



David Kunz &lt;david.kunz@como.gov&gt;

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## Concerns Regarding Zoning Request Case Number REZN-000183-2024

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dbeman claronsolutions.com &lt;dbeman@claronsolutions.com&gt;

Wed, Jun 19, 2024 at 6:07 PM

To: "Mayor@CoMo.gov" <Mayor@como.gov>, "ward4@como.gov" <ward4@como.gov>, "timothy.teddy@como.gov" <timothy.teddy@como.gov>, "patrick.zenner@como.gov" <patrick.zenner@como.gov>, "david.kunz@como.gov" <david.kunz@como.gov>

My name is Dave Beman and I live at [4800 Greenwich Circle, Columbia, MO 65203](#).

I am writing to express my **STRONG OPPOSITION** to zoning upgrade request case number **REZN-000183-2024** for property address of **4414 Smith Dr**.

In my opinion, upgrading 4414 Smith Dr from R-1 to either R-MF OR M-OF is NOT NEEDED at this time and is inappropriate in the context of the surrounding neighborhoods.

### **My reasons for opposition are:**

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1. **The zoning change is NOT NEEDED.** The current commercial developments on the Northwest and Southwest corners of the intersection of South Scott Boulevard and West Smith Drive are not fully occupied/built out, indicating that there is no current or near-term need for the increased zoning request to be approved.
2. **Higher population density land uses are often associated with:**
  - a. **Increased crime (theft, vandalism)**
  - b. **Personal safety concerns**
  - c. **Traffic congestion (possibly resulting in new traffic lights or round-abouts), especially for this location on Smith Drive.**
  - d. **Noise pollution**
3. **If the zoning request is approved, there is no guarantee of the kind of development that will take place by the future new owner when the property is sold.** The positive picture being painted by the applicant and their engineering consultant of low-density professional office space or "high-end" multi-family projects cannot be guaranteed.
4. **The argument advanced by the applicant and their engineering consultant that the new zoning upgrade will "provide a nice buffer/transition space for the existing neighborhoods" is NOT**

**RELEVANT.** Smith Drive **ALREADY** provides such a buffer. High-density development South of Smith Drive will **WORSEN** the “buffer”, not improve it.

5. **Even some of the current facilities, such as the new Petro-Mart, have seemed to cause a rise in “suspicious individuals” and SpotCrime Reports in the neighborhood.** As an example, the 600 block of Scott Blvd. shows up regularly in the SpotCrime Reporting Application for the area. A high-density use zoning for the applicant’s property would likely make the problems worse.
  
6. **In their original communications for the concept review, the applicant’s position was that they were pursuing the upgrade so they could build a second home on the property so they could care for their aging parents. However, during the 2-hour meeting I had with the applicant and the consultant, they conceded that the primary driver for the M-OF request (and possibly R-MF as a fallback) was to maximize the financial value of the property.**

My understanding is that the applicant’s desire to build a second home on the property can be addressed/satisfied **WITHOUT** upgrading the zoning to M-OF (or R-MF).

While it is certainly the present owner’s right to try to maximize the future sales value of their property, **that is not sufficient justification for new zoning that may have a negative impact on the existing property values of MANY families in the surrounding neighborhoods.**

If you have any questions regarding my concerns, please feel free to contact me.

Thank you for your consideration.

**Regards,**

Dave Beman



David Kunz &lt;david.kunz@como.gov&gt;

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## Joe Barraco M-OF Rezoning Letter

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Jay Gebhardt &lt;jay@acivilgroup.com&gt;

Mon, Apr 29, 2024 at 6:53 AM

To: "dbeman claronsolutions.com" &lt;dbeman@claronsolutions.com&gt;

Cc: "Pat.Zenner@como.gov" &lt;Pat.Zenner@como.gov&gt;, "David.Kunz@como.gov" &lt;David.Kunz@como.gov&gt;, "Lara@acivilgroup.com" &lt;Lara@acivilgroup.com&gt;, Barraco &lt;joe.barraco@infraredcameras.com&gt;

Dave

Thanks for reaching out to us. Lara will add you to our list of neighbors who want to be kept up to date with the request. As we move forward I am open to meeting with you in person or on the phone to address any questions you may have for the request that is made. My cell number is below and feel free to call me as my goal is to keep everyone up to date and be as transparent as possible throughout the entire rezoning process.

Thanks

jay

**Jay Gebhardt, PE, PLS**  
A Civil Group  
3401 Broadway Business Park Ct., Suite 105  
Columbia, MO 65203

Office - 573-817-5750  
Cell - 573-864-9811

Jay@ACivilGroup.com

On Sun, Apr 28, 2024 at 10:55 PM dbeman <dbeman@claronsolutions.com> wrote:

Pat,

I appreciate the time you spent with me discussing the Joe Barraco request to rezone his parents' property from R-1 to M-OF so that a second home can be built on the site.

The letter he sent to some of his neighbors, which was forwarded to me, raises a number of concerns/questions.

1. If the problem Joe is trying to solve is to care for his aging parents, why the need for an M-OF zoning? It seems that subdividing the R-1 property to accommodate two dwellings could solve the issue. Even an R-2 zoning request opens the door to land uses that could be detrimental to the area. Requesting M-OF zoning seems like a serious overreach, unless the goal is more financially oriented in nature.
2. A higher density zoning for this property could introduce more traffic congestion and likely inconvenience the neighborhoods using Smith Drive to travel to and from their homes. Congestion has already increased with the new single-family developments in the area west of Scott Boulevard.

3. There appears to be adequate commercial and multi-family zoning available in the area already. If more commercial or high-density property zoning is needed in the future, address it then. I would be strongly against a number of uses for the property that are allowed by an M-OF zoning change.

I've copied David Kunz, Jay Gebhardt, and Lara Florea on this e-mail in the hope that I can be included on communications soliciting community input as the request is submitted and moves forward.

Thank you.

**Regards,**

Dave Beman



David Kunz &lt;david.kunz@como.gov&gt;

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## Official letter opposing rezoning of 4414 Smith Dr to MOF- (Reference: concept review #000143-2024)

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Denise Thomas &lt;Denise.Thomas@veteransunited.com&gt;

Mon, Apr 22, 2024 at 6:44 PM

To: "Ward4@CoMo.gov" &lt;Ward4@como.gov&gt;, "Mayor@CoMo.gov" &lt;Mayor@como.gov&gt;

Cc: "timothy.teddy@como.gov" &lt;timothy.teddy@como.gov&gt;, "patrick.zenner@como.gov" &lt;patrick.zenner@como.gov&gt;, "david.kunz@como.gov" &lt;david.kunz@como.gov&gt;

Good evening,

We recently received a letter (copy below for reference) regarding a proposed zoning change for the property at 4414 Smith Dr from R1 to MOF. MOF is "Mixed Office Use," which I found confusing based on the stated intent of the letter to build a second single family residence. I work in the mortgage industry, so it seemed obvious to me that they could just replat their 4.56 parcel if that was their true intent, as there should be plenty of room to do so. Something felt "off," and unfortunately my suspicions were confirmed when I went to the meeting they held on April 16. I asked a few questions (chiefly, why would you not just split your parcel if you only want to build another home), to which the gentleman leading the meeting came clean about the fact the letter they sent out was misleading. Their primary intent of rezoning is to make more money by marketing their property for development, and if they do build a second home, it will be temporary. From what I have been told, this was also expressed to city staff during the concept review, which was held the same day.

However, this is NOT the objective they expressed to my friends, neighbors, and community members in this letter, who do NOT have a similar background and may have been misled. I am appalled by the notion that my neighbors may have been tricked into supporting this unnecessary zoning change under the false pretense that they are helping a neighbor to care for their agent parent.

While we understand the family's desire to get the most out of their property, we also understand that this change could result in lowering the values and market appeal of the adjacent homeowners. Our home at 4707 Sussex Dr is a bit further away than some and likely would see little property devaluation from this type of rezoning. However, non-residential development would impact our traffic flow, our daily commute, and the peaceful nature of our community that my children and I like to take walks and bike rides through. It could also potentially have a significant impact on the lives of my neighbors who ARE closer, on their property values and their peaceful backyards.

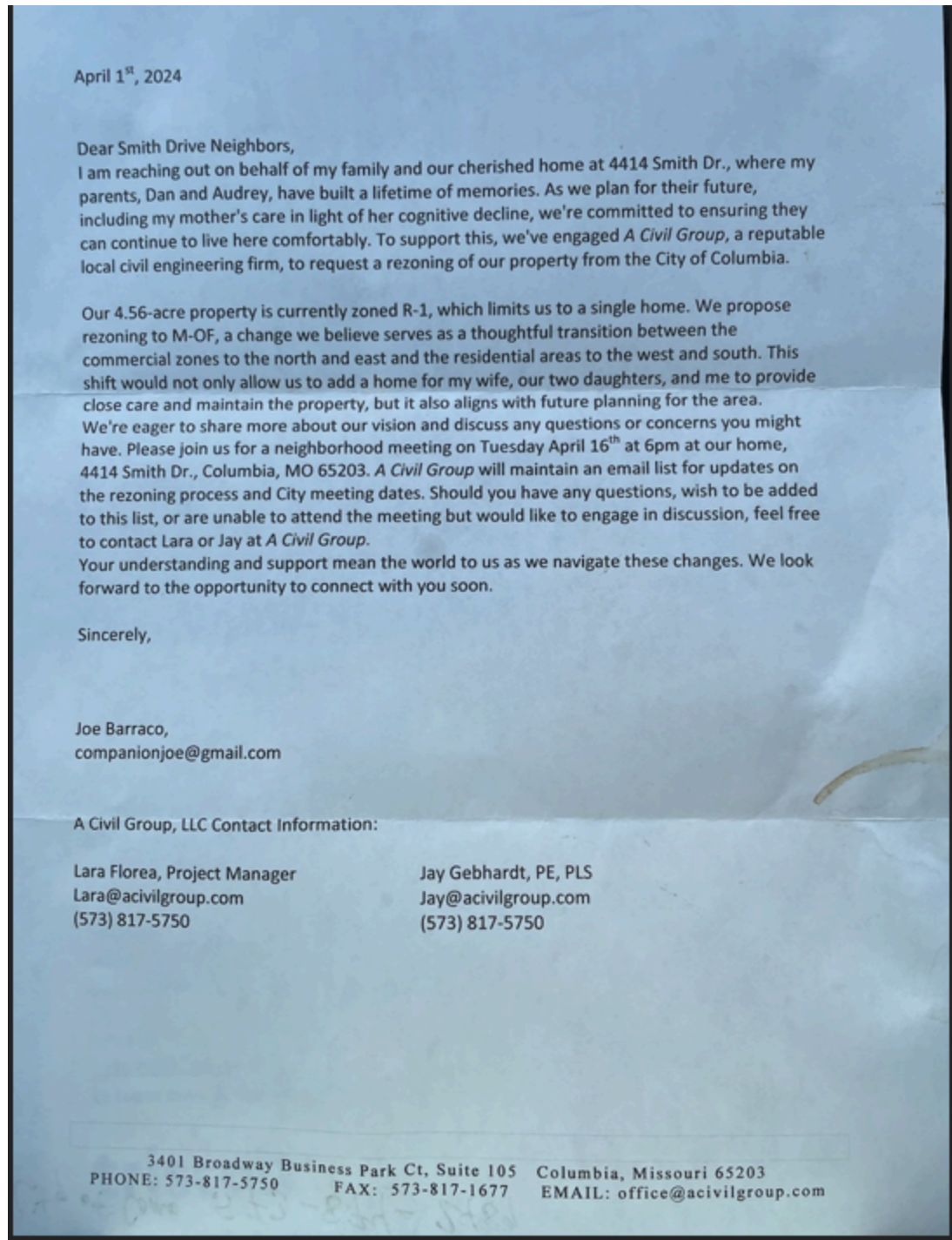
I saw on the concept review notes that the city planner does NOT support rezoning all, or even a portion of this property into MOF, and I believe will all my heart that this is the correct decision. I have been in communication with some of my neighbors about this rezoning effort. While some of them initially read the letter without context or zoning knowledge and had their heartstrings pulled by the story as it was falsely presented, I have yet to find a single neighbor who supports re-zoning to MOF once they learn that it is unnecessary for the building of a second residence.

If I'm not mistaken, only a couple of us have reached out to you yet to oppose this change, I have been advised by the city planner that having the neighborhood submit letters prior to a formal rezoning request being submitted might not be very helpful. However, I want to submit one to you myself as I was in attendance at the April 16<sup>th</sup> meeting, and heard first-hand the true intent of the rezoning effort and the admission that the letter they sent out broadly to residents in several neighboring associations was intentionally misleading,

Again, the residents in my community do NOT support this rezoning effort at this property. This property is surrounded by ADJACENT (not just across the street or down the road) properties where people are raising their children in peace at homes they intentionally purchased to be surrounded by single family residential development, NOT offices, nursing homes, multi-family apartment houses, parking lots, etc.

In the information meeting held on the 16<sup>th</sup>, I asked what their plan for the next step would be, since the city planner correctly does not support this rezoning effort. I was saddened to learn that they still intend to file for rezoning. I will likely reach out again once a formal request has been made to the city for rezoning, as will SEVERAL of my community members. If/when that occurs, please make the right decision to deny the rezoning of this property.

If you have any questions, I would be happy to answer them. Thank you for your time.



Denise Thomas

Underwriter

800-814-1103 ext 3201 | 573-876-4378 (fax)

[550 Veterans United Drive | Columbia, MO 65201](#)

[Denise.Thomas@vu.com](mailto:Denise.Thomas@vu.com) | [VeteransUnited.com](https://VeteransUnited.com)

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Now for the ~~fine~~ *fun* print. You don't need a ladder to see why homebuyers like Air Force Veteran Oden R. are *Through the Roof* about their Veterans United experience: "We're home! Working with Veterans United was easy from beginning to end. We handled our part, and our loan squad took care of everything else. Buying our home turned out cooler than a polar bear's toenails!" For more cool words like Oden's, [check out our 325,000+ unedited, unfiltered homeowner reviews](#). And they're not the only ones through the roof about Veterans United! We're proud to be named 2022's Top VA Lender by LendingTree, Bankrate, and Military.com.

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David Kunz &lt;david.kunz@como.gov&gt;

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## Petition against Rezoning EZN-000183-2024

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Kittiya Pawlowski &lt;kittiyapawlowski98@gmail.com&gt;

Fri, Jun 28, 2024 at 3:49 PM

To: timothy.teddy@como.gov, patrick.zenner@como.gov, david.kunz@como.gov, ward4@como.gov, Mayor@como.gov, Hamlet HOA <hamletcolumbia@gmail.com>

Dear Zoning Board,

I am writing to express my strong opposition to the proposed rezoning of the property at 4414 Smith Dr (Case Number REZN-000183-2024). The proposed rezoning from residential to allow for two dwellings, potentially including a mobile home, would have a detrimental impact on our neighborhood.

Here are my specific concerns:

- **Compatibility:** Rezoning for multi-unit dwellings in a primarily single-family neighborhood disrupts the established character of the area.
- **Property Values:** Studies have shown that multi-unit dwellings can negatively impact the value of surrounding single-family homes.
- **Traffic and Parking:** Two additional dwellings could significantly increase traffic congestion and strain neighborhood parking availability.

### Alternative Solution:

I urge the homeowner to consider building an **extension** on the existing residence as a way to accommodate their additional family member. This solution would respect the current zoning, minimize disruption, and better integrate with the existing neighborhood aesthetic.

Thank you for considering my concerns.

Sincerely,

Kittiya Pawlowski





David Kunz &lt;david.kunz@como.gov&gt;

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## Rezoning Inquiry - 4414 Smith Dr - Case #143-2024

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Sonya Germain &lt;sgermain@veteransunited.com&gt;

Fri, Apr 19, 2024 at 1:58 PM

To: "Ward4@CoMo.gov" &lt;Ward4@como.gov&gt;, "Mayor@CoMo.gov" &lt;Mayor@como.gov&gt;

Cc: "timothy.teddy@como.gov" &lt;timothy.teddy@como.gov&gt;, "patrick.zenner@como.gov" &lt;patrick.zenner@como.gov&gt;, "david.kunz@como.gov" &lt;david.kunz@como.gov&gt;, "germain.dustinp@gmail.com" &lt;germain.dustinp@gmail.com&gt;

Good afternoon!

My husband, Dustin, and our two children live at 4411 Sussex Dr, directly South of the property in question for possible rezoning at 4414 Smith Dr (parcel 1641200000010101). We purchased this home in 2014 when our son was 1 year old – our daughter was born here, and they are now 10 and 8 years old. We love our quiet, family-friendly location with a park down the street and a nice, big backyard where our kids can safely play unsupervised in our well-established residential neighborhood. Additionally, given the significant changes to the housing market since 2014, relocating our family to another home of the same quality is not a realistic option at this moment – I would very much like to not let this get to that point.

The property in question is directly North of our back yard fence, and the current owners have been lovely and quiet neighbors for the nearly 10 years we have owned our home. We recently received a letter (attached) from the child of the current owners stated that they were intending to request rezoning for the purpose of building a second home on the property, to move in and care for their aging parents. That is an admirable move that many would not make in the current day and age.

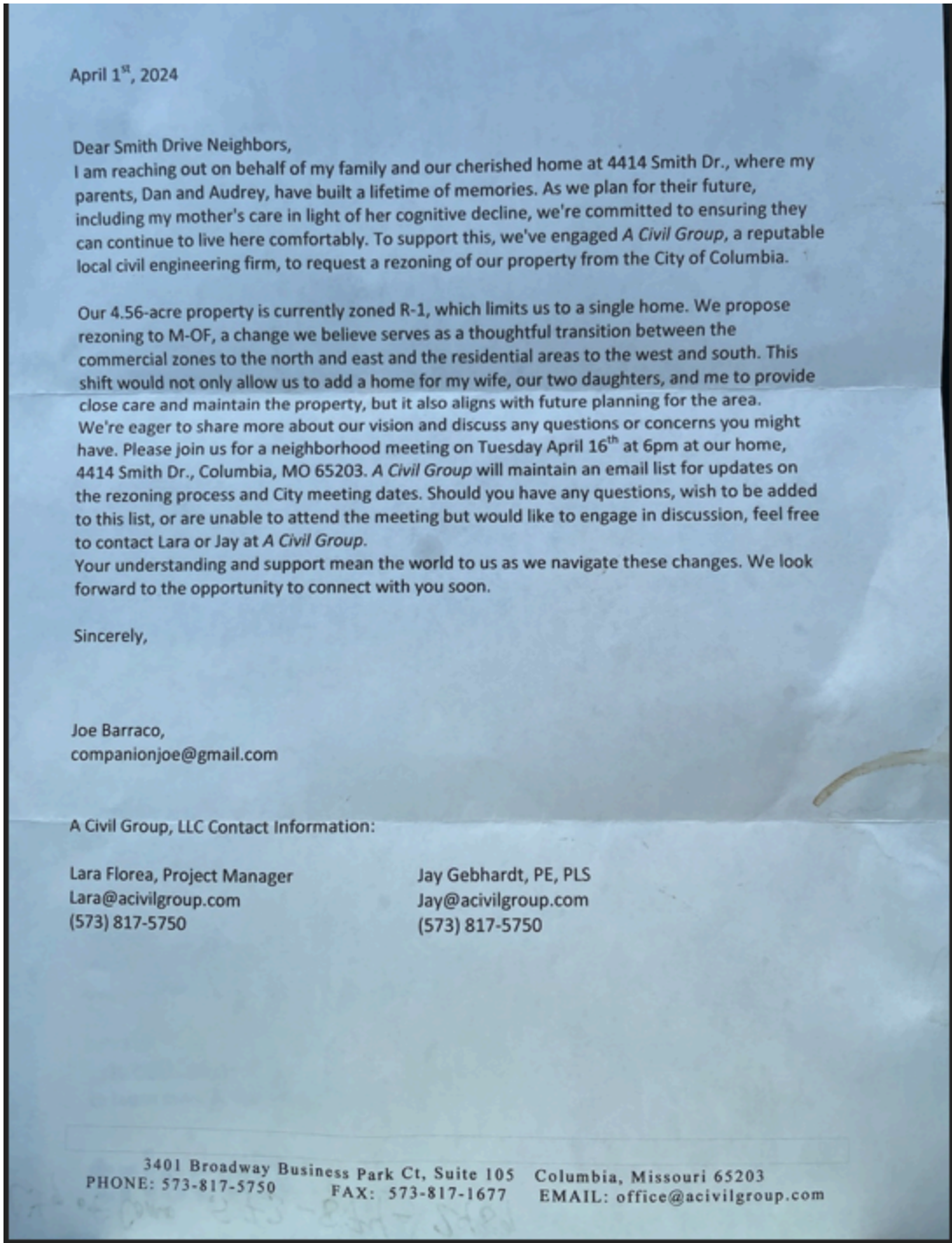
After reading more about the concept review meeting **CONC-000143-2024** that took place on 4/16 and the intent for the property, as well as speaking with neighbors who were in attendance at the concept review meeting, it seems that the primary motivation for potential rezoning is not the well-meaning care of aging parents, but rather to pad the family's inheritance through future commercial development. I am very concerned that area homeowners who were contacted via the letter only will not appropriately follow up to understand the impact that their well-intentioned support would have on my family and our home, as well as our surrounding neighbors and community, as the letter in my opinion is not transparent to the true intent and long-term impact of this decision on the safety, monetary value, and community atmosphere of our residential area – not to mention the additional traffic, noise, after-dark activity, and light pollution already resulting from the commercial development across the street.

It does not seem necessary to rezone to M-OF if the goal is to build a second home – could the parcel not be divided into two parcels for the second home? Based on my admittedly limited information, there are numerous other solutions for that goal that do not involve zoning for mixed-office use. It is also unclear to me from this letter why future planning for property surrounded by residential areas would include offices or other mixed-use buildings when there is a plethora of available or yet undeveloped space zoned for that purpose in the Westbury area North of the property on Smith, as well as to the South along Scott Blvd.

If (and it sounds like when) this rezoning request comes to your attention for review as M-OF, please make the right decision to keep our home, backyard, and neighborhood a safe and family-friendly place and maintain the residential zoning of this area. Many Hamlet homeowners are already less than satisfied with the promises of the Westbury area businesses in comparison to the quality of what has actually been built, and I do not believe it is the right choice for our families or our neighborhood to put more businesses in our literal backyard.

If there are any additional opportunities for public comment whether at meetings or via written correspondence, please expect that we will do so!

Thank you for your time and consideration!



**Sonya Germain**

**Senior Group Product Manager**

573-876-2600 ext 3681 | 573-876-4398 (fax)

550 Veterans United Drive | Columbia, MO 65201

sgermain@vu.com | VeteransUnited.com

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David Kunz &lt;david.kunz@como.gov&gt;

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**REZN-000183-2024 - 4414 Smith Dr**

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Jennifer Lincoln <jenniferlincoln@msn.com>  
To: "david.kunz@como.gov" <david.kunz@como.gov>

Mon, Jul 15, 2024 at 10:41 AM

Hello,

*I am writing to you to let you know that I am opposed to the zoning request from Single Family Residential to M-OF. I currently own 4407 Sussex Dr directly to the south of the subject property. I lived in my home for 8 years and it is currently a rental. However, I plan to move back into that home at some point in the future when I need to downsize.*

*My understanding is that the current owners want to change the zoning so that they can live on the property to take care of their parents. However, if the zoning gets changed, they or any future owners of that property can build anything that falls within the zoning of M-OF. I believe that would significantly reduce the resale of my single family residential property along with the other homes along Sussex Dr. There doesn't seem to be a good valid point to switch this property to M-OF.*

*In addition, I currently live on the north side of Smith Dr. The current traffic congestion between Scott Blvd and Stone Valley Parkway on Smith Dr has dramatically increased since the new development. The office space to the south isn't complete or filled yet which will increase traffic in that area as well. If this is approved, it will add additional traffic congestion which I believe will be a detriment to this particular area. I drive this street every day and it can get crazy and people don't seem to know which lanes to use.*

*Thank you for your consideration.*

*Jennifer Lincoln*



**Jennifer Lincoln, CRS**  
**(573) 219-3131**  
**WeKnowColumbia.com**

RE/MAX Boone Realty

33 E Broadway, #200, Columbia MO 65203

Office (573) 256-3131, FAX (573-234-4114)

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## Planning And Zoning Commission - Contact Form : 7-15-2024 06:25:18 pm

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noreply@gocolumbiamo.com <noreply@gocolumbiamo.com>

Mon, Jul 15, 2024 at 6:25 PM

Reply-To: jenniferlincoln@msn.com

To: Patrick.Zenner@como.gov

The following form submission was received on the City of Columbia website. The sender has been notified of the successful receipt of this request. Recipients should respond to this request within a reasonable time frame, normally within 1 to 3 business days. For more information regarding origin of this message or to report spam contact the Webmaster at [webmaster@como.gov](mailto:webmaster@como.gov)

Below are the results of a Web form submitted on: July 15th, 2024 at 06:25PM (CDT).

Name: Jennifer Lincoln

Email Address: [jenniferlincoln@msn.com](mailto:jenniferlincoln@msn.com)

Comments: RE: REZN-000183-2024 - 4414 Smith Dr

Hello,

I am writing to you to let you know that I am opposed to the zoning request from Single Family Residential to M-OF. I currently own 4407 Sussex Dr directly to the south of the subject property. I lived in my home for 8 years and it is currently a rental. However, I plan to move back into that home at some point in the future when I need to downsize.

My understanding is that the current owners want to change the zoning so that they can live on the property to take care of their parents. However, if the zoning gets changed, they or any future owners of that property can build anything that falls within the zoning of M-OF. I believe that would significantly reduce the resale of my single family residential property along with the other homes along Sussex Dr. There doesn't seem to be a good valid point to switch this property to M-OF.

In addition, I currently live on the north side of Smith Dr. The current traffic congestion between Scott Blvd and Stone Valley Parkway on Smith Dr has dramatically increased since the new development. The office space to the south isn't complete or filled yet which will increase traffic in that area as well. If this is approved, it will add additional traffic congestion which I believe will be a detriment to this particular area. I drive this street every day and it can get crazy and people don't seem to know which lanes to use.

Thank you for your consideration.

Jennifer Lincoln, Real Estate Agent  
RE/MAX Boone Realty

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IP:174.34.23.219

Form: City of Columbia Contact Form



David Kunz &lt;david.kunz@como.gov&gt;

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## Rezoning request

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**Tonya Mirts** <tmmjorgenson@gmail.com>  
To: david.kunz@como.gov

Mon, Jul 15, 2024 at 1:48 PM

Dear Council Member

My name is Tonya Mirts and my husband Doug and I are residents in the Hamlet subdivision off of Scott Blvd. We are writing concerning the rezoning request by Joe Barraco, the son of Dan and Audrey Barraco to rezone the R-1 to M-OF. The reference case number is REZN-000183-2024. This property address is 4414 Smith Dr. They have written our subdivision for support claiming their interest is to add a home for the son on their property. We would support rezoning their property to two R-1 single family lots. This would allow the son to build a home near his aging parents and not affect the property value of all of their neighbors in the subdivision. We question the request of M-OF to build one house... its seems it opens the door to anything office related to be built. As well as the hiring of Jay Gebhardt of civil engineering firm.

Thank you for your consideration

Tonya and Doug Mirts  
4613 Manhasset Dr  
Columbia 65203  
Sent from my iPhone

Good evening, members of the Planning and Zoning Committee,

Thank you for the opportunity to speak today. My name is Joe Barraco, and my family has been proud residents of Columbia since 1983. Over the past 40 years, we've seen our beloved city grow and evolve into a vibrant community. When we first moved here, our property was a serene haven where we could ride horses and hear the coyotes howling in the distance. But as Columbia has progressed, so too has the development around us. Throughout this transformation, our family has consistently supported progress, always aiming to contribute positively to our city's growth. We've never stood in the way of development, understanding that change is inevitable and necessary for a thriving community.

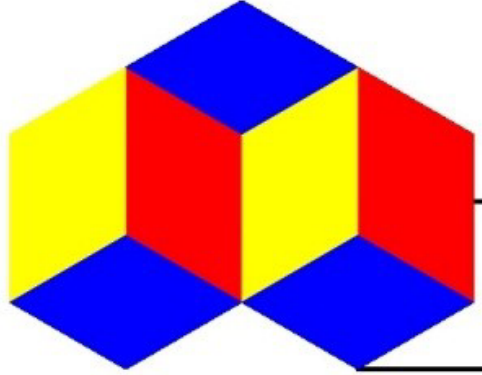
My parents, who are now aging, wish to continue living on their property. However, with the extensive development around us, we frequently receive inquiries from developers interested in purchasing our land. City officials I've spoken with have indicated that our property's current R1 zoning is unlikely to remain unchanged as the city continues to expand.

With this in mind, our family engaged A Civil Group to assist us in rezoning our property to MOF. This change will not only align with the surrounding developments but also provide our family with the financial means to afford any future care my mother may require. We don't want to be in a position where we have to sell our property at a lower price due to time constraints and family health issues.

We believe in the principle of reaping what you sow. Our family has sown seeds of progress and support for our community, and now we seek to harvest those efforts by being responsible stewards of our land. Rezoning to MOF will allow us to respond appropriately to the evolving landscape around us while ensuring we can provide for our family's needs.

Thank you for considering our request.

Joe Barraco  
573.999.0432



**A CIVIL GROUP**

**CIVIL ENGINEERING - PLANNING - SURVEYING**

**REQUEST TO REZONE**

**4414 Smith Dr.**

**REZN-000183-2024**



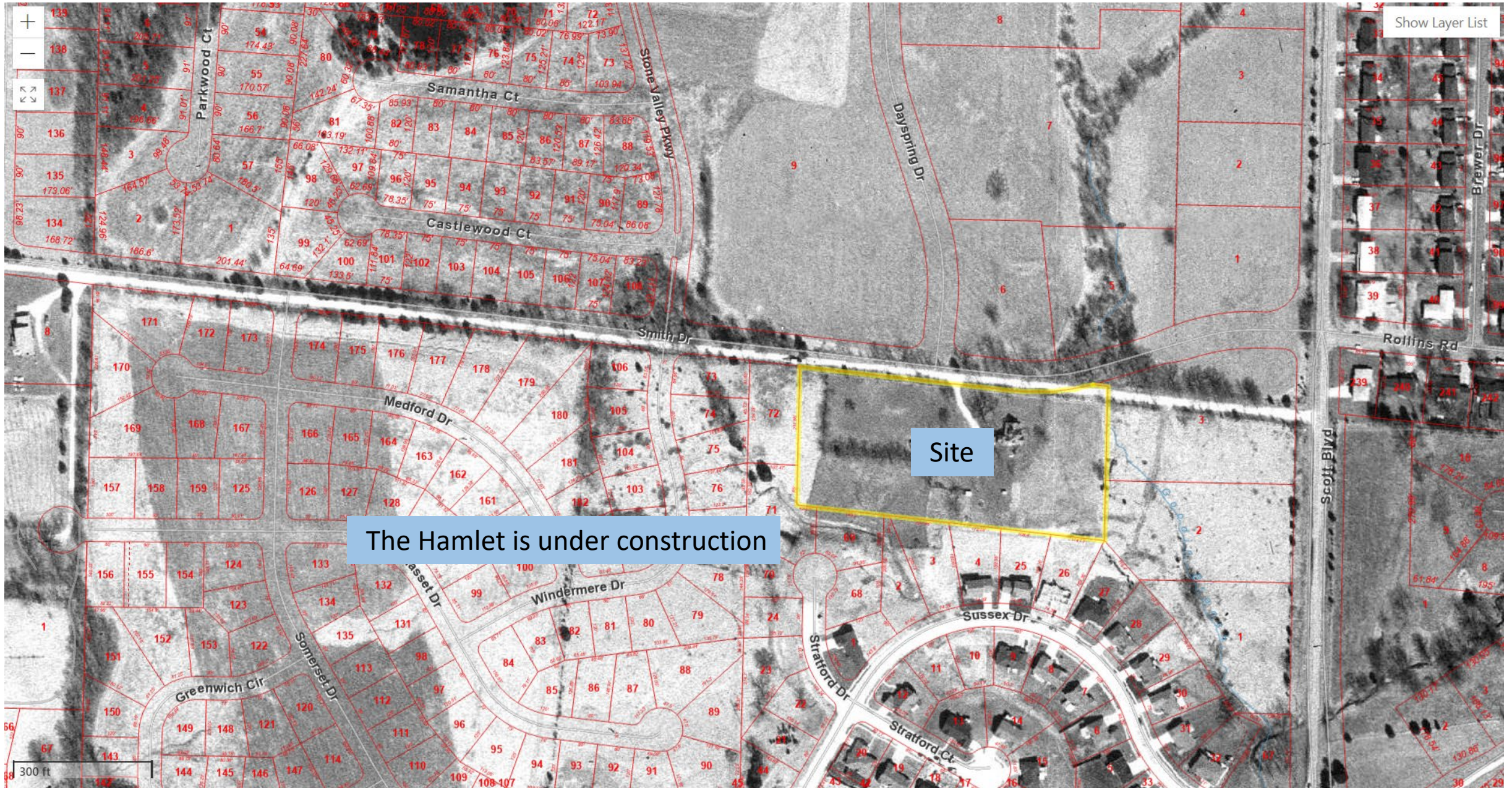
Dan and Audrey Barraco have lived on this property for more than 38 years.

While they raised their family here, they have watched and supported the character and identity of the surrounding properties transition to residential and then commercial developments. These developments now completely surround them.

# 1977 – Parcel Viewer



# 1994



# 2019



# 2023



The Flats at Westbury

Moser's Grocery Store

Tire Store

150 Apartments  
&  
20,000 Sq. Ft. Retail  
Zoned M-C

Car Wash

Wendy's

Liquor Store/Coffee Shop

Zoned  
RM-F

Credit Union

C-Store

10,000 Sq. Ft.  
Zoned M-C

Site

Concept Review for  
Quick Serve Restaurant  
Zoned M-C

9,000 Sq Ft.  
Zoned M-N

Vacant  
Zoned M-N

## Looking From Scott Blvd toward Site



## Looking from Site Towards Scott



Concept Review for  
Quick Serve Restaurant

## Looking North from Site

150 Apartments and 20,000 sq ft of Retail  
Zoned M-C

10,000 Sq. ft. building  
Zoned M-C



## View to Northwest from Site

Independent, Assisted and Memory Care  
Continuing Care Facility



Table explaining Differences Between R-MF and M-OF to the existing R-1 and each other

Uses Permitted in both R-MF and M-OF  
 Uses Conditional in R-MF and Permitted in M-OF  
 Conditional in Both R-MF and M-OF  
 Conditional in R-MF and not allowed in M-OF  
 Not allowed in R-MF and Conditional in M-OF  
 Not allowed in R-MF and Permitted in M-OF

USE	USE SPECIFIC STANDARD	TRIPS	PERMISSIONS
One Family Attached Dwelling	b	5.81/Dwelling Unit	Permitted in Both R-MF and M-OF
Two Family Dwelling			Permitted in Both R-MF and M-OF
Live-Work Dwelling	c		Conditional in R-MF Permitted in M-OF
Multi-family Dwelling	d	6.65/ Dwelling Unit	Permitted in Both R-MF and M-OF
Boarding House			Permitted in Both R-MF and M-OF
Continuing Care Retirement Community	f	2.4/ Dwelling Unit	Permitted in Both R-MF and M-OF
Dormitory/Fraternity/Sorority			Permitted in Both R-MF and M-OF
Group Home, Large and Small	g		Permitted in Both R-MF and M-OF
Halfway House	h		Conditional in Both R-MF and M-OF
Residential Care Facility			Conditional in R-MF and Permitted in M-OF
Temporary Shelter	i		Conditional in Both R-MF and M-OF
Adult Day Care			Permitted in Both R-MF and M-OF
Family Day Care Center	j		Permitted in Both R-MF and M-OF
Cemetery or Mausoleum			Conditional in R-MF not allowed in M-OF
Funeral Home or Mortuary			Not allowed in R-MF and Conditional in M-OF
Higher Education Institution	l		Permitted in Both R-MF and M-OF
Hospital			Not allowed in R-MF permitted in M-OF
Museum or Library		3.32/Employee	Conditional in R-MF Permitted in M-OF
Reuse of public place of assembly	m		Conditional in R-MF not allowed in M-OF
Public Utility Services (minor)			Conditional in R-MF Permitted in M-OF
Veterinary Hospital	n		Not allowed in R-MF Conditional in M-OF
Urban Agriculture	o		Conditional in R-MF and Permitted in M-OF
Bed and Breakfast	p		Conditional in Both R-MF and M-OF
Bank and Financial Institution			Not allowed in R-MF Permitted in M-OF
Commercial or Trade School	q		Not allowed in R-MF Permitted in M-OF
Consumer Lending Institution			Not allowed in R-MF Permitted in M-OF
Office			Not allowed in R-MF Permitted in M-OF
Research and Development Laboratory	r		Not allowed in R-MF Permitted in M-OF
Personal Services, General	v		Not allowed in R-MF and both Conditional and permitted in M-OF

Staff has concerns with rezoning to M-OF based on the potential increase of intensity of uses the open zoning classification could permit and the inconsistency this would create with the surrounding land use mix south of Smith Drive.

These are the uses allowed in M-OF but not allowed in R-MF.

We personally don't see anything that is more intense or inconsistent with the predominately Commercial Development across from this site with the exception of the uses only allowed with a Conditional Use permit. We believe this property will buffer the residential uses to the South and West from the more intense uses North and East.

Table explaining Differences Between R-MF and M-OF to the existing R-1 and each other

- Uses Permitted in both R-MF and M-OF
- Uses Conditional in R-MF and Permitted in M-OF
- Conditional in Both R-MF and M-OF
- Conditional in R-MF and not allowed in M-OF
- Not allowed in R-MF and Conditional in M-OF
- Not allowed in R-MF and Permitted in M-OF

USE	USE SPECIFIC STANDARD	TRIPS	PERMISSIONS
Live-Work Dwelling	c		Conditional in R-MF Permitted in M-OF
Halfway House	h		Conditional In Both R-MF and M-OF
Residential Care Facility			Conditional in R-MF and Permitted in M-OF
Temporary Shelter	i		Conditional In Both R-MF and M-OF
Cemetery or Mausoleum			Conditional in R-MF not allowed in M-OF
Funeral Home or Mortuary			Not allowed in R-MF and Conditional In M-OF
Hospital			Not allowed in R-MF permitted in M-OF
Museum or Library		3.32/Employee	Conditional in R-MF Permitted in M-OF
Reuse of public place of assembly	m		Conditional in R-MF not allowed in M-OF
Public Utility Services (minor)			Conditional in R-MF Permitted in M-OF
Veterinary Hospital	n		Not allowed in R-MF Conditional in M-OF
Urban Agriculture	p		Conditional in R-MF and Permitted in M-OF
Bed and Breakfast	s		Conditional in Both R-MF and M-OF
Bank and Financial Institution			Not allowed in R-MF Permitted in M-OF
Commercial or Trade School	t		Not allowed in R-MF Permitted in M-OF
Consumer Lending Institution			Not allowed in R-MF Permitted in M-OF
Office			Not allowed in R-MF Permitted in M-OF
Research and Development Laboratory	u		Not allowed in R-MF Permitted in M-OF
Personal Services, General	v		Not allowed in R-MF and both Conditional and permitted in M-OF

Definition of M-OF:

*M-OF mixed use - office district.*

*Purpose.* This district is intended to provide for professional, administrative, corporate, and other offices and similar low-impact non-residential uses. **It may serve as a buffer area between residential and more intense nonresidential uses. It is intended to allow innovative design approaches that reflect and respect the character of nearby residential areas without the need for rezoning to a planned development district.** The principal uses are small-scale office, personal service, and residential uses, as shown in Table [29-3.1](#) (Permitted Use Table).

This is a good example of a mixed use office with residential abutting an R-1 subdivision. This is located at Rainbow Trout and Scott Blvd which is about ¼ mile south of Smith and Scott Blvd. This building is 5,000 sq. ft. with three apartments above. Another identical building is allowed on the approved PD plan.

Our site is about 4 times bigger than this but I believe a significant portion of the site could be a mixed use.



It has been stated that Smith Drive is the adequate Transition buffer

However Smith Drive is the same width as Dayspring Drive and Faurot Drive across from the approved R-MF that is The Flats and The Westbury. Those streets were not adequate transitions from the M-C zoning to the residential to the North and West of the commercial development. I personally do not believe that the 66 foot right of way for Smith Drive is a substantial buffer. For the same reasons used to rezone The Westbury and The Flats to R-MF, this property should not be considered viable R-1 zoning and should be rezoned to R-MF or M-Of. We believe M-OF is a better buffer to the neighbors to the South and West than R-MF.

Smith Drive is a neighborhood collector with an effective speed limit of 20 mph ensured by the speed Humps. It also has a signalized pedestrian crossing near the middle of the sites frontage on Smith Dr.

Traffic is a concern of the surrounding neighbors but as you know a the City will require a Traffic Impact Study should the development create 100 trips in the am or pm peak hour. I don't see how this property could be developed without a traffic impact study. Any future development will be scrutinized for their traffic impacts to Smith and the intersection with Scott Blvd.

**Building Setbacks/Height and Screening/Buffering Requirements abutting  
Single & 2-Family Properties  
(Increased M-OF Protections Highlighted)**

**R-MF**

**25' Front Yard**

**10' Side Yard**

**25' Rear Yard**

**35-Foot Max. Building Height  
OR 45-Foot Subject to Max. 24-Foot  
Within 25-Foot of Side or Rear  
Property lines OR Increase Side  
And Rear Yards by 10-Foot**

**6-foot Landscape Buffer  
– No Screening**

**M-OF**

**25' Front Yard**

**10' Side Yard**

**25' Rear Yard**

**45-Foot Max. Building Height  
Subject to Max. 24-Foot Within  
25-Foot of Side or Rear Property  
Lines OR Increase Side and  
Rear Yards by 10-Foot**

**10-Foot Landscape Buffer  
with 8-Foot Tall Screening  
Device**

## Neighbor Support

In April, A Civil Group notified all owners within 1,000 feet of the request and held a meeting at the property for neighbors to attend. There were 4 neighbors who attended the meeting.

In May we sent out another letter inviting the neighbors who are immediately adjacent to the property to meet at the property. There were 2 neighbors who attended the meeting.

We also had a meeting with one neighbor, Mr. Beman at my office.

I will let the neighbors speak for themselves but my impressions from those meetings are:

- No more commercial development
  - Many neighbors do not know that M-OF does not allow commercial businesses and they had fears of expanding commercial uses.
- Traffic on Smith and at the intersection with Scott Blvd
  - I explained the City has a way to address traffic impacts thru the UDC when development of the tract occurs.
- Crime
  - Crime is always a risk and this risk has already been increased by the existing commercial development. This proposal will provide a buffer to the existing homes South and West of the site.
- Impact to property values
  - I do believe that M-OF is more desirable to live next to than R-MF due to offices being typically open Monday thru Friday between 8 and 5 when most residents are not home. I also believe that the traffic from a mixed use of office and apartments would result in less traffic generated by this 5 acres.
- Not satisfied by the promises of the Westbury area businesses
  - We are not part of the development team for Westbury. This is a family doing planning for their most valuable asset. The Barraco's have lived here peacefully for the last 38 years as their surroundings have undergone substantial changes. They are reacting in the best possible way when you consider what has already been allowed.

## **Why M-OF instead of R-MF?**

- As stated above, the family and I believe that the M-OF is a better neighbor to the owners in the Hamlet and other surrounding neighborhoods than R-MF. A well planned mix of office and residential would result in a positive development for this property. Allowing the M-OF now will let a future developer make those plans without the uncertainty of Mixed Use not being allowed.
- The uses allowed in M-OF but not in R-MF are not objectionable to live next to.

### **Why Now?**

**Or**

### **Why Not Now?**

- The request has been criticized for not having a developer with ready plans to build something. This notion puts the land owners such as the Barraco's at a disadvantage to Developers when requesting a rezoning.
- This is planning for the future and letting the current land owner have a say in how their land should be used when they no longer want to own it. We should not wait for a developer to come along for every request for a rezoning. We should be able to use the land use plans of the City and do future planning by rezoning the land to its appropriate zoning.
- In general, the City no longer likes to approve planned districts and one of the big conflicts this causes is open zoning with use specific standards and neighborhood protection standards are not widely understood. What is understood is that the worse case scenario could/will happen without any further input from the neighbors. The Barraco's and I believe in the purpose of the M-OF zoning district to "be a buffer and It is intended to allow innovative design approaches that reflect and respect the character of nearby residential areas without the need for rezoning to a planned development district" In general the public does not know the zoning code and all of the protections built in to the code to protect residential neighborhoods. As Planners, I would hope you have faith in the code that we have and to resist neighbors thoughts and suggestions the worst will happen.



**Petition for Rezoning of 4414 Smith Dr., Columbia, MO from R-1 to M-OF**

**Summary:**

We, the undersigned, support the proposed rezoning of 4414 Smith Dr. from its current R-1 (Residential Single-Family) zoning to M-OF (Mixed Use - Office) zoning. The purpose of the M-OF district, as stated in the City of Columbia's zoning code, is to provide for professional, administrative, corporate, and other offices and similar low-impact non-residential uses. This district is designed to serve as a buffer between residential and more intense non-residential uses, allowing innovative design approaches that respect the character of nearby residential areas.

We believe that rezoning 4414 Smith Dr. to M-OF will:

1. Enhance the community by introducing low-impact, professional office spaces that provide essential services.
2. Serve as a buffer between existing residential properties and more intensive commercial areas, maintaining the integrity and character of our neighborhood.
3. Encourage innovative and attractive design solutions that blend seamlessly with the surrounding residential environment.
4. Increase property values and attract businesses that will contribute to the local economy.
5. Offer convenient access to professional services for local residents, improving the overall quality of life in our community.

We urge the City of Columbia to approve this rezoning request to support the growth and development of our neighborhood in a manner that aligns with the City's goals and planning principles.

**Supporter Information:**

Name	Address	Signature
Michael J. Acosta	4708 Samantha Ct	<i>Michael J. Acosta</i>
Mary Bottrell	4114 Sussex Dr.	<i>Mary Bottrell</i>
Whitney Gaines	4806 Samantha Ct	<i>Whitney Gaines</i>
David Kopriva	908 Stratford Ct	<i>David Kopriva</i>
Kristie Kopriva	908 Stratford Ct	<i>Kristie Kopriva</i>
2946 Northland Ilc	912 Stratford Ct	<i>[Signature]</i>

## **Staff Suggestions for R-MF**

The staff is recommending approval of R-MF for the site and although we appreciate their perspective, we do not agree. We have put our best foot forward with this request for M-OF and do not wish to modify it at this time.

**Questions?**



David Kunz &lt;david.kunz@como.gov&gt;

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**Fwd: Letter of Concern**

1 message

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**Patrick Zenner** <patrick.zenner@como.gov>  
To: David Kunz <david.kunz@como.gov>

Fri, Jul 26, 2024 at 9:55 AM

Another letter of opposition that was in my "spam" folder"

Pat

Sent from my iPhone

Begin forwarded message:

**From:** Robert Smith <[smithro85@yahoo.com](mailto:smithro85@yahoo.com)>  
**Date:** July 15, 2024 at 3:51:58 PM CDT  
**To:** [timothy.teddy@como.gov](mailto:timothy.teddy@como.gov), [Patrick.Zenner@como.gov](mailto:Patrick.Zenner@como.gov), [david.kunz@como.gov](mailto:david.kunz@como.gov), [ward4@como.gov](mailto:ward4@como.gov), [mayor@como.gov](mailto:mayor@como.gov)  
**Subject:** Letter of Concern

Dear members of Planning & Zoning Commission & City Council,

My wife and I are writing due to concerns about the rezoning of the Barraco property at 4414 Smith Dr., case number REZN-000183-2024. We have no issue with the Barracos building a second home on their property to help care for their aging parents, as disclosed in the initial letter to us. We live at 4408 Sussex Dr., in The Hamlet subdivision. We have lived in our home for 31 years. It is extremely important for us and our neighbors to maintain our home values. We feel that anything other than R-1 zoning would decrease the value of our homes and potentially increase the risk for crime. Litter has already been an issue since the development of Westbury. Please consider a NO vote to protect our neighborhood and others near us.

Robert & Julie Smith

Sincerely,



David Kunz &lt;david.kunz@como.gov&gt;

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**Fwd: 4414 Smith Drive Rezoning- Citizen Opinion**

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Patrick Zenner <patrick.zenner@como.gov>  
To: David Kunz <david.kunz@como.gov>

Fri, Jul 26, 2024 at 9:54 AM

David:

Additional public comment that was in my "spam" folder.

Patrick

Sent from my iPhone

Begin forwarded message:

**From:** Alma Hopkins <hopkinsal13@gmail.com>  
**Date:** July 18, 2024 at 4:15:27 PM CDT  
**To:** david.kunz@como.gov, Patrick.Zenner@como.gov, timothy.teddy@como.gov, ward4@como.gov  
**Subject:** 4414 Smith Drive Rezoning- Citizen Opinion

My name is Alma Hopkins, my husband - Bryan- and I have resided at 805 Stratford Drive since 2013. Our home sits directly south and abuts the 4414 Smith Drive residence - the lot being proposed for rezoning. Although I agree that change is a constant in life as this rezoning proposal requests, I'm afraid I have to disagree with the City's staff report's conclusion which supports rezoning to R-MF. The Barraco's proposal of M-OF would also support a rental property but opens it up more to commercial complex possibilities that would have defined hours of operation which I see to be in line with the commercial lot north of the property.

For two reasons my husband and I are opposed to the city's proposal of a multi-family residential complex. First, the entire corridor of Scott Blvd from its northernmost section to the southern tip and junction with Vawter School Road has rental properties in both apartments and duplexes. It starts with highrise Kelly's Highlands and Kelly's Ridge apartments at the northernmost end of West Broadway/start of Scott Blvd. Just a very short drive from these highrise apartments are the newly built The Flats by Westbury sitting north of Scott Blvd and just north of the new business complex. In that business complex exists the new Westbury Senior Living apartments. More established duplexes exist throughout the entire corridor on both sides of Scott Blvd: namely across the new business complex between Faurot Drive and Smith Drive; duplexes in Georgetown; newer apartments and duplexes in Cherry Hill and duplexes continued on the corridor south just before the MKTrail. Adding a new multi-family complex adds only to a saturated market which can lead to neglected properties in some areas and a decrease in middle-income home values in those areas.

This leads to our second reason to disagree with more R-MF-like properties, high-density rental properties will decrease the value of middle-income homes by as much as 14% based on [realtor.com](#) survey (2016, [The Neighborhood Features that Drag Down Your Home Value](#)). Middle-income families and their buying power have been on a decline for decades. Protecting

middle-class home values is one way to help slow down this growing decline in buying power.

I like to practice positive thinking and big-picture ideas. With challenges come opportunities. Let's ask ourselves what unexpected opportunity lies in this new lot. In Columbia's Comprehensive Development Plan, what are the wish lists that could benefit a large community? Does the Park & Recreation department have a wish for more family-friendly community centers such as swimming pools or pickleball courts (super popular, healthy, and socially acceptable programs)? Thinking outside the box may offer a grand opportunity. Just a thought.

Thank you for your time and consideration.

Alma & Bryan Hopkins  
805 Stratford Drive



David Kunz &lt;david.kunz@como.gov&gt;

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**Fwd: REZN-000183-2024: at 4414 Smith Dr**

1 message

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**Patrick Zenner** <patrick.zenner@como.gov>  
To: David Kunz <david.kunz@como.gov>

Tue, Jul 23, 2024 at 6:58 PM

Please add to the correspondence file and ensure this is included in the attachments that will be sent to Council.

Pat

Sent from my iPhone

Begin forwarded message:

**From:** "Zhou, Mingyi" <zhoum@missouri.edu>  
**Date:** July 23, 2024 at 6:44:25 PM CDT  
**To:** [Patrick.Zenner@como.gov](mailto:Patrick.Zenner@como.gov)  
**Cc:** [mayor@como.gov](mailto:mayor@como.gov)  
**Subject:** RE: REZN-000183-2024: at 4414 Smith Dr

Dear Council Member:

My name is Mingyi Zhou and my family are longtime residents in the Hamlet subdivision. We are writing concerning the rezoning request by Joe Barraco, the son of Dan and Audrey Barraco to rezone from R-1 to M-OF. The reference case number is REZN-000183-2024. This property address is 4414 Smith Dr. They have written to our subdivision for support claiming their interest is to add a home for the son on their property. We would support rezoning their property to two or three R-1 single family lots. This would allow their son to build a home near his aging parents and not affect the property value of all of their neighbors in the subdivision. We are against the request of rezoning to M-OF that will negatively affect our quiet neighborhood and reduce our property value.

Thank you for your consideration,

Best Regard,

Mingyi Zhou

[4700 Manhasset Dr.](#)

[Columbia, MO 65203](#)



Patrick Zenner <patrick.zenner@como.gov>

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**REZN-000183-2024 4414 SMITH DR COLUMBIA, MO 65203**

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denise hartley <denisehartley1122@gmail.com>

Wed, Aug 28, 2024 at 1:30 PM

To: timothy.teddy@como.gov, "Patrick.Zenner@como.gov" <Patrick.Zenner@como.gov>, "david.kunz@como.gov" <david.kunz@como.gov>, "ward4@como.gov" <ward4@como.gov>, "mayor@como.gov" <mayor@como.gov>, sgermain@veteransunited.com

Hello,

I am a neighbor residing in the Hamlet subdivision. I am writing to object to the rezoning of REZN-000183-[2024 4414 SMITH DR, COLUMBIA, MO 65203](#).

I feel the current owners have not operated in good faith toward the neighborhood and have not been forthcoming with the details of the sale and intended use of the property.

I foresee the traffic congestion that already exists at that commercial corner of Smith Drive and Scott Boulevard becoming much more of a problem with the rezoning that is requested.

Please follow the recommendation of the Planning and Zoning Commission and deny the request to rezone this property to M-OF.

Thank you.

Sincerely,  
Denise Hartley  
4609 Sussex Dr.