

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**January 18, 2024**

**Case Number 21-2024**

**A request by A Civil Group (agent), on behalf of Kay and Jack Wax (owners), for approval of an eight-lot Preliminary Plat of R-1 (One-Family Dwelling) zoned property, to be known as Russell Subdivision Phase 7 and design adjustments from Appendix A, A.1(c)(1)(ii)(B) and Sec. 29-5.1(d) of the UDC pertaining to required right of way width and sidewalk installation, respectively. The 3.2-acre subject site is located northwest of the intersection of Russell Boulevard and Rollins Road and includes the address 709 Russell Boulevard. (This matter was originally presented at the Planning Commission's December 21, 2023 meeting and tabled by the applicant.)**

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends:

- Approval of the proposed design adjustments to Appendix A, A.1(c)(1)(ii)(B) and Section 29-5.1(d);
- Approval of the proposed preliminary plat to be known as "Russell Subdivision Phase 7" subject to minor technical corrections.

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

MR. MACMANN: Thank you, Madam Chair. Twenty-foot-wide street, do we know if there's going to be parking on this street?

MR. ZENNER: There would -- it's -- it is possible, but these are private individual residential lots that will probably have sufficient capacity to be onsite. Obviously, if you have guests, that always presents a problem.

MR. MACMANN: I'm thinking about the fire engine going down there.

MR. ZENNER: Yeah. So if there -- I mean, that does create an issue. There are options that the fire department has. They could post it as fire lane, no parking. There is no -- there would be no curb and gutter on this because it is driveway, so typically we would paint the curb line as a fire lane. The fire department has not indicated any of -- anything to the concern of the width, and I'm fairly confident they

also think the same thing.

MR. MACMANN: It's within 150 feet.

MR. ZENNER: Yeah.

MR. MACMANN: It's the second -- if we approve this, this will be the second one. I just don't want us to be creating a problem in the future, like with lawyers and lawsuits and things of that nature.

MR. ZENNER: Completely understand, Mr. --

MR. MACMANN: All right. Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. I will open the floor to public comment.

#### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward, state your name and address for the record. Six minutes if you are with a group, three minutes for an individual.

MR. GEBHARDT: Six minutes, please.

MS. GEUEA JONES: All right.

MR. GEBHARDT: No. My name is Jay Gebhardt; land surveyor and a civil engineer with A Civil Group. And these are the same slides that I had last time. It just goes over this, but this is kind of a color rendering of -- of the project. We really don't have anything new that we didn't present last time other than we did change, as you guys had indicated, that the street doesn't go through. I worked with the fire marshal, Mike Bauer, and the turnaround that's -- that's shown is compliant with the Appendix D of the fire code. He did mention -- or we mentioned that the, you know, parking, is that going to be an issue? Does it need to be marked as a fire lane? And he said he doesn't want to do that up front, but he always reserves the right to do that later if it becomes an issue. As far as the rest of this, I think Pat did an excellent job of explaining everything. And if you guys have any questions for me, I think it would probably be our best use of time for me to answer questions.

MS. GEUEA JONES: Thank you. Any questions for Mr. Gebhardt? Seeing none. On behalf of the Commission, thank you for taking our input seriously.

MR. GEBHARDT: Thank you.

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

MS. GRIFFIN: My name is Anne Griffin; I live at 1815 Rollins Road, so it's directly to the west of the proposed property. My concern is actually rather timely because it involves sidewalk maintenance. And since there was a recent snow, looking at this new plan, the three houses that border Russell and Rollins, none of them have frontage that is going to be facing that area. And that area of sidewalk, which we've spoke at -- we spoke about several times is really heavily traveled. I know that this recent snow was an anomaly and that it was probably a little bit cold to get out there and shovel it, but it did not get shoveled, and then school was going on. So looking at this, I was, like, well, whose responsibility for this would-be shoveling, because that's one that's over to the left -- I'm sorry, the numbers are really small, so I can't see the numbers -- it doesn't even have -- it wouldn't even have, like, garage access. You know,

like, if you were walking out with a shovel, you'd have to, like, walk through your yard to get to the sidewalk. So that's my main concern is that the -- because I live next door, there's just debris and wrappers and stuff in my yard, I would say, a couple of times a week I find just random stuff. And so I'm just wondering with that area, that boulevard, I guess, between the property line and the -- or in between the sidewalk and the street, who is going to be responsible for moving, maintaining, cleaning, shoveling that area?

MS. GEUEA JONES: Thank you.

MR. ZENNER: So the way that the City's code is set up, the property owner adjoining -- if you have a backyard -- I actually my prior home before the one I own today, had a backyard that backed up to a public street. It had a sidewalk and had a green strip. We are responsible -- we were responsible, as the adjoining property owner, to clean that sidewalk and to mow that grass strip. My son was contacted by our Offices of Neighborhood Services and asked when are you going to mow the strip? So we're out there ensuring that, and the sidewalk snow removal is always one of those more elusive tasks. You know, people hate going out and shoveling snow, especially when it's cold. I will have to leave this to the applicant, and how the applicant basically will be working with their future purchasers to convey that, but the City standards are very clear. The adjacent property owners are responsible for that public sidewalk to keep it cleared, and they are responsible for all of the property even if it is in the public road right-of-way between the sidewalk and their property line or their fence. So that would be how this would be being resolved. The Office of Neighborhood Services is who you would call to lodge a complaint that that is not being addressed. And given that this is a school location, the unfortunate nature of it is I live directly across from Fairview Elementary School. I get wrappers and trash in my lawn all the time. Children are notorious for just dropping their gum wrapper or their chocolate bar and walking away. One would hope that the property owners will take pride in their property and want to keep that area cleared.

MS. GRIFFIN: Okay. So it would be those three that actually have bordered --

MR. ZENNER: It actually will be four lots in total, so it will be the two on Russell -- or the two on Rollins and then the corner lot, which has Rollins and Russell, and then the two to the north, so there are four total lots. 709 is responsible for the sidewalk in front of the existing home, and then the lot owner to the north of the private driveway would be responsible for that frontage along Russell Boulevard. Today, technically, the owner of the property, Ms. Wax, who is living in 709, is responsible for all of her frontage, and that would be everything from the very northern portion of this development all the way to the western portion to your property.

MS. GEUEA JONES: Thank you. And I would just add that I know that Ms. Wax has been in some contact with the neighborhood. You might get her number, too, so you can -- yeah.

MS. GRIFFIN: Yeah. She has my number.

MS. GEUEA JONES: Yeah.

MS. GRIFFIN: And that was another thing that I wanted to talk about because so many people that live in our neighborhood spoke at the last meeting --

MS. GEUEA JONES: Uh-huh. Yeah.

MS. GRIFFIN: -- and it's now been not -- not yet a month. As one of the people with the most frontage next to this, so with one of the more skin in the game, it's a bit disheartening that nobody has been contacted further. There hasn't been another meeting. There hasn't been any way of saying, hey, you know, we heard what you said at the last meeting. Can we -- it's -- it's cricket, which I just don't -- I don't feel great about it.

MS. GEUEA JONES: Do you think that this will take care of some of the traffic concerns?

MS. GRIFFIN: Yes. I think that this little curb thing, whatever it's called, yes. This alleviates the traffic concerns that I had, yes.

MS. GEUEA JONES: Thank you very much. Any other questions? Thank you for being here tonight.

MS. GRIFFIN: Thank you.

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

MR. MCNALLY: Good evening, Commissioners. Thank you for the opportunity. William McNally, 702 Russell, you know, the property directly across somewhat to the north on Russell Boulevard, the property at issue here. So I'm aware many issues were raised by kind of the homeowners in the neighborhood. Didn't have the opportunity to attend last session as it was, you know, right -- holiday season, college kids home for Christmas, get the opportunity to spend some time with them instead of coming down here to -- to speak my mind. But tonight I wanted to come and share my thoughts and concerns about the project. So, fundamentally, I understand and appreciate the right of the landowner to make decisions on what to do with their property. Right? You know, that's kind of inherent in our American ethos. However, one of the benefits of living in a city and living in an established neighborhood is you have development plans. You have ways and rules and means to assure proper and effective and efficient development of the property at issue. In this case, I'm concerned that the proposal contained simply too many residential houses on a lot of that size for this neighborhood. It will not maintain the consistency of the current ambience of the neighborhood, and it will, you know, further, you know, change the nature of the neighborhood to be much more like other streets around it, which do support -- you know, I heard one of the discussion items was people wanted to be able to downsize. Maplewood is full of smaller houses. You know, other areas that -- that -- within the neighborhood do have houses that are smaller, lots that are smaller that wouldn't require the kind of upkeep, maintenance, and issues that you find on these larger lots in Russell. And I think that this has been clearly borne out by the fact that the developer has requested multiple variances to the UDC. They can't achieve their goals of a large development without the variances being granted. Also, when I look at it and I think about that conservation easement, which is what I look out to when I look from my property across the street, and you realize how that sits, that some of those lots, the buildable area, you know, is going to be pretty tight to get a house of any size with any yard there, which fundamentally changes again the nature of the neighborhood. So I would -- if the developer wishes to further develop the lot, I think compliance with the

UDC or, you know, utilizing the existing right-of-ways that are in place are appropriate, and would give a much more uniform look. It would look more like something like Oakwood Court, which is in the neighborhood, and which does have many houses developed around it. But it has a standard public street, has standard right-of-way, does not have sidewalks, because it predates that requirement, much like my own house, and again, you know, those are my concerns and I thank the Council -- the Commission rather, and I thank the City staff for the time and energy that they put in, and their thoughtful approach to development within an established neighborhoods. Thank you.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you. The next person to speak on this case?

MR. CONE: Rex Cone, 503 Russell Boulevard.

MS. GEUEA JONES: Would you say your name again for the transcript?

MR. CONE: Rex Cone, R-E-X C-O-N-E, Rex and Jennifer Cone, 503.

MS. GEUEA JONES: Thank you very much.

MR. CONE: And I would encourage you -- thank you for -- I know this is volunteer time, and I appreciate that, you all are thinking about all this on our behalf. I would encourage you to vote against this infill adjustment. My understanding is that Jack and Kay Wax are completely within their rights to do this. Having checked with the City, they're allowed to do this, so this is not a legal matter, they can do this. But I think it's unrealistic to think that they will be able to protect the existing conservation easement. I think that if they proceed, that it would be time for me to claim a detrimental harm to my own property before the City Council. That's my understanding is really my only recourse. They're allowed to do this, and I'm allowed to say I -- I do not want you to do this. So I'm claiming the detrimental harm to my property. I'm on three acres. I have some personal concerns about the fact that we have established, we are making sidewalks, and so I'm encouraging you to follow those rules and vote against the infill adjustment because the rules are you have to have sidewalks, so that goes against that. I'm kind of concerned, none of us know what's going to happen with trash bins. This is, in fact, the Jack and Kay Wax private drive, then we're -- and you've already identified the City is not going to service this, so as people retire and want to downsize and stay on one level, are they now going to be carrying those trash bins all the way out to Russell and then let them sit there and that'll be, what, one, two, three, four, five, six additional bins, possibly. So that's something we -- none of us, we can kind of anticipate. We've hosted international students living in our house from three different countries. We've hosted a mother and child who needed some refuge. My concern, as I'm explaining to them in our neighborhood, stay away from that street, it's private. Don't get yourself in trouble and go down that street. We have people that behave oddly suddenly when they live on a private, not a public street, so I'm very conscious of that. A neighbor employed me to keep an open mind to really think this through, and I thanked him for doing that, and I have really, really processed this. And I think if more houses are allowed on Russell, I would be a fool -- I would be a fool financially to not take advantage of turning my three acres over to development opportunity. I could currently take my 1954-year-old house. It leaks like a sieve in the

basement and has all kinds of issues that an old house has. I would be a fool not to develop those three acres and turn it over to someone like Jack and Kay Wax and let them write me a check. So I'm just saying that that would be a good option for me if -- if the style of the street changes that I could just move on, you know. I'm done with it. It's very frustrating. So my first step would be to encourage you to vote against the infill adjustment. Secondly, it's my responsibility to protect my own investment by approaching the City Council and claiming a deferential harm. and if none of that passes, then I would be foolish not to take my own opportunity to -- to benefit from the acreage that I have. Thanks.

MS. GEUEA JONES: Thank you. Thank you. Any questions for this speaker? Seeing none. Thank you very much. Anyone else to speak on this case? Last call. Please come forward.

MR. GIBSON: Yes. My name is Terry Gibson; I live at 410 Russell Boulevard. And my comments kind of echo the two previous people. It kind of changes the character of the neighborhood, and I have concerns about whether it will -- they'll develop this as a co-housing like they did over on Ash Street, which I understand they have said they're not going to, but if they get approval, I'm not sure that will prevent them from doing it. The traffic on Russell Boulevard is horrendous. I came before the Council earlier last -- or sometime last year trying to put in speed bumps on Russell Boulevard. Every street around Russell Boulevard has speed bumps but Russell Boulevard. Russell Boulevard is a boulevard. It is a half-mile long and I see cars all the time reaching 60 miles an hour. And I walk down there, you know, three or four days a week. Half the people that are speeding are on the phone. It's a danger already. The -- when Russell Boulevard has any kind of an activity, they park all the way back to my house, which is -- it's beyond 185 feet because I never got notice of this project being made, but it's considerably way back. And now they're going to add, from what I understand, 100 new students at Russell Boulevard. I -- I had not even thought about the trash problem that Rex Cone just mentioned. But, to me, the density is just too much. It changes the character of the neighborhood and I think it increases a lot of the traffic problems that we have now. And I can see, you know, actually sometimes where they block driveways, especially at pickup time, and also when they have community activities at Russell Boulevard. I can see that driveway being blocked many times. And they are primarily my concerns, mostly the traffic.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you. Anyone else? Last call. Seeing none, we'll close public comment on this case.

**PUBLIC HEARING CLOSED.**

MS. GEUEA JONES: Is there any Commissioner comment? Seeing no comments, would someone like to make a motion?

MR. MACMANN: I --

MS. GEUEA JONES: Commissioner MacMann?

MR. MACMANN: Yes. Thank you, Madam Chair. Mr. Zenner, could you return to the page that calls out the design adjustments by chapter and verse, please and thank you.

MR. ZENNER: I don't think we actually, specifically --

MR. MACMANN: There is one call out, 29 --

MR. ZENNER: Okay.

MR. MACMANN: There it is. There it is. And my question is as follows. That covers the sidewalk and the private road, 29-5.2?

MR. ZENNER: Yeah. 29-5.2, paragraph 9, that is the design adjustment criteria for both. They're general criteria. There are five or six general criteria. These are consolidated.

MR. MACMANN: I just am wondering about the wording then. That being the case for housekeeping, we should do the design adjustments first, and then the plat?

MS. GEUEA JONES: Uh-huh.

MR. ZENNER: And the plat has not been discussed yet, so I'm -- that was the other point I was going to make. You can either take a vote on these design adjustments, which was the first half of the report. We took the public comment, and I would probably suggest, for the purposes of the minutes, that we close out the design adjustments, and then I can give the staff report as it relates to the plat. Even though we've covered both, I leave that to the prerogative of the Planning Commission. I -- it was my intent to cover other aspects with the subdivision, however, separately.

MR. MACMANN: Madam Chair, what do you want to do there?

MS. GEUEA JONES: Legal?

MS. THOMPSON: I think you've got -- you're going to eventually have three motions that you need to make.

MS. GEUEA JONES: Right.

MS. THOMPSON: You'll need to make two design adjustment motions, one for the reduced right-of-way, and the second one for the waiver of the sidewalks. And then you'll need to make a third motion, approval of the preliminary plat.

MS. GEUEA JONES: When do you prefer us to take the staff report on the platting action, which I did not realize we had not done.

MS. THOMPSON: I did not realize, either.

MR. ZENNER: I had stopped and that -- that wasn't meant to be a pregnant pause, but I had stopped, and didn't continue.

MS. GEUEA JONES: I'm very sorry.

MR. ZENNER: No. That's all right. Well --

MS. THOMPSON: Why don't we do -- why don't we go ahead right now and do any additional comments Mr. Zenner wants to make on the preliminary plat.

MR. MACMANN: And then return to --

MS. THOMPSON: If Mr. Gebhardt wants to make any comments also on the preliminary plat. I don't know that we need to open it back up to rehear any repetitive comments, but if there's any additional or new comments on the plat, you can take those, and then make those three motions.

MS. GEUEA JONES: Why don't we do this? Why don't we take whatever other comments you

would like to make as part of the Commissioners' comments.

MR. ZENNER: Oh, okay. We can do that.

MS. GEUEA JONES: And then I will, as a courtesy, because I really thought you were done. I'm sorry. There was a screen and everything that had recommendations and whatnot. As a courtesy, I will reopen the floor, but unless you have new information specific to the platting action that you have not already given, please let's not rehash what we just did. I thought those comments were great and full. So, Mr. Zenner, please.

MR. ZENNER: Thank you, ma'am, and I apologize. I should have probably just plowed on through.

Additional staff report was given by Mr. Pat Zenner of the Planning and Development Department.

MS. GEUEA JONES: Are there any additional comments or questions from Commissioners? Commissioner MacMann?

MR. MACMANN: Just a quick comment. You said eight total lots in the end?

MR. ZENNER: The total of eight, two common lots, one for storm water purposes, one for the road, and then –

MR. MACMANN: We're looking at average of 17,000-plus. I just have one question of you, Mr. Zenner, and I didn't ask it before. It's a MacMann question. That sewer, the private sewer, are we going public on all this?

MR. ZENNER: This is all public, so the sewer line, if you'll notice, there's a purple line that comes --

MR. MACMANN: Up to the northwest, yes.

MR. ZENNER: -- up to the northwest, so this purple line that comes into the property -- where's my cursor. This purple line is the public sewer that already enters the site to serve the existing home. This private line would be eliminated. I take that back. The private line serving the current home, this will be eliminated. The public sewer will come in. There is actually a public sewer easement that has been identified on the preliminary plat that will take the private sewer system off of Oakwood Court through a -- through a future capital project that the City is working on and allow for the connection of that common collector system to go into the public system that this project will be developing -- or the public system that this project is developing. I apologize.

MR. MACMANN: I think I followed you. I hope the -- our guests followed you there. Thank you.

MS. GEUEA JONES: Any other Commissioner comments or questions for staff? Commissioner Loe?

MS. LOE: We're still in -- we're in Commissioner comment?

MS. GEUEA JONES: Yeah. I was just politely allowing us to ask the staff questions before I offered the public one more chance.

MS. LOE: I don't have any questions for Mr. Zenner.



MS. GEUEA JONES: Okay. Excellent. I'll come back to you in just a moment. Is there any additional comments, questions from public, please come forward. And, again, if you've got something new, that's great.

**PUBLIC HEARING REOPENED**

MS. GRIFFIN: So, once again, Anne Griffin; I live at 1815 Rollins Road. One thing that I wanted to address that Mr. Zenner brought up is he was talking about the addition of these other houses, and he specifically mentioned income diversity within the neighborhood. And I remember that last time, and at our preliminary meeting with A Civil Group, I had asked how much these properties would be valued at or sell for if they were to be put on the market, and I was told \$450,000 to \$500,000, which, to me, doesn't bring any income diversity at all to the neighborhood because those houses price out most people that want affordable living. Just for reference, if you wanted a 2,000 square foot house down on Maplewood or Manor, they go for about \$300,000 to \$325,000. My house is next door to this. It's 4,500 square feet, and I paid \$600,000. So it's -- it's not bringing affordable, lovely families, it's \$500,000 homes, which -- so I just wanted to speak on that part. Thanks.

MS. GEUEA JONES: Thank you. Diversity is one of those interesting words, isn't it? Any other public comment? Again, please don't repeat anything. Thank you.

MR. CONE: Rex Cone, 503 Russell. Actually, I have a question, clarification. I just want to be super sure I understand this. There is not going to be that access on Rollins where we used to all think it was going to be Quakers?

MS. GEUEA JONES: Correct. It will not be there.

MR. CONE: So the only street is the Russell --

MS. GEUEA JONES: Where the existing driveway is.

MR. CONE: -- private driveway.

MS. GEUEA JONES: It will be extended to service the rest of the --

MR. CONE: So I'm just making sure that there is no access on --

MS. GEUEA JONES: Yeah.

MR. CONE: -- because see, it has a circle there, but that must be her -- her house. Got it.

MS. GEUEA JONES: Yes. Correct. That's this house. Yeah. Thank you very much. Last call. Okay. Very good.

**PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Commissioner Loe, did you have something?

MS. LOE: I wanted to observe that I found the proposal for the turnaround to be -- I appreciated it. I liked that the T wasn't at the end of the turnaround to be -- I appreciated it. I liked that the T wasn't at the end of the turnaround and closer to Rollins, but then internally both from aesthetics for the neighborhood potentially -- because I could have seen it pushed closer to the street, but also practicality because we had discussed that northwest lot probably being the one that most required the internal fire access as it is if the other lots are within 150 feet from the street. I also just wanted to observe that

change is difficult. I was dismayed when the lot at 702 Russell was split up and we lost all the woods on the southern half of that lot for the two new houses that went in there. But at the same time, I have welcomed the new neighbors, and I understand we live in a desirable neighborhood. So as Columbia is a growing city, some of these changes will be coming. Thank you.

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

MS. PLACIER: I just noted on one of these maps that this is not very different from the Oakwood Court -- is it called Oakwood Court?

MS. GEUEA JONES: Correct.

MS. PLACIER: So the idea that it's completely out of character kind of exploded for me in that point looking at that. I don't think the lots are that much, if any smaller than those, and that one also has just, you know, one access point for all those houses. So that's -- that's maybe an example where there are things characteristic of this thing in that general area.

MS. GEUEA JONES: Thank you. Any other Commissioner comments? If not, I would take motion from someone. Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Mr. Zenner, could you return to the page we were at ten minutes ago? I have it. I have it here, and I want to make sure I use this, because what's on here is different.

MR. ZENNER: You want to use this? That's for the design adjustment.

MR. MACMANN: Okay. In the matter -- I'm going to make a series of three motions. I'm going to begin with the right-of-way reduction. Then I will proceed to the sidewalk, and that will determine whether we move forward to the preliminary plat. So this is going to get redundant. For your all's information, I must make all motions in the affirmative. I move that X. One of these, I will be voting no on, so don't be confused when I say I move that we do this. Are you ready, Madam Chair?

MS. GEUEA JONES: Please, continue.

MR. MACMANN: In the matter of Case 21-2024, the reduction of the right-of-way, I move to approve.

MS. GEUEA JONES: Is there a second?

MS. LOE: Second.

MS. GEUEA JONES: Thank you.

MS. LOE: Do we need to add type of access?

MR. MACMANN: I'm not sure how specific I need to get on this.

MS. LOE: Okay.

MR. MACMANN: As delineated in the staff report. Is that sufficient?

MS. THOMPSON: Yeah. I would go ahead and make the motion for both the reduction of the right-of-way and the type of access as one design adjustment.

MS. GEUEA JONES: Commissioner MacMann, would like to restate your motion?

MR. MACMANN: I'm not sure I can follow her lead there. I'm not sure what words she wants.

That's the –

MS. THOMPSON: What's written up there.

MS. GEUEA JONES: That whole thing.

MR. MACMANN: Okay. To restate, and this is less, but whatever -- to restate a motion. I move, in the matter of Case 21-2024, the right-of-way reduction, I move to approve design adjustments and reducing the right-of-way width and type of access.

MS. LOE: Second.

MS. GEUEA JONES: Approval of the first design adjustment has been moved by Commissioner MacMann and seconded by Commissioner Loe. Is there any discussion on the motion? Commissioner MacMann?

MR. MACMANN: I have a concern that I want to make sure it gets up to Council. It probably won't make any difference. I know the fire department is comfortable. I'm not.

MS. GEUEA JONES: Thank you. Any further discussion on the motion? Seeing none. Commissioner Loe, when you are ready, may we have a roll call.

MS. LOE: Yes, Madam Chair.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Voting No: Mr. MacMann. Motion carries 5-1**

MS. GEUEA JONES: Commissioner Dunn had to leave.

MS. LOE: Thank you. We have six votes for. The motion passes.

MR. ZENNER: Five

MS. GEUEA JONES: Five for, one against.

MS. LOE: Sorry. Five for, one against. The motion passes.

MS. GEUEA JONES: Thank you. Moving on. Would someone like to make a motion on the second design adjustment?

MR. MACMANN: Yes, Madam Chair, if you are ready?

MS. GEUEA JONES: Commissioner MacMann, go ahead.

MR. MACMANN: In the matter of Case 21-2024, I move to approve the internal sidewalk waiver.

MS. LOE: Second.

MS. GEUEA JONES: Commissioner MacMann has moved for approval on the second design adjustment; Commissioner Loe has seconded the second design adjustment. Is there any discussion on the motion? Seeing none. Commissioner Loe, whenever you're ready.

MS. LOE: Yes.

**Roll Call Vote (Voting "yes: is to recommend approval.) Voting Yes: Mr. MacMann, Ms. Geuea Jones, Ms. Placer, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 6-0.**

MS. LOE: Six for, the motion passes.

MS. GEUEA JONES: Moving now to the platting action. Since we have approved both design adjustments, we may now take a vote on the plat itself. Had we denied either, they would have had to

redraw the plat, and we would have had to delay this vote. Would anyone like to make a motion on approving the plat? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. In the matter of Case 21-2024, the approval of the preliminary plat, I move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Approval of the plat has been moved by Commissioner MacMann and seconded by Commissioner Loe. Is there any discussion on the motion? Commissioner Loe?

MS. LOE: The recommendation notes minor technical corrections. Do we need to include that?

MR. MACMANN: I would amend that we -- that my motion to include minor technical corrections. Is that okay with you, Ms. Loe?

MS. LOE: Second the amended motion. Thank you.

MS. GEUEA JONES: Very good. We have an amended motion. Is there any further discussion on the motion? Seeing none. Commissioner Loe, when you are ready.

MS. LOE: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 6-0.**

MS. LOE: Six votes for, the motion carries.

MS. GEUEA JONES: Thank you. Is there any other motion on this case that anyone would like to make? I don't care, I'm just giving you the opportunity.

MR. MACMANN: I don't.

MS. GEUEA JONES: Okay. Seeing none, that recommendation will be forwarded to City Council. Since it was unanimous, it will be included in the consent agenda. Correct? So that means that the City Council will vote on it as part of a block of things instead of having a separate hearing on this case. I encourage people who want to make their comments known to contact their City Council members.