

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
June 8, 2023

Case Number 157-2023

A request by Crockett Engineering (agent), on behalf of The Columbia Housing Authority (owners), for approval of a major PD (Planned Development) plan revision modifying the existing "PD Plan for Kinney Point" and the associated statement of intent to permit the development of the site with 10 additional residential units. The request includes a proposed design adjustment, seeking relief from the provisions of Section 29-5.1(c)(4)(ii) of the UDC, requiring the dedication of right-of-way for both Grand Avenue and the adjacent alley to the north of the subject parcel. The 2.95-acre subject site is located at the northeast corner of Garth Avenue and Sexton Road.

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. The following recommended actions are proposed by staff relating to the applicant's request:

- Denial of the requested design adjustment from Section 29-5.1 in regards to ROW dedication along Grand Avenue;
- Approval of the requested design adjustment from Section 29-5.1 in regards to ROW dedication along the alley adjacent to the northern property boundary, pursuant to Item 11 of the addendum to the statement of intent;
- Approval of the revised "PD plan for Kinney Point" including design exceptions for reduced setbacks along Sexton Road, Grand Avenue, and the unimproved alley to the north, as well as the revised statement of intent, subject to dedication of the required right-of-way for Grand Avenue and other minor technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any members of the Commission have had outside contact with parties to this case, please let us know. Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Just as an FYI, I did attend the community engagement offered by CHA at the Community Center/Church, and I am aware of their -- particularly their request for design exception on Grand Avenue.

MS. GEUEA JONES: Okay.

MR. MACMANN: Just wanted to let you know that I didn't influence it, but I'm aware of it.

MS. GEUEA JONES: Thank you for being forthcoming. Anyone else? Seeing none. Any

questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you very much. Two questions, Mr. Palmer. Southwest and northeast. Southwest, in the future, if the City does put a round-about there, would they assume control of the stormwater for the CHA property?

MR. PALMER: Yeah. It -- so the -- the stormwater basin that they show on their plan would essentially be engulfed by right-of-way at that time.

MR. MACMANN: Uh-huh.

MR. PALMER: And then it would have to be, obviously, kind of replaced with whatever is done with the roadway. So it will -- it will have its own impacts and it will all be kind of mitigated together. There's -- there's really no design way around that is the --

MR. MACMANN: Where I'm going with this is that, currently, all of our builders and our owners are responsible for their own stormwater going forward since 2017. This would put the City in a position where they would be assuming responsibility for CHA stormwater.

MR. PALMER: Yeah. I imagine anything that is -- remains on their private property will still be their responsibility, but because the City will be impacting their stormwater facilities, the City would be then responsible, basically, for addressing the impact that they're creating.

MR. MACMANN: That's where I was going. I just wanted to have that in writing.

MR. PALMER: Yeah.

MR. MACMANN: The next thing is the alley as it terminates into Grand. As far as we know, there is no adverse possession or anything of that property that actually crosses the line there?

MR. PALMER: No. Like I said, I -- I don't remember the genesis of it, but basically, it's an -- it's an existing or it's a nonconformance, but it's -- it's not one that we would pursue making any changes to. So as long as that house remains there, I don't see there being any -- any movement towards building an alley in there either.

MR. MACMANN: All right. That was all my questions for the moment, Madam Chair. Thank you very much.

MS. GEUEA JONES: Thank you, Commissioner MacMann. Commissioner Wilson?

MS. WILSON: If I remember, doesn't the City also have plans for the adjacent corner across from Oak Towers?

MR. PALMER: Yeah. So what you see here to the southwest; is that what you're talking about - this lot here?

MS. WILSON: Yes.

MR. PALMER: Yeah. That's been kind of consolidated by the City, and actually the white kind of area you see, this is actually a storm sewer that was installed to address a lot of the regional storm issues in that area. And so that site, I believe the plan is to remain green space and it's devoted to stormwater mitigation. And it serves -- well, I'm not going to pretend to know where the watershed is, but it serves this general area and addresses kind of a deficiency that was there up until two, three years ago, so --

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: Yeah. Just so I'm perfectly clear, what are the consequences of denial of the design adjustment on Grand? I want to be --

MR. PALMER: Yeah. Again, so I'll show -- let's see if I can -- so the design adjustment is for this setback, and -- or it's actually for the right-of-way, so it would have an impact on the setback. So if they give five feet of right-of-way here, this -- this dash line is the ten-foot utility easement, and so half of this would -- would suddenly be right-of-way, and then that would effectively make the front-yard setback on those units ten feet. So either they don't dedicate right-of-way and it's 15 feet, they dedicate right-of-way and it's ten feet, or they dedicate right-of-way and they have to shift the homes back. And it's really -- depending on what you guys want to do there, it could be a ten-foot setback, a fifteen-foot setback or a twenty-five or twenty, you know, however that works out. But I just wanted to put that in there that if -- if we don't approve the design adjustment for right-of-way, they have to dedicate it and then this area might need to be redesigned. So if you don't approve it, we would probably want some kind of idea of what would be acceptable at that point.

MS. GEUEA JONES: Are you finished with -- thank you, Commissioner Placier. Anyone else? Commissioner Dunn?

MR. DUNN: Thank you, Madam Chair. Just out of curiosity, I saw, you know, initially, when they purchased the property that they were -- they had a plan for 50 units or a little bit more, and now we're on the iteration of a plan that's down to 36 units. Do you know the reason for that decrease?

MR. PALMER: I know that some of the more recent changes have been in response to public comment. There's kind of a negative connotation with, you know, vast quantities of apartments adjacent to single-family homes, and some of the neighbors were concerned about the density there. And then also there's the component of character and aesthetics and, you know, a 50-unit apartment building looks different than single-family homes. And so this plan and the two previous plans was an effort by the Housing Authority to bring it into character, and also kind of temper the density and make something that is a little more friendly to the existing neighborhood around it, so -- and Mr. Cole is here. I don't know if he plans to speak, but he can give you a little more detail on the history of it, I would think, but that's -- that's the gist of it, so --

MR. DUNN: Thank you very much.

MS. GEUEA JONES: Before we go back to Commissioner Wilson, anyone else? Commissioner Loe?

MS. LOE: Thank you for the report, Mr. Palmer. Can you go back to the slide that's showing the design adjustment -- not the -- the exceptions where you had -- there, perfect. I'm going to start with the alley. So I noticed on Note 11 in the statement of intent that it identifies that they will provide the right-of-way where feasible. I'm interested in how, if we don't anticipate or plan for that right-of-way at this stage, what we can expect to be feasible down the road. And part of my reason -- or interest is noticing that building nine, which is the building in the northeast corner, we're getting pretty close to the building

setback line, both on the north and on the east sides. So if we need to move that right-of-way in 18 inches, do we have -- is that building set 18 inches off the property line or the setback line right now?

MR. PALMER: They are not directly on it. I think -- I think they are 18 inches off of it, but I -- I don't remember exactly.

MS. LOE: I don't think thinking they are or hoping that they will be really satisfies our allowing them not to dedicate that right-of-way at this time. I mean, if we're anticipating to get that in the future, we should be ensuring buildings aren't constructed in such a way that it prevents us from getting that down the road.

MR. PALMER: Yeah. If I had a better plan on here, I believe you would see it. It is set back, but I don't --

MS. LOE: So can we ask for that to be documented in some manner? I mean, I understand they may not want to --

MR. PALMER: I mean, if it's depicted on the plan that way. I just -- I don't feel comfortable saying it is, looking at this, but --

MS. LOE: No. I understand that. I'm asking for documentation on this plan showing an 18-inch setback.

MR. PALMER: Oh, yeah.

MS. LOE: So that we can see that that will be accommodated in the future.

MR. PALMER: Yeah. There is no reason we can't add a dimension on there that shows that.

MS. LOE: All right. Thanks. On the Grand Avenue setback, you refer to a couple items that allow for adjusting the setback on the Grand side. One is the median setback. That allowance is provided when the lots on either side of the residential lot have been developed with residential structures.

MR. PALMER: Right.

MS. LOE: In this case, we have one lot that's been developed with a residential structure and one that's been developed with a parking lot.

MR. PALMER: Right.

MS. LOE: So it's not -- doesn't precisely follow that. That provision also states that in no case shall the setback be less than the minimum setback established in the table. So I just wanted to point out that there's a couple of more provisions within that exception that we're pointing to that makes me a little bit tenuous about including that as our justification.

MR. PALMER: Well, I -- I want to point out, that's the applicant's justification that's just reiterated in the report. And they're pointing to this as a side-yard setback, which would be the 15 feet.

MS. LOE: I'm still getting there.

MR. PALMER: Okay.

MS. LOE: All right. So the three houses to the north, which are identified as meeting or establishing that median, just want to point out that one of those structures appears to be built over the

property line. Those two lots just north are under 3,000 square feet, and none of our Code would not be allowed to be redeveloped as is. Once you get beyond those three houses, the other lots appear to be aligned north-south, not east -- so we have three structures due north of this lot. Two of them are so substandard, we don't have any provision in our Code that would allow the lots to get rebuilt at this point. I'm having a little bit of a hard time hanging a justification on this one. That said, the other justification was using the side-yard setback. Understand that we're not strictly a corner, but that the corner is developed with a parking lot. Do you agree that the side-yard setback is 15 feet? However, when I look at the plan, it appears to me that the porches encroach into that side-yard setback. And in your -- in your report this evening, Mr. Palmer, you referred to those as the front yards on Grand. We have to decide if we're treating these as side yard and giving them the side-yard setback, or if they're front yard, and then we have to look at it with front yard. We've been around on this setback discussion because we've been looking at small lots and we've decided internally that 15 feet is too small for a front-yard setback because we do have that porch encroachment allowance, and then when we have the ten-foot utility easement, we're starting to butt up against each other. It's getting too close. So if we're going to treat it as front yard, I think we're going to be pushing it back to 20. Or if we're going to treat it as side yard, we have to pull those porches out of it, because our porch encroachment is allowed in the front and back yards only, not in the side yard. All right. I want to move on to sidewalks. Mr. Palmer, you identified in this report that staff was comfortable with a reduction in parking because bus routes, parking across the street, other provisions which was a statement that came through in the previous presentations. The Commission also had some concerns about the reduction in parking. One of the things that I believe alleviated the concern was that there were connections to the street that would allow for pedestrian circulation to -- to the buses, to the parking, because parking is allowed on the north side of Sexton. In the original plan you showed, there were 11 sidewalks, plus -- onto Sexton, plus one onto Garth. And at that point, the lot didn't go over to Grand. In the next iteration, we still had three sidewalks coming through onto Sexton. We had lost the one to Garth at that point. In this one, we have one sidewalk going to Sexton, no sidewalks close to the corner of Garth and Sexton, and we have one going from the units side to Grand. I'm also concerned about the interior circulation. We don't appear to have a sidewalk connecting the units on the west side to the community building. Given that this is public housing with, I'm assuming, public dollars in it, accessibility will be a requirement which typically has a requirement for all the units to have an accessible route to the common areas. So I'm going to be looking -- I was just wondering about staff's evaluation of the site circulation. Was there any discussion on the reduction in sidewalks?

MR. PALMER: No, to be simple with the response. Yeah. I'll just leave it at that. The Sexton one is an issue that is of concern to me, too. The internal stuff, basically, the connection to the community building in particular, they're focusing on maintaining the existing there, but beyond that, I would -- I would probably leave that to --

MR. KELLEY: Sorry. This is Brad. Just looking at the plan. Looking at the parking lot, you see a -- so you have a darker crosswalk that goes through here. I -- it looks to me that that's intended to be

provided accessibility from the southern units to the community building. It looks like it's on the plan I have in front of me a little bit more detail. It looks like it has ramps from the sidewalks on either side of the parking lot, and then it has blocked out a parking space to provide a route to go through, so it looks like it has provided some accessibility connection from the southern units to the community building.

MS. LOE: Some -- some municipalities might allow an accessible route to traverse through a driving lane or -- and crossing a driving lane is pretty generally accepted. Traveling in a driving lane is generally frowned on. So -- and I don't think it's a big fix. I'm -- I'm just saying if we're going to be making exceptions, or if we're going to be reducing parking, then I think we really need to be -- I remember one of the things we asked for in the last iteration was that the bike racks be included, and I was happy to see that those were showing up in this plan. If we're reducing the cars, we need to be providing for the other types of transportation and circulation that we're saying are occurring. So, thank you. I think that's my comments or questions.

MS. GEUEA JONES: Thank you. Commissioner Wilson?

MS. WILSON: I will save it -- I'll save it for --

MS. GEUEA JONES: Okay. Sure. Any other questions for staff? Seeing none. We'll go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Mr. Crockett, how are you and Mr. Cole going to divide up your six minutes?

MR. CROCKETT: Do I get six and then he gets three?

MS. GEUEA JONES: Well, I was -- we can do that, or I can give you three and him six.

MR. CROCKETT: I'd rather -- I'd prefer for me to have six, and then I'll let Randy --

MS. GEUEA JONES: Very selfish of you.

MR. CROCKETT: I know. I know.

MS. GEUEA JONES: I am joking, for the record. That's fine. We'll give you six. Thank you.

MR. CROCKETT: Thank you. Tim Crockett, Crockett Engineering, 1000 West Nifong. Again, with me tonight is Randy Cole, executive director, of the Columbia Housing Authority. Quick overview. I think that Mr. Palmer did a very good job. He gave you an overview of the project that's before you tonight. One thing I want to talk about is -- is the why we're here. You know, we're talking about what we're doing and -- but I want to talk about why a little bit. As you're certainly aware, one night for -- it took one day, tomorrow will be one year since this Commission has seen the previous plan, so it's right at a year. This is the plan before you, was approved by this Commission. It had, I believe, you know, the six buildings, 24 total units on the site. And, of course, at that time, the Columbia Housing Authority did not own the adjacent property. And so this plan was approved and so regardless of what happens tonight, this plan will still be there. Since that time, we've wanted to add to it. The adjacent piece of property became available, the Housing Authority purchased it, and they want to add another five two-unit buildings to the project. Now the existing project had two-, three-, and four-bedroom units. The proposal

-- the addition -- the additional units are going to be single-family, or excuse me, single-bed units, so add a little bit of different unit mix to the project. For the why we're here, so as indicated, this piece of property was platted in 2012, and it was platted into two lots, 1A and 1B. Look at this schematic here, you'll see the darker line that delineates the two lots. So internal to the development, we have a lot line and we're proposing to put buildings over that lot line. Obviously, we can't do that with the new UDC. Therefore, that lot line either has to go away or be modified. In the past, we simply would have taken that lot line right line right here and simply slid it over the red line, simply slid it about 20 feet, with an administrative survey. It takes about 30 days to get approved through the City, and that's done. And then we come back and with a PD plan for the new addition, not the existing portion. However, with the new UDC, it doesn't allow us to simply move internal lot lines as shown. We can't move that one lot -- one lot line 20 feet. Here's a copy of the original plat that was done back in 2012. I will note in 2012, the plat was approved, and the City did not ask for any additional right-of-way for Sexton or Grand, only in 2012, and that's a relatively recent -- recent plat. So when the properties were platted, we came back before this Commission a year ago with the -- with the PD plan, no additional right-of-way needed to be granted. And we come back forward now, and now we have to replat the property because we want to simply move a lot line or eliminate it altogether, and now we have to replat it. The replatting, now the City is coming back and saying, hey, we want some additional right-of-way. So that's the reason why we're here. That's why we're having the plan as a general all of it together back before this Commission. I want to talk a little bit about the design adjustments for Grand Avenue. This is Grand Avenue right here. It is a -- it's an improved city street, curbing, concrete, curb and gutter, sidewalk one side. It is about 32 foot in width. That exceeds the residential standard for a city street today. When this was done, I'm sure 32 was the standard at that time. Today's standard is 28, so if that street gets rebuilt, I would anticipate that it would probably be rebuilt to a 28-foot standard that conforms with a residential type street. As indicated before, here are the three existing homes. One of those is in -- is -- does encroach into the right-of-way of the alley street. Those are the three homes that you can see and how the vicinity they are with regards to -- to Grand. This is the parking lot on the south side. The CPS, Columbia Public Schools, has a parking lot on the south side. That is developed as -- as such, and you can see that they have their landscape buffer out there with the existing 40 foot of right-of-way. On the other side of the street, you can barely see it, it's the building off to the left side. That is -- that is the elementary school, so that's Ridgeway Elementary School, that's about ten feet off the back of curb. You can see that it's somewhat limited through there; however, the street itself is wider than it needs to be. So when we talk about changing, having different modes of transportation, we -- I certainly believe that you can build two-lane traffic, conform to City standards, and have a bikeway -- a bike/pedway through there if needed. This is a blow-up of that -- of that portion that we're adding to the plan. Part of the reason why we're asking to put the buildings where they are is due to conversations that were had with the neighbors. The neighbors want these buildings closer to the street to conform with what's out there today. They want it to have a sense of scale. They want it to have a same feel, have them closer to the road. Mr. Dunn, to answer

your question a little bit, the original plan was for 50 -- 40 to 50 unit building, but that was one big, massive three-story building that just was out of place. It didn't fit, didn't fit the character of the neighborhood. Mr. Palmer was right. It was mainly due to the characteristics of that building in an existing neighborhood. The neighbors wanted something different, and the Housing Authority wanted something different that fit in better with what's out there, the existing neighborhood, as opposed to just one big, large apartment building that just didn't simply fit in. It wasn't neighborhood oriented. So we can kind of see the situation that we have here. And so the idea that we talked about was, yes, can we push those buildings further back. The neighbors don't want it and they've talked about that. We've -- we tried to accommodate their needs, their concerns. We can grant the five foot of right-of-way. We can push everything further back, and we can achieve that, or we can ask for a ten-foot setback along Grand Avenue as opposed to the 15 and keep the buildings where they are. Our suggestion would be similar to what we've done on Item 11 in the statement of intent that says if the City ever desires to -- and needs that right-of-way, then the Housing Authority will give it to them. They've done the same -- they've committed to the same thing for the alley. And that same commitment, mind you, was already approved on the original PD plan that was a year ago. That same statement, that same Number 11 was on that same statement of intent for the alleyway. And your concern, Ms. Loe, with regards to 18 inches, we can verify and confirm that we will be 18 inches off there, so it doesn't make it -- I completely agree with the fact, why -- why make a commitment to give up 18 inches if it goes through a future structure. Completely agree, and we can accommodate that. And I believe that we can do the same thing for Grand Avenue. I think that we could commit to say if the City needs five foot of right-of-way in the future, if they need it, we're happy to give it. Same thing that we've done on the intersection at Sexton and Garth. Of course, we talked about the alleyway, and I know I'm running of time. Of course, the alleyway that runs through there, this is the entire alley. It doesn't -- you know, when you go further north, the alleyways -- the alleys go further east and west. It's more than one block. This alleyway is just one block. It doesn't go any further to the east, it doesn't go any further to the west. This is it. Of course, you have the one structure that does encroach all the way through it. Again, the parking requirement, we talked about this last time. I'm happy to answer questions. I'll go through it really quickly, but we simply don't believe that -- that the tenants of these units are going to have the typical parking ratio that you do in market-rate housing, and that's what the calculations and the parking regulations are formed around are basic, you know, overall market rate, and that's not what we have here. So we believe that we have a different situation that accounts for needs less parking. And besides that, we have overflow across the street that accommodate that, so we think we can handle that. I want to talk about the sidewalks, Ms. Loe, a little bit. The sidewalks that go out to Sexton, absolutely. I'll confirm the plan, check that, and if we need them on Sexton, we'll add that. If we need to -- and knowing that they have a -- you know, this is where the funding sources come from for HUD, absolutely. All -- all portions on the site must meet ADA, so we have to -- you know, every dumpster has to ADA accessible. Access to the clubhouse has to be accessible from every unit, so we'll confirm that and add sidewalks if needed. To answer your question with regards

to the ones that come out onto Sexton, the reason for that was is when the City took five additional feet -- you were correct. We had three -- three sidewalks that had access to Sexton. When we did that, when the City asked for additional five foot of right-of-way, that has to be graded or maintained at a certain elevation; okay? We have to come out flat. When they take that extra feet, we were sloping up to get to our units, but when that extra five feet comes over, now it's too steep and now we can't provide handicapped accessible sidewalks out to Sexton. Could we provide one that has steps? Potentially. But the one that you do -- that's shown on the plan is a handicapped accessible ramp and is noted as such. And so that was the reason for that. It wasn't an oversight, it was because when you take additional right-of-way, they took our ability to grade our site accordingly. And so with that, in conclusion, you know, I think I've covered all those items. I won't -- I won't reiterate everything. I'm happy to answer any questions, and Mr. Cole can speak after myself.

MS. GEUEA JONES: Any -- okay. We're going to start with Commissioner MacMann, and then do Commissioner Dunn.

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, thanks for your pictures. Can we return in your picture presentation to us looking north on Grand to the houses, the one where you're looking straight up the sidewalk. There.

MS. GEUEA JONES: Uh-huh.

MR. MACMANN: And those are like -- I have been on this property. Those are, like, 14, 15. They're right there. They're right there.

MR. CROCKETT: You are correct.

MR. MACMANN: If the City wants to run -- let me back up a little bit. Do you know where the existing utilities are? Are they in the street? Are they under that sidewalk?

MR. CROCKETT: They're in the street and they're -- yeah, they're in the existing right-of-ways, yes.

MR. MACMANN: Okay. That's where I was going. That's -- my review of the property led to the same thing. It's my understanding that utilities was unwilling to surrender a utility easement where they don't have utilities, which I find somewhat frustrating. I agree with Ms. Loe's points. If they're going to run City utilities down the west side of Grand, they're coming right to these people's front doors. That's what it looks like to me. You're the engineer; is that what it looks like to you?

MR. CROCKETT: No, that is correct. But it's -- it's no different than that we run sanitary sewer between -- between two homes. Or a water -- excuse me -- or a water line between two homes. And so those easements do go up to close to the structure many times. And so, that's not uncommon at all. So, now by having a ten-foot utility easement and a 15-foot setback, that extra five foot is actually more than - than the utility companies get many times.

MR. MACMANN: All right. I'm just --

MR. CROCKETT: But I do understand your -- your comment and your question.

MR. MACMANN: Yeah. But the -- where I'm going here is I think there's plenty of room. I've

walked this a lot, particularly since the easements are not currently there. I don't have any more questions at this time, Madam Chair.

MR. CROCKETT: You know, one thing, if I may add real quickly. If you look at these homes, you'll see the car parked in the driveway. One thing we don't have that -- that the existing residences do is driveways onto Grand. All of our parking will be in the rear, so actually it'll just be the front of the home and no driveway, which would be rather -- rather nice for that area.

MS. GEUEA JONES: Thank you. Commissioner Dunn?

MR. DUNN: Thank you. Just a quick question. I was referred, I believe, in staff comments and also in some of your analysis on the reduction of parking spaces. One of the reasons being why we think it's acceptable is because there's a bus route there, but given the City's proposal to currently cut bus routes, do we think that that reliability is something that should be accounted for in this proposal?

MR. CROCKETT: Well, I think that cutting bus routes in the central City is going to -- is anti-productive to start with, but it's also in the central City, so it's very walkable to a lot of other locations, as opposed to outlying areas. And so I still don't think it's going to change the fact on what the home -- or what the car ownership ratio is or vehicular usage is going to be for the tenants of these -- of these homes, so I don't think that's going to greatly affect what that ratio should be.

MR. DUNN: Thank you.

MS. GEUEA JONES: Commissioner Wilson, did I see your hand?

MS. WILSON: Yeah. I can ask my question. So I actually had a child that went to Ridgeway, and I remember the pain of the traffic on that street, having to pick up my child after school or drop off before school. And so we're adding more congestion. Has there been any consideration about that traffic and how that's going to flow and how that's going to work?

MR. CROCKETT: Well, this -- let me back up here, Ms. Wilson. So every project that gets submitted to the City of Columbia, the City traffic engineers review. And so what they look at is they look at how it accesses the roads, and then how does that traffic get out, if you will. The situation here is the majority of the congestion for Ridgeway, it's my understanding, is along Sexton itself. And so, this development, if there's congestion to the south, it has two ways that it can enter and go north, so it can -- it can go around the majority of that congestion, if possible. If need be, they can go out to Garth, head north, and then they can avert going through those congested areas if -- if it's bothersome to them.

MS. WILSON: It's Sexton and Grand, it's not just Sexton.

MR. CROCKETT: I'm sorry? Sexton and Grand, both. Again, with the ability to come out the other direction out onto Garth gives them -- give the residents of this facility another way out, but your point is well taken. I mean, all around all the school, there's -- it's congested and, in the morning, and in the evening, absolutely -- afternoon, excuse me.

MS. GEUEA JONES: Anything else, Commissioner Wilson?

MS. WILSON: No.

MS. GEUEA JONES: Commissioner Placier, go ahead.

MS. PLACIER: Yes. There have been comments last time and this time about using Oak Tower parking lot as overflow. And yet it's sort of hinted at. Is that an official decision?

MR. CROCKETT: Yes. I mean, I think that that's -- the Housing Authority is -- they own both properties. And they will certainly allow the residents from this facility to have overflow parking at Oak Tower's facility. We don't anticipate the need for those overflow parking spaces, but if they're needed, the Housing Authority is committing to allowing Oak Tower's parking to be utilized for this development, if needed, although we don't think that they're going to be needed.

MS. PLACIER: Well now that there is this community center, there could be events or who know what that would --

MR. CROCKETT: Right.

MS. PLACIER: -- necessitate some overflow beyond the one --

MR. CROCKETT: Right. And those parking spaces -- and those additional parking spaces are directly across the street. Sexton does allow for on-street parking as noted in the staff report. I don't think anybody really wants to utilize Sexton as on-street parking, so that's the reason why we want to use the overflow parking in -- in Oak Tower's parking lot. That's where we want to direct that traffic. We don't want them to park on Sexton.

MS. PLACIER: Okay. As long as that's an official deal, I think -- and the other thing is, what about pedestrian access across Sexton from Oak Towers?

MR. CROCKETT: We talked about that, I believe, at -- yes, ma'am. I think we talked about that at the last -- at the last -- a year ago, and the access would come down and come at the intersection. I know folks will either -- are going to walk to the intersection and go across. That's the safest place to cross a street is at a controlled intersection, as opposed to mid-block. And so that's where we would direct that traffic is to try to get to that intersection, cross safely, and then come up.

MS. PLACIER: Well, I'm not sure people will agree with that, but --

MR. CROCKETT: Yeah. Yeah. We can't -- we can't control how they walk. I understand that. But that is the safest place. We don't want to encourage -- try to encourage mid-block crossings if we can keep from it.

MS. PLACIER: Yeah. I was just thinking if there's a possible crosswalk, but I guess that is too close to the corner for that.

MS. GEUEA JONES: Thank you, Commissioner Placier. Anyone else? Okay. Seeing none. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Mr. Cole?

MR. COLE: Can I tack onto that question about the sidewalk, as well? We're in the process of actually donating some right-of-way on the Oak Tower property to the south to the City for the Sexton sidewalk project that'll go from Garth to Mary, so that will improve some of that sidewalk access on south, and demonstrate that whenever there is a need for right-of-way, we're going to be a good partner and

provide that to the City. We're doing that right now. So I'll start with my piece. I don't know if there's a timer, so I'll start my phone. The PD Plan amendment really was due to us going out and getting \$3 million in additional funding from the State to do more affordable housing for our community. We're definitely in an affordable housing crisis. There is a significant need, we see it not in just the papers and the meetings that a lot of folks are having around town, we see it in our lobby every day, and experience firsthand the trauma that people are impacted by by not having affordable housing. It creates ten additional units, all one-bedroom units. Our current wait list, we have over 1,200 households on our wait list. If you look at that wait list, 600 households are in need of one-bedroom units, and those are the hardest units to find in our town, so that's why we chose strategically to do ten-bedroom units on this. So there's a dire need, and it would serve that need. We see over 150 people in our lobby each week. We keep a count on that. You know, public, private, and charitable investment is required to do affordable housing. The gap between what it costs to construct and what affordable rent rates and price market rates are require us to go out and get funding, and we've -- we've done a successful job of that. Much of the result is from the support of this community, this Commission, and the City Council, Veterans United, and we have \$2 million from the City, \$1.3 from VU, that got us \$5 million from the Missouri Housing Development Commission, and then we went out and got \$3 million additional from the Missouri Department of Economic Development. So that's the kind of effort it takes to do affordable housing. So a lot of additional barriers to navigate through the funding outside of this process, which makes us unique from other developers. We did a significant amount of neighborhood engagement because that's something important to me and to CHA. And we have a really great partnership with the Ridgeway neighborhood. We started our input back in 2021, so some of the input quotes from the neighborhood was a desire for smaller ADU style homes, houses with front porches, and are close to the street. That's actual real feedback that we have received on multiple occasions, with parking in the back to kind of keep in character with the neighborhood. We did an additional meeting on the 29th -- back in 2021, we did two or three where not only we got input from the neighborhood, but they were really a partner on planning what this development looks like, so it wasn't just us creating a plan, getting their input, it was designing it together. And we went back to them on the 29th in a similar fashion. They thought the designs blended really well with the neighborhood and there was a lot of positive feedback. Got some pictures from the event at the community facility. We're really excited about the facility. We've been using it for a variety of programming for our families, other partners. We're also going to have that space available for Ridgeway to do some of their neighborhood meetings, and when we have events, yes, we have parking over in Oak Tower. That's where I parked my truck for that meeting, and it worked fine. The front setbacks on Grand should be decreased to align with the existing homes. That was a feedback we received from several people. They thought the 25-foot setback would look awkward. I went out there, walked it with them. We looked at it and I agreed just from my perspective. Closer to the street would look better, and it would help us make sure that we can do the ten homes that we received money for. So that's the rendering of what they would look like as they front Grand. We tried to do a style that matches with the neighborhood,

and I think we captured that. But their duplexes with small, one-bedroom units, front and back. If you remember, these are the units from the original on Sexton, so these have been seen -- (inaudible). This is just a slide to capture some of the data, and I think it's important for the Columbia Housing Authority. I'm sorry my blue background got changed to white. But on the left, that number is 142. That's how many households come into our program -- or came into our programs in FY 2022. We served 2,100 households. That's about 4,500 people, but last year, we had 98 households increase their incomes to a level where they moved on and up into market-rate housing, because that's something that happens every year, every month, every week as people succeed in our housing. About 61 percent of our households served are elderly and disabled, so those -- those households typically, you know, stay with us for the duration of their life. But the other family households, you know, we have just as many going up and out into poverty as we have bringing off our wait lists because we have a lot of supportive services, and we think that community center is going to help us continue to meet some of those related results. In summary, we're experiencing unprecedented need of affordable housing. It's -- I haven't seen it since the ten years I've been working in the field. We have over 1,200 households on our wait lists, and affordable housing is -- is the answer to addressing housing insecurity and homelessness, and we have a significant need and data to demonstrate it. Our designs that we landed on were in trying to be a good partner to the neighborhood. That's how we landed where we were, and to make sure we could go get more funding to do more money -- or do more housing. Not only have we had good support here at the community level, we wanted to leverage that to bring more money back to our community to help more people, so that's -- that's why we're here tonight. And the design adjustment, I think, is reasonable, and in alignment with the neighborhood, and in the spirit of just trying to get the project done and get more people off the street and into housing. So, yeah. And -- and kind of finish, it really -- it makes us have the opportunity to be able to use the -- the \$3 million that we got for the project. So I do have concern that if it -- if it doesn't go forward, it would cause additional slowdown of momentum and additional costs. We probably have about 1 million in outstanding costs that we will get reimbursed when we close on all the financing and move forward with the project, and we still need to maintain our operations on caring for 751 households in our existing properties.

MS. GEUEA JONES: Thank you. Questions for Mr. Cole? Commissioner Wilson?

MS. WILSON: Well, I have a question, but I just want to say thank you for that explanation. I think that we are all in agreement that housing is important, so I appreciate your explanation and clarification.

MS. GEUEA JONES: Anyone else? I have one question. Why haven't we broken ground yet, and when do you plan to, because I know that we are on a clock because you're wanting to shift people over so you can do renovations and --

MR. COLE: Yeah. Yeah. So MHDC and DED want all of this plan combined for the closing on our financing, so it's critical to all of our funders. We have the \$1.3 million in VU funding in the bank, so we have that ready to go. The City has committed in their annual action plan and their budget. They've

gotten HUD approval, and so we have approval from HUD. We've done our environmental review notice, so that's ready to go. But we are waiting on a formal City agreement for HOME funds. There is not a delay on that. We are on track with what, having worked in the field, would be the expected time frame, but I would anticipate within the next probably 30 to 60 days, knowing that process, that we would have an agreement, and then we need to close on our financing at MHDC, the Department of Economic Development. We have our MHDC commitment. Closing is scheduled right now in August. DED has our agreement to us, so we're ready to sign and move forward. So really we just need to get into position where we have an acceptable plan that our community accepts, and we're committed to doing whatever that takes to get there, and we will be ready to break ground and move forward this year.

MS. GEUEA JONES: Okay. My other questions is, originally, I thought the plan was to move people who are already in your properties over to here so you can do renovations, tear-downs, rebuilds, whatever you need to do. Is that still the plan, or is this housing that will move people off your wait list?

MR. COLE: There will be some that come here, you know, probably five to ten. We have 120 units that we're working to tear down and build new. We have 70 of those funded, so we have 120 public housing units remaining. So within that, HUD is allowing us to not refill the other 50 because we're getting ready to apply for funding for that project to -- to finish out our public housing. So right now we have 15 vacancies within that portfolio, and HUD is allowing us to move people within that portfolio, and we anticipate that getting to be closer to 20 by the time we close on Kinney Point and Park Avenue. And if you look at Park Avenue, those three blocks is made up of about 20 to 25 households per block, so we'll probably move a significant portion of people within our downtown portfolio, but we will, if we have flexibility to move people over to Kinney Point and the timing is right, we would -- we would take advantage of that, as well. There's going to be phases on Park Avenue. It won't all happen at once. It'll be a block at a time. But we've notified all of our residents about that. They're aware of it. They're excited, and we're continuing to communicate with them and even providing them tours of some of our empty units so they can plan and anticipate and know what's coming.

MS. GEUEA JONES: Okay. Thank you. Any other questions? Thank you very much.

MR. COLE: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Come forward, name and address for the record, and pull that microphone down to you. Both these guys are kind of tall.

MS. JESSE: Yeah. I didn't wear high heels; I wore tennis shoes. My name is Connie Jesse; I live at 16 East Sexton Road. Commissioner Wilson is not under -- she's understating the congestion for Ridgeway School, and I invite any of you to bring a cup of coffee at 6:45 in the morning and sit on my front porch and you can see it. There's -- the reason why we fought for the sidewalks to be improved on Sexton Road was because some kids were getting close to getting hit with cars. And so -- but the pictures that were presented to you are really not a true presentation of what's on at Grand, because the corner lot that the Housing Authority doesn't own is a parking lot for Ridgeway School for the teachers. And there's not enough parking there, so they park on Grand Avenue, on both sides of Grand Avenue,

which will affect this. And when they -- when Ridgeway has an event, any kind of event, right now, they're parking in the parking lot where the community center is, where City of Refuge was. And on your -- can you bring up one of those pictures of the property -- the development, what you're planning on doing, because I have some questions about that, too?

MR. PALMER: Do you mean the site plan?

MS. JESSE: Yeah. Well, yeah. So I'm just wondering where the fire hydrants are going, because there are several fire hydrants on this property right now, and you're going to build all these apartments, and where are the fire hydrants?

MR. PALMER: Well, they're depicted on the plan. You can't really see them, but there is a standard, and I don't know it off the top of my head, but it will meet the City standard for spacing on fire hydrants. It must.

MS. JESSE: So is it for the -- for the housing development, or is it for the private housing that's on Sexton Road also?

MR. PALMER: There will be public fire hydrants on -- on the frontages, in the right-of-way, typically. So they're not specifically devoted to this development. They would be publicly accessible in the event of an emergency that needs them.

MS. JESSE: I'll believe it when I see it. Anyway, the next thing I want to ask about is because when this started originally, the porches were going to be toward the parking lot. And so now you're talking about doing porches on the front and the back; is that correct?

MR. PALMER: Yeah. That was a specific request by both the public and Commissioners on the previous plan, I believe.

MS. JESSE: Okay. I don't agree with that one, but that's all right. The other thing that I have is this doesn't reflect the parking that's for the community center now, so you're -- the community center parking that's there now is going to be lost?

MR. PALMER: No. It's -- it's on the plan. I don't think you can probably make it out, because it's not -- it's not grade, it's not shaded like the proposed parking. But there are some parking spaces shown on the north side of the community center. And if you can see my mouse cursor up there -

MS. JESSE: Uh-huh.

MR. PALMER: -- there's a line of parking here, and then, of course, the driveway that traverses the site there, so --

MS. JESSE: I'm really surprised somebody from Ridgeway School is not here because, currently, when they have an event, they park in that -- they park in the community place that -- that you can't see on here. And how are people going to get to the community parking when this development goes through? You're going to have to go -- you have to go in on Garth, and you have to drive through the parking lot, and then is that what this is going to be?

MR. PALMER: It'll also utilize the existing connection onto Grand, but yeah. The -- the options are from the east and the west, Grand and Garth.

MS. JESSE: Is Ridgeway -- they're -- and the congestion aside, the school buses, it -- this is -- this is not going to work. I swear, there is not enough -- not enough, especially if you think people are going to park on Sexton Road, because currently you can't park on the south side of Sexton Road, you can only park on the north side of Sexton Road. And when Ridgeway has an event, and there's parking on Sexton Road, there's at least almost ten accidents every time Ridgeway has something because of the congestion. So I'm just telling you, I don't think you're being presented everything in a factual way when it -- especially when it comes to the school. And Commissioner Wilson, I mean, I don't how long it's been since you've been at Ridgeway School and been involved with Ridgeway School, but you're not getting the full story.

MS. GEUEA JONES: Thank you. If you could hold on just a moment, ma'am. Thank you. Questions for this speaker? Commissioner MacMann?

MR. MACMANN: Just a comment. Ma'am, there are current fire hydrants -- by the way, I'm there almost every day.

MS. JESSE: I live there.

MR. MACMANN: Sometimes at 6:45. There are hydrants on Sexton and Grand near the intersection. There's also one over on Garth. I'm sorry I don't remember the exact placement of them. The parking lot that is currently used by Ridgeway staff and overflow events, there's the parking to the north of the community building. The bottom half of that parking next to the community building will stay. The top half of that --

MS. JESSE: Faces.

MR. MACMANN: I appreciate that. Just FYI, the school does not own that property.

MS. JESSE: Oh, I know that.

MR. MACMANN: And I agree that may be somewhat problematic, but we have tension between housing and cars in this development. This kind of gets my goat a little bit. I believe that the -- I'm just going to leave it there. I'm just going -- I'm going to stop. Thank you, Madam Chair.

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

MS. JESSE: I have one other question.

MS. GEUEA JONES: Excuse me, ma'am. Sorry. Commissioner Placier?

MS. PLACIER: Well, I -- this may be out of order. I -- I just wondered if the previous speakers, at some point, could address communications with Ridgeway School; that's all.

MS. GEUEA JONES: Thank you, Commissioner Placier.

MS. PLACIER: That could raise --

MS. GEUEA JONES: We'll call them back up. Thank you. Any other questions for this speaker? I have one. Did you attend any of the neighborhood meetings?

MS. JESSE: No. I wasn't invited. My property is -- is on Sexton Avenue, but I'm not part of the Ridgeway Development or whatever the -- it is, and so, no. Never received an invitation, never received

an invitation when the Housing Authority did the thing at the community center across the street from my property.

MS. GEUEA JONES: I see. Thank you, ma'am.

MS. JESSE: Yes.

MS. GEUEA JONES: Before we go back to the owner and developer, any other speakers? Please come forward. Name and address for the record, and three minutes.

MS. KELLEY: My name is Pat Kelley; I live at 1007 Grand Avenue. And I wanted to make a note about the Ridgeway Neighborhood Association. Our boundary is the north side of Sexton. On the south side is Douglas Neighborhood Association, so we're not trying to leave anybody out, we just have -- so I was -- I was reminded again just the other day when I found -- when I saw a blanket laid out just outside my yard that somebody must have been using to sleep, how desperate we are for housing. And we -- over the probably 25 years I've lived on Grand Avenue and have been involved with the Ridgeway Neighborhood Association, we have seen a number of proposals for that area. And I've never seen one that has been so sensitive about the history of the neighborhood, the other houses in the area, that what used to be there, and also to keep the presence of trees. I think we're about 85 percent rental, and since I've lived there, I constantly see how we're losing tree canopy. So that was very important to the neighbors, and that's why a lot of the decisions about reduced parking was made -- was made to keep the -- to keep those trees there. When I was at the meeting, we went out and walked, you know -- you know, kind of stepped off the setbacks on Grand Avenue to just compensate -- you know, to have something that was consistent. And I walk up that street all the time, and as you -- as you go up the west side of Grand Avenue, there is -- you know, it has those three houses that are about 15 feet from the edge, and then the next -- on the next block, between Fourth and Third Avenues, it's actually both houses are side yards. And then the block after that is the block where my house is, and I meant to count it out, but -- you know, today, but it is close to the street. And so it's really nice to have that consistent walk up that street with the common setbacks. Another street I walk on quite a bit is Benton Street, and there are three houses that are, like, 30 feet back, and all the other houses are a consistent setback and it's just -- it's kind of unnerving. And so I -- I appreciate having a similar setback. And another thing is, I think, to keep in mind is to make decisions not just for what we have today, but what we want to have. One -- Eric Williams, who was the president of our neighborhood association, who passed away a few years ago, he was a master plumber and went on construction sites all over town. And one of the things that he noticed is that in more expensive neighborhoods, parents could walk their kids down the street to school. And the elementary school in our neighborhood, everybody is driving to from other parts of the town. And so if he had lived, I think that would have been a big project that we'd be working on in the neighborhood, and that there are other people who are interested to make that more of a neighborhood school. Another thing that we've talked about is on the southwest corner where the bio-retention device, that is, we've started putting in a rain garden, and among the neighborhood, we see that as the future site of Ability Park. We want to have green space, garden space, and those types of things there. And so we think that the

neighborhood is going to be much more walkable, and we want to work towards that. It's been historically a walkable neighborhood. And also, I just wanted to note that when we were here last year, I -- I have never walked through the Oak Towers parking lot that was more than, like, 25 percent full. And, in fact, I counted the number of average parked number of cars versus the number of spaces, and found out that maybe a fifth of the people in Oak Towers might have a car, and that includes staff cars and, you know, things that are just parked there, you know. So I definitely think that there will be room for extra parking just because I have never ever seen that parking lot full or even close to half full. And I think that's all I have, if you had any questions.

MS. GEUEA JONES: Thank you, Ms. Kelley. Any questions for this speaker? Seeing none. Thank you for being here tonight. Anyone else to speak on this case number? Seeing none. I will close public hearing. Oh, wait. No. I'm sorry. Commissioner Placier, I almost forgot you. Mr. Cole, Mr. Crockett, who wants to -- okay. Please state your name again.

MR. COLE: Randy Cole, CEO of the Columbia Housing Authority. With regards to Columbia Public Schools, I did give a tour to an administrative official, I want to say three weeks ago, with also Job Point there, because we're talking about doing some additional programming to help kids that need a nontraditional classroom setting of utilizing some of that community space during a time where they -- where they need it, so I think it's another great example of how it's a really good resource. We talked through the site, talked through the surrounding development, all aspects of the building, the exterior. I think people are really -- really jazzed about it.

MS. GEUEA JONES: Thank you very much. Or I'm sorry. Any other questions, since we've got you back? Commissioner Loe?

MS. LOE: Just because Ms. Kelley brought it up -- the trees. I noticed in the new plan we appear to have lost one of the significant trees. Just the rationale. I mean, we appear to have lost it for a parking spot?

MR. COLE: Yeah. I just asked Tim about that. I didn't notice that until this evening. I know we got the one down there on the corner. I believe it was the one in front of the four-plex. I'll work with them and see what that is. If -- if we can save it, we absolutely want to.

MS. LOE: I was looking at the one in the middle of the larger parking lot.

MR. COLE: Yeah. Yeah. In front of the back four-plex back there? I think that's where it was.

MS. LOE: The north side, yeah.

MR. COLE: Yeah. The north -- the north one. Yeah.

MS. LOE: Okay.

MR. COLE: Yeah. We'd be happy to do whatever we can to save that tree. Yeah.

MS. GEUEA JONES: Thank you. Any other questions? Thank you very much. All right. Seeing no other public comment, I will close public hearing, and go to Commissioner comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: So I do want to do a callback to something that staff said which struck me, and I think addresses the issue with the traffic at Ridgeway, which was this plan does not add any further detriment to the environment, and I think that that's important note because no matter what's going on at Ridgeway, you know, this is not -- that's going to happen. It's going to happen because parents are going to do what I did. You're going to drop your kid off at school because there's no sidewalk to walk on, although PedNet did try to handle that a few years ago, because I walked with my kid to school. So just calling back to that because I don't -- I just want to make that point, that I don't think that the housing is going to have an impact or not on the traffic at Ridgeway. It is going to be what it is.

MS. GEUEA JONES: Thank you. Any other Commissioner comment? Commissioner MacMann?

MR. MACMANN: I think I have a philosophical issue to bring up. I appreciate the concerns with the letter of the law regarding requests to some of the design exemptions. And I'd like to bring up -- the broader philosophical I'd like to bring up is we have only so much space and only so much money. And we have attention right here between, it looks like cars, and houses for people. I know where I come down on that. The issue -- and I appreciate the letter of the law issue with the easements on Grand. I walk those utilities. I asked that question. I asked it publicly again. Those utilities are in the middle of the street. Those utilities are not in the front yards. If the City at some point would like to expand Grand Avenue, widen it some point, I -- lots of buildings would come out of there, and everything would have to be redone. And Ridge -- the school is maybe 15 feet from the street -- maybe. So with those two tensions in mind, I'm going to come down on the side of housing. I appreciate some of the Commissioners' concern about the issues. We want to save the street, and we want to save, you know, the trees, and make it a walkable, and have as many housing -- houses as we can. And I will say this. This development has 14 fewer units that were approved in 2013 -- I think that's correct. And the parking was diminished, number one, because we've been trying to diminish parking and, number two, to second Ms. Kelley's view, I am working in the neighborhoods of CHA all the day. Twenty-five percent of those parking lots being full might be a sincere overstatement. Oak is -- the back of Oak is empty. I would think going forward, such things as perhaps a crosswalk at Grand and Sexton for the school kids and for the residents would probably be a good idea. And, again, no one does -- I'll second that. Nobody parks on North Sexton. That's a crazy idea. That's the philosophical issues I wanted to get away right now. Please, someone else, pick up the ball.

MS. GEUEA JONES: Thank you, Commissioner MacMann. Any other questions or comments - - Commissioner comments? Seeing none. I'd be happy to entertain a motion. And for -- because we have two new Commissioners, we're going to need at least three votes. The first one -- we're going to do them in order as they are on the slides. Very good. And we're not reading the red text?

MS. THOMPSON: Correct.

MS. GEUEA JONES: I'm looking at Legal for answers to all these questions.

MS. THOMPSON: So here's what I'll say. If you all vote to deny either of the design

adjustments, I think we need to take a pause at that point. A denial of a design adjustment would then require a denial of the PD Plan as it's currently presented to this Commission. If you deny design adjustment and want to have a discussion with the applicant at that point, that they would be willing to make a change to the PD plan that wouldn't require that design adjustment, I think you can make -- you can move forward tonight then with the PD Plan, with the condition that that change be made. But I just kind of wanted to get that out there, that a denial of either of those design adjustments would technically require a denial of the PD Plan.

MS. GEUEA JONES: Okay. So we will be making the motion on the design adjustments first. We will be making it in the positive. All of our motions are made in the positive. So we never -- we never move for denial. We always move for approval. So we'll make the motion on the design adjustment. Depending on how that vote turns out, we will take a pause and talk with the applicant again, or we will move forward with the next two votes on the second design adjustment and the full plan approval.

MS. THOMPSON: Correct. And if -- if you were -- in the event you were to approve both design adjustments and then vote to approve the PD Plan, the only part of the red that would be read is subject to technical corrections.

MS. GEUEA JONES: Subject to technical corrections.

MS. THOMPSON: Right.

MS. GEUEA JONES: Got it. Thank you very much.

MS. THOMPSON: You're welcome.

MS. GEUEA JONES: With that said, Commissioner Loe?

MS. LOE: I have some additional comments.

MS. GEUEA JONES: Please.

MS. LOE: Following on Commissioner MacMann's comment, I don't think the request for design adjustment on the right-of-way is a one -- it's not straightforward. So I don't -- I'm not comfortable with simply voting that up or down. I think -- I think there's multiple issues going on, and I know I rambled previously, so just point out a few that I'm still caught on. We have labeled the setback along Sexton the front setback. To my understanding, we don't do a front-yard setback on more than one side. I'm going to turn to staff for confirmation because on our description of a corner lot, we talk about a side yard. We do not have two front yards.

MR. PALMER: Right. I'm trying to think of the most simplistic way to describe this, but, yes. You have, typically, one front yard, opposite that would be the rear. In a PD, though, the planned district process allows them to stipulate which is which, and -- and seek those different setbacks, which is what's being done here. But past -- I believe it's been removed from the Code, but in the past, PDs were required to have a 25-foot perimeter setback, and I think we did away with that in recognition that it's -- it's not how everything else is done with a front and a rear and sides. So are often seeking relief from those 25-foot setbacks, and as opposed to that, we're not allowing them to, you know, designate which is which, basically.

MS. LOE: And I understand that we often look to the regulations within the Code to help establish minimum requirements. I'm perfectly comfortable with the applicant proposing which yard -- which setback they want to be a front. I'm less comfortable with saying I'm going to have more than one front. Maybe I'm going to have more than one back rear-yard setback. Right? As soon as we get into that situation, it's - that starts to fall apart for me. So I need additional clarity. You can choose which one you want, but then if we're going to start looking at how to alternatively apply some of the regulations, we can't sort of cherry pick the different elements from different sections that we want. So in this one, I feel like we're picking the side yard, and then we're going to pick something that actually is ascribed to a front yard, the porch encroachment. Our regulations specifically don't allow those to go together. So either we have a front-yard setback on Grand and on Sexton, which is what the plan appears to show, except that's not what the staff report identifies-- describes. So I think we -- I need that clarified before I'm comfortable. Then we get into the -- we have discussed these setbacks, understand the utilities may not be in the road. I'm very uncomfortable with using the properties identified as setting a median, especially since we're not really following, again, that regulation. We've been discussing this in work sessions. So I'm all for housing. However, I'm also for establishing standards that we can consistently follow so that development in the City is predictable, and that in the future, we understand how things are going to happen. And I don't quite have that clearly identified yet, especially if we're looking at substandard historic housing to establish some of those standards. I'm going to cede the floor to Mr. MacMann for his point.

MR. MACMANN: Madam Chair, might I re-engage?

MS. GEUEA JONES: Please, Commissioner MacMann.

MR. MACMANN: Front yards. If this were six, eleven buildings, private buildings on private lots, we'd have front yards on Sexton, we'd have front yards on Garth -- or on Grand. So we have a PD that is not a big RMF tower, and not a commercial development, which are our typical PDs. This is a housing PD. While it might fit into the letter of the regulations by declaring one of the three or four sides -- this is bounded on roads on four sides, as a front or a back, I don't think that has any practical use, honestly. So to me -- I don't have a problem, and even the houses as they appear on Grand, I can look at the houses on Grand that are facing in two different directions as a house with zero lot line and a house behind it. Regarding the setback on Grand, it's an issue. It's a thing. I don't think it's a big enough thing to delay or torpedo -- I don't think it will torpedo, it certainly delay unless our -- these gentlemen here would be willing to make a concession right here. If we move those houses back, we're encroaching in the parking and the trees areas, whichever one is already spoken for, we want more trees, we want more parking, but we're giving area -- we're giving ten feet to the City. It doesn't need it. They literally don't need it. Those utilities are currently in the street. I appreciate it does not fit our Code. I do appreciate that. And it's probably the most out-of-character thing of all the objections that we have to pursue with exceptions or with anything else that's been in this and thank you for the 18 inches and thank you for the trees, guys. I think it can be done, but it's, pursuant to your first thing, and then I will be quiet, because I'm now

rambling. If they pick one of these streets as the front side, it messes up all the other buildings because they're all suddenly on the sides or the back or wherever they are. Thank you, Madam Chair.

MS. GEUEA JONES: Commissioner Loe, rebuttal?

MS. LOE: If these were private lots on Grand, those would be front yards, and we would be talking about a 25-foot setback and reducing that. In addition to reducing the -- I mean, so we have the right-of-way. That's one. We have the reduced setback, that's two. And we have the encroachment, that's three. So it's still a snarled issue in my book. If they had -- if it was one item, I think I would be seeing a clear way to this, but we've -- we've snowballed this to a point where I don't really feel comfortable at this point. The other issue I'm still not comfortable with is the sidewalks, especially when Mr. Cole just told us that the best way to get to the parking lot behind the tower is at the intersection. So we don't have a sidewalk on either Garth or Sexton at -- to that intersection, so that is an adjustment I would want to see included prior to approving this.

MS. GEUEA JONES: Thank you. Here's what I'll -- I'll say about the grand issue and the setbacks there. I want all of us to keep this in mind as we go forward on our cottage standards, because if we approve this setback tonight, we have now set a precedent that this is okay, that this is something that the City can deal with, that the City doesn't need the setbacks they're telling us they need, et cetera, et cetera. So what I am worried about, and we talk about, you know, we're not a body that necessarily has precedents in the way that a court does, but we try to be consistent in what we allow people to do and not do. And our discussions have been saying consistently that 15 feet is not enough. It's not enough for a whole host of reasons. If we now say 15 feet is plenty, we need to decide when 15 feet is plenty and be consistent about saying that. So I'm not -- I'm not saying that I necessarily disagree that in this particular scenario, it's acceptable. It might very well be. But if we say it's okay here, we need to be prepared to say it's okay everywhere. And I would just ask that we keep that in mind going forward as we vote on this case and as we continue to look at cases that are in-fill developments, specifically in center city, because this is a recurring problem. And it's going to continue to be a problem such that the City is, at this point, looking for a consultant to deal with the problem of short setbacks, small lots, et cetera. So I just want to point out that this is yet another example of when we do infill development, our current UDC standards don't fit in our current built environment very well, and we need to find a global solution to that instead of piecemealing it. So that's my -- that's my philosophical viewpoint for the evening. Before we go back to Commissioner MacMann, anybody else? Commissioner Wilson?

MS. WILSON: I definitely appreciate the point. I think that there are multiple exceptions here because we're not dealing with a private person, private entity. Also, we're also looking at the current neighborhood as it is, and trying to keep things consistent with the way it is. So it would actually be inconsistent to do something that was greater than what the other yards already are, and that would look odd to the point of the neighbor who addressed that. So I understand our goal is to create this standard, but our City is not the same everywhere. Where I live, there's plenty of room because there was nothing there but space. But in the inner city, there's already stuff there and we have to deal with it the way that it

is. So I think if we're going to start talking about what are standards, maybe we just have to look to which part of the City we're addressing.

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: I have a comment, and then I have a request for the Chair.

MS. GEUEA JONES: Okay.

MR. MACMANN; My comment is as follows. The current City standard before anything is changed by us is 25 feet. Ten feet of that is an easement. Front yard setback is 15 feet currently in the current law. Set that aside. Madam Chair, I'd like to ask for an indulgence. Though I can count heads, I'd rather have a little more unanimity going forward. Would you be open to asking any of these gentlemen in front of us or having me ask these gentlemen in front of us if they could give us five feet or surrender five feet.

MS. GEUEA JONES: I am happy to have that discussion with the applicants --

MR. MACMANN: Or something of that nature.

MS. GEUEA JONES: I think that, based on the staff report, they have said they will give us five feet of right-of-way. But according to Legal, if we require the buildings to be moved, we'll have to have a new PD Plan.

MR. MACMANN: One of the reasons I want these gentlemen to come up so Mr. Crockett can answer that question specifically.

MS. GEUEA JONES: Okay.

MR. MACMANN: If we ask for five feet and they move the buildings, this is a dead deal. So where do we go forward here? That's why I wanted to ask.

MS. GEUEA JONES: Well, without objection then on the suggestion of Commissioner MacMann, I'll reopen public hearing so we can hear from the applicant about our discussion. Any objection? Seeing none.

PUBLIC HEARING REOPENED

MS. GEUEA JONES: Gentlemen?

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong. As stated before, I think that we could give the five feet of right-of-way, but we're asking for -- to keep the buildings where they were, because that's a commitment that we have made to the neighborhood. Pushing them further away kind of goes against what their desires are and what our desires are. So I think that we could give the right-of-way. I think if we need to push the buildings -- the porches out of the front of the setback, I think we can accommodate that. But pushing everything back -- pushing everything back, then we get pretty close between the rear of the duplex buildings and the side of the four-plex buildings. We've got to do some grade work, we've got to get drainage out of there, those kinds of things. So I think that we would be agreeable to, if the City does -- does, indeed -- if the Commission does indeed see the need for the additional right-of-way, if we could keep our buildings fairly close to where they are, I think we could be agreeable to that situation.

MS. GEUEA JONES: So to restate, you would not object to moving the porches, but you would object to pushing the new buildings back five feet?

MR. CROCKETT: Correct. I think that's got -- I think we can move them back out. I think we can move the buildings enough to get out of the right-of-way, or excuse me, get out of the setback, and then, if the Commission is so inclined to give us the design adjustment for the right-of-way, we would leave the 15-foot setback. If the Commission decides that we don't want to give the design adjustment for the right-of-way, we would ask that the setback be reduced to ten feet then, so the buildings stay at their current location, minus the adjustment for the porches. Now I will state, we talked about -- Ms. Loe, when you talked about saying we get to decide on what the front and the rear and the side yards are. I have a very long conversation with Mr. Zenner on that, and, basically, we came to the conclusion that it wasn't us to decide, it wasn't the City to decide. The Code decided that the -- how it was stated and how it was addressed, the front of the property is, indeed, Sexton. Then, consequently, the rear of the property is the north line, and consequently the two -- then those would be side yards adjacent to a street is how those were defined. So that wasn't something that Planning or myself determined, it was what we looked at in the Code to determine that.

MS. GEUEA JONES: So to that point, these are all one address on Sexton with units within?

MR. CROCKETT: Yes. It would all be one property when it gets platted into one piece of property.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: No. Given -- given that explanation, and your ability to pull the porches out, I feel much more -- I feel like we're being more consistent --

MR. CROCKETT: Sure. Sure.

MS. LOE: -- with the intention of how we've -- we've been over some of these specific requirements recently, so --

MR. CROCKETT: I understand completely. Right.

MS. LOE: -- relative to them.

MR. CROCKETT: And I completely understand that we don't want to set a precedent. This project doesn't want to set a precedent for cottage standards and all those. I -- and correct me if I'm wrong. I'm not -- I'm speaking off memory here. But I believe that the setbacks in a cottage standard can go down to as low as 18 feet if the -- as long as there -- but the garage has to be a minimum of 20 feet. Now I could be wrong on that, because what the --

MS. LOE: Less than 18, actually.

MR. CROCKETT: Is it less than 18? Okay.

MS. LOE: But the garage is 20.

MR. CROCKETT: Yeah. I think -- and the reason for that is is we must have a vehicle parked in the driveway that does not interfere with the sidewalk. That's what the whole point there is.

MS. LOE: Yes.

MS. GEUEA JONES: It depends on the alleyway and some other things, but, yeah.

MR. CROCKETT: Correct. Yeah. How you take access.

MS. GEUEA JONES: Yeah.

MR. CROCKETT: So, I mean, if could push the units back and get them out of the 15 foot, I think we -- we could accommodate that.

MS. GEUEA JONES: Okay. Commissioner MacMann?

MR. MACMANN: Might I ask my fellow Commissioner a question?

MS. GEUEA JONES: Let's let Mr. Crockett go, and close public hearing.

MR. MACMANN: Well, before he left, I wanted to make sure that --

MS. GEUEA JONES: Okay. We're still in public hearing.

MR. MACMANN: I'm trying to reach a compromise. Commissioner Stanton is not here.

MS. LOE: We're going for a win-win here.

MR. MACMANN: We're going for a win-win. Commissioner Loe, in the effort to reach consensus and consistency going forward, do you believe that the responses and our current understanding as of this exact moment are sufficient to move forward with an approval on this case?

MS. LOE: They are. However, I have to admit I'm leaning toward maintaining the right-of-way on Grand, going with a ten-foot building setback, and getting the porch out from the setback.

MR. CROCKETT: And we're -- we're fine with that. To be honest with you, that was one of our original proposals --

MS. LOE: Okay.

MR. CROCKETT: -- and I think that during -- during discussion with Planning, we thought that this -- we had to ask for design adjustment either way, or relief either way, and this was the thought that the way we --

MS. LOE: That that feels more like a win-win.

MR. CROCKETT: Right. And we're -- we're -- I think we're comfortable with that.

MS. LOE: Okay.

MR. MACMANN: I'm done. Thank you.

MS. GEUEA JONES: Are you sure?

MR. MACMANN: Yes.

MS. GEUEA JONES: Okay. Thank you, Mr. Crockett.

PUBLIC HEARING CLOSED.

MS. GEUEA JONES: Going back to Commissioner comments, do we have more Commissioner comments, or are we ready to make a motion and take a vote? Commissioner Loe?

MS. LOE: Are we still -- did we close public comments.

MS. GEUEA JONES: Yeah.

MS. LOE: Okay. I'm just -- just --

MS. GEUEA JONES: I'm willing to reopen it, I want to get this right.

MS. LOE: Just -- no. They -- they -- Mr. Crockett did say that they would do the sidewalks, and we just -- I do think we need, like, another sidewalk going to the corner or -- fully understand and I anticipated that the fact that they went away was because of the grading, because you can see that the one going -- the one that's remaining is ramped. But they're going to be walking up and down that hill. I mean, people are going to cut across it even if it has a grade.

MR. MACMANN: Yes, ma'am. As they do now.

MS. GEUEA JONES: Yeah.

MS. LOE: Okay. I'll make a motion. In Case 157-2023, I'm going to start with the design adjustments.

MS. GEUEA JONES: Start with the right-of-way on Grand.

MS. LOE: We're doing all these in the affirmative. So approval of the right-of-way -- approval of the design adjustment for the right-of-way on Grand Avenue.

MR. MACMANN: Second.

MS. GEUEA JONES: So I'm going to restate the motion. We are moving in Case Number 157-2023, PD Plan for Kinney Point major amendment, for approval of the design adjustment for right-of-way on Grand Avenue. For the benefit of the Commission and the public, this is the design adjustment we've been discussing at length, and approval of this would mean that it looks just like it is on the plan in front of us where it is a ten -- and I'm going to zoom in so I can read this -- a ten-foot utility easement, a 15-foot building setback and 40-foot right-of-way width. Okay. Any discussion on the motion? Seeing none, Commissioner Loe, when you're ready, may we have a roll call.

MS. LOE: Yes, Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Wilson, Mr. Dunn, Mr. MacMann, Ms. Placier, Mr. Ford. Voting No: Ms. Loe, Ms. Geuea Jones. Motion carries 5-2.

MS. LOE: Five to two, the motion passes.

MS. GEUEA JONES: The design adjustment for the right-of-way on Grand Avenue, we have voted to approve. Therefore, there are no needed adjustments to the plan unless we make further amendments. So at this time, we can move forward with the next design adjustment. Okay. Next, yes.

MS. LOE: In Case 157-2023, PD Plan for Kinney Point major amendment, approval of the design adjustment for the right-of-way on the alley pursuant to Item 11 of the statement of intent.

MR. MACMANN: Second.

MS. GEUEA JONES: That was moved by Commissioner Loe, seconded by Commissioner MacMann. Any discussion on this motion? Seeing none. Commissioner Loe, when you're ready, may we have a roll call.

MS. LOE: Yes. Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Wilson, Ms. Loe, Mr. Dunn, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Mr. Ford. Motion carries 7-0.

MS. LOE: Seven to zero, motion passes.

MS. GEUEA JONES: Okay. Moving on. The next motion in order would be the approval of the plan as a whole. If anyone is willing to make that motion, potentially with an amendment, based on our discussions, this would be the appropriate place; correct -- to talk about porches if we wanted to do that, looking at Legal?

MS. THOMPSON: To talk about porches, yes.

MS. GEUEA JONES: Okay. Thank you. That's what I thought. Commissioner Loe?

MS. LOE: On Case 157-2023, PD Plan for Kinney Point major amendment, approval of the PD Plan for Kinney Point, its related design exceptions, and the proposed statement of intent subject to the dedication of the necessary right-of-way -- no. Sorry.

MS. GEUEA JONES: Technical corrections and removing --

MS. LOE: -- subject to technical corrections, including removing the porches from the setback.

MS. GEUEA JONES: We have a thumbs up from Legal. We have a motion; do we have a second?

MR. MACMANN: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner MacMann. Is there any discussion about this motion, including any questions about what the motion contains? Seeing none. When you're ready, Commissioner Loe, we'll have a roll call.

MS. LOE: Yes, Madam Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting yes: Ms. Wilson, Ms. Loe, Mr. Dunn, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Mr. Ford. Motion carries 7-0.

MS. LOE: Seven to zero, the motion carries.

MS. GEUEA JONES: Thank you. Are there any other motions related to this case? Seeing none. The recommendations and the three votes related to this case will be forwarded to City Council.