably highly unlikely.

MS. GEUEA JONES: Okay.

MR. ZENNER: So I don't think you'll get this back if you take the actions that you have discussed up to this point to ensure that the design elements of this building are addressed. As Ms. Thompson has stated, conditionally requesting something upon a condition as an extra site improvement, it would be very difficult for us to track. I'm good, but I would much rather prefer that if get run over by a bus,



somebody else isn't going to follow what happened here. And I think really the problem that I see with this, just based on what we've had elsewhere, is all of the conflicts with the easements that are along this right-of-way, that's really going to limit the ability to be able to adjust -- to adjust any future improvement that would require foundation work. And that, I think, is what does detract from the ability to do the sidewalk connection. So I don't believe you will be seeing this again if you approve this this evening.

MS. GEUEA JONES: Thank you. Do we have any more questions for Mr. Hoey, or can we let him sit back down for the moment? I have one. Do you have any other thoughts that would help us? You've heard all of our various discussions.

MR. HOEY: I don't know the -- no. I think -- I think this has been a really good discussion, especially for a Planning and Zoning meeting. Normally, we don't get so much back and forth. This is great. This is a good thing. I will say that with the mic and the opportunity to say something, I will say excellent job. It's -- working with your staff has been fantastic. It has been a lot of -- there's been a lot of work compared to other jurisdictions, but it has been very efficient. So I -- it's been very appreciated. He prepped us to be in a good spot for this -- this discussion, so --

MS. GEUEA JONES: Tell your friends.

MR. HOEY: Thank you.

MS. GEUEA JONES: Thank you, Mr. Hoey. Okay. Back to Commissioner comment. Oh, I'm sorry. We're going to close public hearing.

#### **PUBLIC HEARING RECLOSED**

MS. GEUEA JONES: Commissioner comment. Commissioner Loe, what are you thinking? I don't think I could support a sidewalk condition, given what we know.

MS. LOE: I think we've documented the difficulties well enough that this precludes a -- making this a precedent, which was part of my concern.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Yeah. So on this subject of the sidewalks, and just given the site and the limitations of the site and the grading and the existing utilities, and even the layout of the site, you know, it's my opinion that the -- most of the pedestrians and cyclists are going to use the sidewalk along Capital Drive and access it from the back of the parking lot. I don't want to make this a stipulation, but what I find would, based on the site plan, be more useful than a sidewalk would be some marked crosswalks in your parking lot, something to direct pedestrians and traffic to reach the building, whether it's the front door or the side door in this case. I do also want to point out as we discuss walkable environments and location of doors, doors facing the front, it's not just about the size -- the side of the street or the access. It's about the walkable environment of the street that's in place. Part of the reason for doors in front is so that we don't move pedestrians along blank buildings where there's no visibility, no exchange with properties, and so, I see this as a sufficient limitation of the site to not have a door facing the front. I would, as the rest of the site is developed and others in the area, I would hate that -- for that to become the norm because we're still going to have people using that sidewalk, just given that it already exists for the other

properties. So we've -- we've got to keep in mind that that actually not only detracts from walkability, but safety.

MS. GEUEA JONES: Given that we have now made a full record of how this is a unique site, would anyone like to maybe make a motion? Commissioner MacMann?

MR. MACMANN: I will try it. Let me make sure I get this. We have the motion that is clean other than what we're about to do; is that right, Mr. Zenner?

MR. ZENNER: That is correct, sir.

MR. MACMANN: Okay. So Commissioner Loe, could you restate your brief version of the fenestration statement?

MS. LOE: Fenestration is all Commissioner Geuea Jones.

MS. GEUEA JONES: I would say substantially the same or greater fenestration as provided -- as in the provided drawings.

MR. MACMANN: Stand by with that verbiage. Commissioner Carroll wanted some lot lines or crosswalks?

MS. CARROLL: I don't want --

MS. GEUEA JONES: I don't think we need that here.

MS. CARROLL: -- to stipulate.

MR. MACMANN: You don't want them --

MS. GEUEA JONES: No.

MS. CARROLL: I specifically don't want to stipulate crosswalks.

MR. MACMANN: Madam Chair --

MS. CARROLL: I think they can --

MR. MACMANN: -- I have a motion.

MS. GEUEA JONES: Commissioner MacMann, please?

MR. MACMANN: In the matter of Case 78-2024, Diventures of Columbia PD Plan, with the following amendment. Would you put your words right here, Madam Chair?

MS. GEUEA JONES: That the amount of fenestration be substantially the same or greater than that which was provided to the Commission in drawings by the applicant.

MR. MACMANN: Thank you, Madam Chair. I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Approval has been moved by Commissioner MacMann, seconded by Commissioner Stanton. Is there any further discussion? Seeing none. Commissioner Carroll -- oh, I'm sorry, Commissioner Stanton -- or Commissioner Loe?

MS. LOE: Do we need to include the associated design exception for parking?

MR. MACMANN: It's in there. It's already in.

MS. GEUEA JONES: It's already in there.

MS. LOE: All right.

MS. GEUEA JONES: Yeah.

MS. THOMPSON: By approving the PD Plan, you're approving the design exceptions that are stated there.

MS. LOE: Got it. Thank you.

MS. GEUEA JONES: Thank you, Commissioner Loe for keeping us honest. In that case, Commissioner Carroll, whenever you're ready, may we have a roll call?

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

MS. CARROLL: Eight to approve; the motion carries.

MS. GEUEA JONES: That recommendation will be forwarded to City Council. Thank you very much for your patience. Sometimes our process can be a bit, but -- I think we're --

MR. MACMANN: Done.

MS. GEUEA JONES: Done, yeah. So I've been scribbling all over my thing.