

BOARD OF ADJUSTMENT MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO

AUGUST 12, 2025

COMMISSIONERS PRESENT

MR. PETER NORGARD
MR. RANDY MINCHEW
MS. KITTIE ROGERS
MS. JANET HAMMEN
MR. PAUL SHARP

COMMISSIONERS ABSENT

MS. ALICE NGUYEN

STAFF

MR. PAT ZENNER

I. CALL TO ORDER

MR. NORGARD: The August 12, 2025 Board of Adjustment meeting will come to order.

II. INTRODUCTIONS

MR. NORGARD: Mr. Zenner, would you please call the roll?

MR. ZENNER: Yes. Mr. Norgard?

MR. NORGARD: Present.

MR. ZENNER: Ms. Hammen?

MS. HAMMEN: Here.

MR. ZENNER: Mr. Minchew?

MR. MINCHEW: Here.

MR. ZENNER: Ms. Rogers?

MS. ROGERS: Here.

MR. ZENNER: And Mr. Sharp?

MR. SHARP: Here.

MR. ZENNER: You have quorum, sir. We can conduct business.

MR. NORGARD: All right. Thank you.

III. APPROVAL OF AGENDA

MR. NORGARD: Is there a motion and a second to approve the agenda?

MR. MINCHEW: I make a motion to approve the agenda -- Minchew.

MS. HAMMEN: Second.

MR. ZENNER: I -- before you do so, we will have an amendment to the agenda. The item unfortunately that got placed on the agenda is Item Number 7, and that is to go into closed session.

There is no closed session discussion, so that was an unfortunate staff error in the agenda. So we will go directly from general comments of the public, staff and the Board, directly to adjournment.

MR. NORGARD: All right. Thank you. Is there any discussion on this agenda? Seeing none. I'll take a voice vote. All in favor, say aye. Anyone against?

(Unanimous voice vote for approval of the minutes.)

MR. NORGARD: The motion passes.

IV. APPROVAL OF MINUTES

MR. NORGARD: The June 10, 2025 Minutes were distributed to the Board. Are there any corrections or additions to the minutes?

MS. HAMMEN: So I -- it -- it does say in the staff report that the P & Z Commission minutes are attached, and they were not attached. Could we attach those, please, to the minutes that are in the record?

MR. ZENNER: We can.

MS. HAMMEN: Okay. So I would like that to be added, I guess, to the minutes.

MR. NORGARD: Are they -- we would have to ask legal, but I think we introduced those as evidence, so they would be a part of the record aside from the minutes.

MR. CRAIG: Sorry. Could you state that again. I couldn't hear --

MR. NORGARD: So the minutes -- the minutes from Planning and Zoning that were supposed to be attached, would those not have been attached to the case as part of the evidentiary record?

MR. CRAIG: Mr. Zenner, I think that's part of the package you --

MR. ZENNER: I would have to go back. We don't enumerate the attachments to -- we don't enumerate the attachments in the Board of Adjustment reports the same way we do Planning Commission. I think to -- to err on the side of greatest caution, we will add the Planning and Zoning Commission minutes. If they were not added to the actual staff report, we will add them to the staff report that was published before -- and they wouldn't be added specifically to the minutes themselves because they would have been a piece of the actual staff report.

MS. HAMMEN: Yes.

MR. ZENNER: And they may not have -- I may have added them, but if I had, you would have seen them, which I have a feeling they did not get added to the agenda. So we will add them to the published agenda so then they will become part of the record, which is what was intended because of the way that the staff report was written. I did that this time, but I did not the last.

MS. HAMMEN: So if someone goes to read from Planning and Zoning for this case that we're considering, those minutes will be -- those P & Z minutes will be included for this case for 600 Woodlawn; is that correct?

MR. ZENNER: Yes. As posted on the posted agenda, the published minutes for that meeting are here.

MS. HAMMEN: Where?

MR. ZENNER: They're attached as an attachment, the Planning and Zoning Commission minutes were. This is what should have appeared on your last agenda. It did not show up this way.

MS. HAMMEN: The minutes are attached for our second case.

MR. ZENNER: Yes. And those are only minutes -- those are the only minutes that are relevant. The only case for this evening that had Planning and Zoning Commission action is the second case.

MS. HAMMEN: Okay. The first case, it stated in our staff report that minutes are attached. They are not attached.

MR. ZENNER: Then that is an error on my part, a staff error.

MS. HAMMEN: I'm asking to have those minutes attached to our adjusted record for this.

MR. ZENNER: There are no minutes for Case 236-2025.

MS. HAMMEN: From Planning and Zoning?

MR. ZENNER: No. It did not go to the Planning and Zoning Commission, ma'am.

MR. MINCHEW: So the mistake was saying they were attached, but there's nothing to attach.

MS. HAMMEN: Oh. It didn't go to Planning and Zoning. Well, that is --

MR. ZENNER: It is not required to go to the Planning and Zoning Commission, it is a legal lot.

MS. HAMMEN: Oh. Well --

MR. NORGARD: And just to clarify the record, we are talking about tonight's agenda at the moment, which we've already approved.

MS. HAMMEN: Well, no, we're not.

MR. ZENNER: We're talking about the minutes from the last agenda.

MS. HAMMEN: We're talking about that the minutes --

MR. NORGARD: We're not talking about the minutes from the last agenda?

MS. HAMMEN: Yes, we are.

MR. NORGARD: So -- and so those minutes would be attached to the last agenda --

MR. ZENNER: For the case that was heard, and that would have been --

MR. NORGARD: At the last hearing.

MR. ZENNER: -- and I can't remember which property that was. I think that was Wyatt Lane.

MS. HAMMEN: Oh, right. Yes. Yes. Yes.

MR. ZENNER: Yeah. And so those -- the Planning and Zoning Commission minutes that went with the Wyatt Lane preliminary plat --

MS. HAMMEN: Yes.

MR. ZENNER: -- will be attached to that agenda. They were errantly omitted.

MS. HAMMEN: All right. Thank you.

MR. ZENNER: You're welcome.

MR. NORGARD: Okay.

MR. ZENNER: I think we've gotten ourselves out of that paper bag at this point.

MR. NORGARD: We will not attach those minutes to this previous minutes?

MR. ZENNER: No.

MR. MINCHEW: Motion to approve the --

MR. NORGARD: Is there any other discussion. We've already made that motion. Is there any other discussion or comments on the minutes from June 10? Seeing none, I will take a voice motion -- a voice vote. All in favor say aye. Any against?

(Unanimous voice vote for approval.)

MR. NORGARD: Seeing none, the minutes from 2010 -- June 10, 2025, are approved. Would the court reporter please swear in staff.

(Staff sworn.)

V. PUBLIC HEARINGS

Case Number 236-2025

A request of Thomas Jensen (attorney), on behalf of CCV Properties 3, LLC (Owner) seeking approval to use "cottage" optional development standards on property addressed as 600 Woodlawn Avenue so as to allow for redevelopment of an existing 4,955 square foot lot as required by Section 29-6.4(j) of the Unified Development Code.

MR. NORGARD: Said real estate being described as follows: TRACT "C" OF BOONE COUNTY SURVEY #7380, BEING PART OF LOTS FORTY-THREE (43), FORTY-FOUR (44) OF WOODLAWN ADDITION TO THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACTS DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 5945, PAGE 58, known as, or located at 600 Woodlawn Avenue Is there any board members having anything to disclose regarding this case, please do so now. All right. Mr. Zenner, has the property been properly advertised?

MR. ZENNER: Yes, it has.

MR. NORGARD: Has the property been posted with a notice of public hearing?

MR. ZENNER: Yes, it was.

MR. NORGARD: And have the parties in interest been notified?

MR. ZENNER: Yes, they were.

MR. NORGARD: Were there any inquiries?

MR. ZENNER: There was one while I was posting the property indicating support, and this was a property owner that was immediately to the southwest of the property, and they didn't have an issue with the property being developed as a home consistent with that which is adjacent to it to the north. They had expressed that they would have possibly preferred also to have had the property improved as a park. That is the only commentary that we have had provided to us publicly as it relates to this case.

MR. NORGARD: Thank you. Will the person making application to the Board please come

forward, state your name and please be sworn in by the court reporter.

MR. JENSEN: My name is Thomas Jensen, representing -- CCV Properties 3.

(Witness sworn.)

MR. JENSEN: Okay. So I wanted to offer Wes Bolton, the engineer on this project, an opportunity to -- I believe he has a PowerPoint that offers some additional context to help with the conversation that we're all about to have. If I can invite Wes up?

MR. NORGARD : Yeah. He needs to be sworn in, but absolutely.

MR. JENSEN: Yeah. Okay.

MR. BOLTON: Wes Bolton, Allstate Consultants.

(Witness sworn.)

MR. BOLTON: Thank you. Thank you for your time this evening. I have a very brief presentation. I'm sure you all have seen the staff report. We appreciate staff's attention to this request. I'll just kind of give a brief overview of -- of the request itself. So a little bit of background on this property. It is a legal lot. We're just asking for revised cottage standards for the lot regarding lot size and setbacks. So this property was platted in 1926, and it was redefined by survey in 1939. This property, it had a structure on it for many decades, a single-family home. It was removed in around 2006, 2007, and the owner is hoping to put back a similar single-family home that's commensurate with the neighborhood -- surrounding neighborhood. So this is a picture in 2002 of the existing structure. You can kind of see on the -- the northeast corner of the intersection, the existing house that was there for many decades. This is the property as it sits now, so you can see the vacant lot there. I'll flip back again just so you can see the house. So this neighborhood, you know, being conceived in this '20s, was really laid out with what essentially today we would consider cottage standards -- small lots, small setbacks. And so when we were contacted to look at the developable area of this, what we found is it's pretty small. Between the '20s and now, our setback standards and lots sizes have been revised significantly. So for R-2 setbacks on a corner lot, they leave approximately a ten-foot-wide buildable area on this lot. You can see in the display the hatched area is what is left to build on if you take the setbacks out. So we discussed with staff, staff suggested that cottage standards may be appropriate for this case, and we agreed with that, so we have presented this request before you. In the staff report, they did kind of look at the surrounding setbacks, which we did, as well, and so they proposed that the setbacks that are requested under cottage standards be revised slightly to where there would be a 20-foot front setback and 10-foot south side setback instead of ten and six. We think that's a very reasonable tweak to the request. We want to mix with the neighborhood. We want to put the property back the way that it was, and that's really commensurate with what was there. So this display shows what the buildable area would be with the revised setbacks. So we fully accept staff's recommendations of the 20 foot and the 10 foot on the south, thinking that that's going to fit well with the neighborhood. A few items of note regarding the conditions of this request. You know, this request is consistent with the

character of the area. Off-street parking will be provided, so we will have parking on site, it won't be street parking. We don't anticipate traffic congestion. There was a house -- single-family house here for decades where we really just want to put that back. And really, this request meets the goals of the housing study and Comprehensive Plan. You know, this is a great opportunity to provide affordable housing, be it -- albeit it one lot, and we have a lot here that's already served by infrastructure -- streets, utilities. The impact of it is low. So looking at affordable housing and infill, we feel like this is a good fit for this lot to allow the standards to sort of return to what they were when it was originally conceived. In addition, CCV has been working in this area for a while, so the lots directly to the east, the four lots, they have purchased and fixed up, so these are just a couple of pictures of the work they have done on this street. They've really renovated these houses and made them a lot nicer, and so they really just want to continue that with this vacant lot, build something really similar right next to it. That's the extent of what I have for you. I'm happy to answer any questions that you all have about the request.

MR. NORGARD: You showed a buildable area of 25 by 90?

MR. BOLTON: Yes.

MR. NORGARD: So that's, like, a 2,200 square foot -- is that the -- that wouldn't be the building envelope, that's just the buildable area?

MR. BOLTON: Correct. Yeah. So that's the area that's not in a setback. So they don't intend to fill that up at all, but that's the area where the house could be placed, so --

MR. NORGARD: Okay. We may have further questions for you.

MR. BOLTON: Got it. Thank you.

MR. NORGARD: Thank you. All right. If there's anybody in the audience who wishes to speak in favor of the application, now would be a good time to come forward, state your name and make your statement. All right. Is there anybody in the audience who wishes to speak against this application? Now would be a good time to come forward and state your concerns. Seeing none. Let me see. All right. Mr. Zenner, would you like to present your findings?

MR. ZENNER: Well, as Mr. Bolton has pointed out, this is a relatively constrained parcel, given the current requirements for our setbacks as they exist. Cottage development standards, this will be one of the first -- first and only projects that I am aware of that we have done a single-lot cottage standard application since we have adopted the Unified Development Code in 2017. Based on the overall square footage of the property, the overall square footage is relatively close, of course, to an R-2 designation. It's almost 5,000 square feet when you look at what the overall dimensions are. However, when you start to apply a 25-foot front and a 25-foot corner side, which is now what is required by the Code, there is very limited ability by which to develop the parcel as Mr. Bolton's exhibit showed you. This particular use of the cottage standards would result in development very similar to what is immediately to the north of the property, as well as generally to the south of the property across Woodlawn -- or not Woodlawn -- Hickman to the south. We have a number of homes that are relatively very narrowly spaced together,

and based on the era of construction, this type of redevelopment would be appropriate and context sensitive. The standards, as Mr. Bolton pointed out, that we would recommend if the Board is considering approval of the project is more to ensure conformity with what is existing in the built environment with the front and the corner side. Those homes that are off of Hickman, presently they would be to the east of this subject site, so to the rear, what would be rear, because Woodlawn would be considered the historic front, all sit roughly ten feet from the property, from the street right-of-way line. And so a side-yard setback of ten feet is more appropriate. If you have gone out to look at the site, you will note that there is a retaining wall along the Hickman Avenue frontage that is probably about two and a half to three feet tall, an increased setback that is actually ten feet is going to allow then for that retaining wall to be better accommodated in the future construction. The ten foot side will not necessarily negatively impact the property. The six foot, which would be the opposite of the Hickman side is traditional single-family required setbacks, no different than what the adjoining home is on the north of this property. Twenty feet, when we look at what the average or the median setback is along Woodlawn, at least along the eastern side of Woodlawn would be consistent. Most of our homes are set back about 20 feet at that point, 18 to 20, so a 20-foot front yard would be appropriate. Driveway access to this particular property, based upon where the current curb opening is, is along and off of Hickman, which would allow for a rear access, a garage or a driveway in order to ensure that parking is off-street and that there is adequate parking requirements being met. Overall, staff believes that the application of the cottage lot standards is appropriate in this particular instance, even though it is a single lot, and is not considered from the broader perspective of a residential subdivision that would have that. There is no appropriate prohibition within the development code that says that cottage lot standards can be -- must be applied to a subdivision. They can be applied to an individual lot. When we look at what other alternatives exist in order to allow this legal lot to be redeveloped, the only that are available would be to rezone this property to a planned district, which seems to be a complete overreach of what is necessary, or to come before this body and ask for this type of relief. This is actually a preferred approach given that it is a defined zoning and a housing topology that exists within our zoning code versus seeking to ask for variances, so we would prefer that the cottage standard be applied, irrespective of how this may impact future single-lot requests that we may receive. Furthermore, we are in the process, as I have previously discussed with you, the Planning and Zoning Commission is giving consideration to new zoning requirements and zoning standards that would allow for small-lot integration within our existing zoning classifications, which would remove the step of a Board of Adjustment action in order to authorize this style of development. It is subject to a series of use-specific standards that would apply, and it is still, in most instances, required to be facilitated through the subdivision of property, which is a Planning and Zoning Commission action with City Council authorization. We are in the final stages of completing those regulatory standards in a draft state. We hope to have those released here later this fall for design professional evaluation and testing to ensure that what has been devised as an alternative to the cottage

standards can actually be integrated properly into our development repertoire that is in the UDC. Should they be adopted, the cottage standard would be eliminated from the UDC, and this process would not be a function of the Board of Adjustment anymore. It would be basically a by-right permitted lot style subject to meeting the use specific standards and then, as I said, platting. In the absence of that, we must go through this process today. And so staff is supportive. As stated in the staff report, we would recommend that if the Board is desirous to approve this, the front setback of the subject property at 600 Woodlawn be set at 20 feet, and that would be along the Woodlawn frontage. South side setback would be ten feet, and that is along the Hickman frontage six feet opposite side of Hickman, and then a standard ten-foot rear. With that, if you have questions, I can answer them.

MR. MINCHEW: So is what was on the presentation, was that six or ten foot on the north side?

MR. ZENNER: That should have been a six-foot setback on the north side of the property.

MR. MINCHEW: But you're suggesting at -- to do it at ten?

MR. ZENNER: No. South side only. So it's the Hickman frontage. It's the corner -- lot corner frontage. It would be the side-street frontage.

MR. MINCHEW: Okay. The second question I've got, if I owned a home in that area, and I wanted cottage standard for a remodel -- so I want to do to my existing home what's going to be done with this new home, would Planning and Zoning consider that?

MR. ZENNER: I can't fathom to tell you if they would or they would not. We would process a request asking for that standard to be applied. I mean --

MR. MINCHEW: I mean, would it come through to us for --

MR. ZENNER: It would have to. The Planning and Zoning Commission does not have the -- if it is an existing developed lot, that does not otherwise meet the dimensional standards is what we would consider a legal non-conformity. And so as long as we're not expanding beyond what the footprint of what the existing house is, you would be allowed to do so. But if you are wanting to expand to the front or to the rear, which is more likely what would end up happening --

Mr. MINCHEW: Right.

MR. ZENNER: -- you would have to seek relief for that, and the only relief is either through a Board of Adjustment variance that would be hardship driven, or you would be seeking application of cottage standards that would then open up the opportunity for the front and the rear yard to be reduced. But it does also require meeting other criterion, such as minimum lot area, and having to have other aspects being considered as part of the overall optional development standard review.

MR. MINCHEW: I mean, I think this is a terrific idea, and I would be, you know, I would be in favor of it, but I see an empty lot that's of very similar size on Woodlawn and Sexton. It looks to be -- well, it's empty on one of these and it's not on the other, but -- and it seems like a good option for this neighborhood, but I could see if I didn't want to tear down my existing house, but I wanted to increase it or improve it to match, you know, what potentially is going to happen here, just thinking forward because --

MR. ZENNER: And as long as it's zoned R-2, that is always a possibility. So, Mr. Minchew, if an applicant wanted to come in and they wanted to seek relief or the use of the cottage standard to facilitate redevelopment of a home that is maybe aged out and needs to be replaced, really these older, smaller lots that do not meet minimum lot standards, a 60-foot lot frontage with 5,000 square feet in the R-2, the only options that are left for them are either a rental that may be relatively expensive on the same footprint, or you would be seeking cottage standard application. This is one of the principal reasons why we are looking at small lot integration which would allow development on lots less than 5,000 square feet to as little as 3,000 without having to go through a rezoning process or this body. And that is part of the reason for that text amendment that we are looking at, and it is being looked at for not only the R-2 district, but also R-MF and the R-1 zoning district, which are all of our residential districts.

MR. MINCHEW: And then I know we don't -- we're not -- we're not setting precedent when we do anything, but when we are looking at a full development, you know, there's -- there's no -- there's not a lot of similarities from one development to another because of topography and streets and, you know, traffic, and that sort of thing. So -- but with this, if I'm a block away, and we do one, I just think we need to be thinking about the effect, because this would be a great improvement for this neighborhood, so -- and I would -- if I were me, if it were me, I would be -- and I would think, you know, house flippers and people like that would be, you know, interested in that same thing, and that would be a great way to redevelop a neighborhood. So like I said, I know we're not setting precedent, but I just think somebody is going to look at that and they're going to be jealous of how cool that looks and then want to do the same thing.

MR. NORGARD: So I have a question regarding setbacks and right-of-way, just to make sure that we're clear that there will be right-of-way dedicated or there already is; is that a true statement?

MR. ZENNER: A right-of-way that was dedicated for this property was collected a long, long time ago, and because this property is considered a legal lot, there is no additional dedication and there is no additional platting that will be associated with this development of this parcel. So there is whatever deficiency exists in right-of-way will continue to be deficient because there is not a mechanism within the City's regulatory structure to force a legal lot to be platted.

MR. NORGARD: So just to follow that on, do we know if there is dedicated right-of-way on this lot or --

MR. ZENNER: Woodlawn, as well as our side street are both platted rights of way. They are probably not platted with 50 feet of right-of-way, which is what our typical would be for a residential street, but they are platted with what was required at that time.

MR. NORGARD: The plot they have provided appears to show 40 feet. The only other question I have is to touch on the issue of parking -- off-street parking requirements. I guess the intention is to access from Hickman Avenue, and I'll ask the applicant this when -- when I invite them back up. But from your perspective, the off-street parking would not be provided from the Woodlawn side of

this lot?

MR. ZENNER: Not given the topography that's associated with this property because, as you round the corner on the Woodlawn, that is an elevated frontage, so it is along the Hickman side does come up. Given the narrowness of the property, the placement of an actual effective structure, effectively a floor plan that would allow for that, you'd end up with a very, very narrow livable portion of the home if you did decide that you wanted to put a garage or some other type of access to the rear. Furthermore, the driveway approach to this particular property is already off of Hickman. There would be no reason to not re-utilize that. Off-street parking is not allowed to be counted towards the requirement, so all parking will need to be accommodated on this lot when they are done. Property immediately to the north of it actually has a driveway access that comes off of Woodlawn on the north side of the house to the north. So if it was along the southern side of the adjacent property to the north, a shared driveway that leads to that back very well could have been possibly utilized. That's not the situation here, given this is the corner lot and its access historically had been off of Hickman.

MR. NORGARD: And our current parking requirement is calculated --

MR. ZENNER: For single and two-family construction, it is a required minimum of two parking spaces per dwelling unit.

MR. NORGARD: Okay. Thank you.

MS. HAMMEN: So because this is a legal lot, is that why there's no sidewalk required?

MR. ZENNER: A sidewalk, so as a legal lot, I mean, what is there is there, yes. And I think the answer to that, the simple answer to that question is yes. It's not being required to be replatted, and there are a lot of other factors that go into when the sidewalk gets constructed. This redevelopment of this property will not trigger that. It's not on an arterial, it's not on a collector, on an ordered street that's high enough to require that. The sidewalk, if I am not incorrect, is all on the western side of Woodlawn, and there is sidewalk along, if I'm not incorrect, there is sidewalk along the southern side or the north side of Hickman.

MR. NORGARD: Any further questions of staff?

MS. HAMMEN: So new construction or -- does not automatically trigger a sidewalk requirement depending on the lot -- (inaudible).

MR. ZENNER: I'd have to go, and I'd have to look specifically, Ms. Hammen, at our regulations. There are a number of circumstances in where sidewalk is triggered. Sidewalk improvements fall into two different -- totally two different totally different categories. Typically, newly platted property pursuant to the UDC's provisions require that sidewalk be installed, anything platted after 2017. This property is not being platted, so this is -- it is a previously platted property that would have otherwise had to have been installing sidewalk, given that the neighborhood is more than 25 percent complete. It would have had to have complied with sidewalk installation that was then applicable in 1939, if I recall correctly from Mr. Bolton's presentation. I highly doubt we had sidewalk construction standards in 1939. Therefore,

this is not going to be one of those properties that would likely be deemed as having a required sidewalk.

MS. HAMMEN: Thank you.

MR. ZENNER: But platting is normally the critical element that normally triggers sidewalk installation, but there are a couple of other caveats.

MR. NORGARD: Further questions? Seeing none. Would the applicant like to come back up and make a final statement?

MR. BOLTON: Thank you. Yes. We appreciate, again, Pat's report, and, yeah, the parking is intended to be off Hickman using that existing access. That's all I have.

MR. NORGARD: Okay. And it's two or more?

MR. BOLTON: Yes. Yeah. We'll meet parking requirements on the lot, absolutely.

MR. NORGARD: Okay. Any further questions?

MR. BOLTON: Thank you.

MR. NORGARD: Thank you, Mr. Bolton. All right. I'm going to go ahead and close the public hearing. Would the legal department like to chime in?

MR. CRAIG: Yes. Thank you, Mr. Chair. Two things. First, I'd like to introduce into the record City's Exhibits 1, 2, and 3, Exhibit 1 being certified copies of Chapter 29, Sections 1.11, Section 29-2.2, subsection (a) (2), and the accompanying table 2.3, Section 29-4.1, an accompanying dimensional chart 4.1-1, and Section 29-23 -- or I'm sorry -- Section 29-6.3 and 6.4 in their entirety, Exhibit 2 being the staff report, and Exhibit 3 being the public hearing advertisement, parties of interest notice, and parties in interest lists.

MR. NORGARD: So moved.

MR. CRAIG: Thank you. And, second, the matter before the Board this evening is a request for an optional development standard pursuant to Section 29-6.4, subsection (j) (3). Pursuant to that section, this Board may approve an application for optional development standards if it determines that the following criteria have been met. I'll read these out for the record. They are also in front of you for you to read at your -- at your pleasure. The first criterion, the use of the optional development standard is consistent with the intended character of the area as shown and described in the City's adopted Comprehensive Plan. The second criteria, the use of the optional development standards will provide adequate off-street parking for the permitted uses available in the zoned district where the property is located, and will not result in significant increases in off-site parking on sections of local neighborhood streets other than those immediately fronting the applicant's property. And finally in third criteria, the use of the optional development standards will not create additional traffic congestion or risk to public health and safety in the surrounding areas.

MR. NORGARD: Thank you.

MR. CRAIG: Thank you.

MR. NORGARD: All right. Are there any board members who would like to have some

discussion on this matter?

MS. HAMMEN: I think this looks like a good project.

MR. NORGARD: I agree.

MS. ROGERS: I agree.

MR. NORGARD: It appears to meet all the criteria that are in 29-6.4 (j), so I would intend to support this as well. Is there a motion to approve?

MS. HAMMEN: So moved, with the criteria of the 20-foot front setback and the 20 foot side yard setback, six foot and ten foot.

MR. NORGARD: Yeah. So we have -- we have the standards here in front of us, a 20-foot front yard setback, a six foot side yard setback on the interior portion of the lot, a ten foot side yard setback on the exterior portion adjacent to Hickman, and then a rear yard ten foot setback. Is that what you're intending? Okay.

MR. SHARP: I'll second that.

MR. NORGARD: We have a motion and a second. So, do you want me to read it, Pat, or would you like to read it?

MR. ZENNER: I can read it back, if you would like.

MR. NORGARD: Please do.

MR. ZENNER: In the matter of Case Number 236-2025, 600 Woodlawn Avenue optional -- cottage optional development standards, a motion has been made and seconded that the request be approved subject to the front yard setback being established at 20 feet, the side yard interior or opposite Hickman Avenue setback being set at six feet, the side yard exterior or adjacent to Hickman being ten feet, and the rear yard being ten feet. Mr. Norgard?

MR. NORGARD: Yes.

MR. ZENNER: Ms. Hammen?

MS. HAMMEN: Yes.

MR. ZENNER: Mr. Minchew?

MR. MINCHEW: Yes.

MR. ZENNER: Ms. Rogers?

MS. ROGERS: Yes.

MR. ZENNER: Mr. Sharp?

MR. SHARP: Yes.

MR. ZENNER: Motion approved by five votes to zero, so ordered.

MR. NORGARD: Congratulations. Thank you.

MR. MINCHEW: Thank you all.

MS. HAMMEN: Your properties look really nice.

UNKNOWN AUDIENCE MEMBER: Thank you.

MR. NORGARD: All right. We're going to move on to the next case. In the matter regarding:
Case Number 241-2025

A request of Caleb Colbert (attorney) on behalf of Mendez Properties, LLC (owner) seeking approval to use "cottage" optional development standards on property addressed as 3310 Oakland Gravel Road so as to allow for development of a 23-lot cottage subdivision to be known as "Totolmajac Village" as required by Section 29-6.4(j) of the Unified Development Code.

MR. NORGARD: Said real estate being: A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING SHOWN AS TRACT 2 OF THE SURVEY FILED AS BOONE COUNTY SURVEY NO. 7766, ALSO BEING DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 5780, PAGE 3; ALL BEING RECORDS OF BOONE COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 2 OF BOONE COUNTY SURVEY NO. 7766 ALSO BEING ON THE SECTION LINE OF SAID SECTION 32, THENCE ALONG THE NORTH LINE OF SAID BOONE COUNTY SURVEY, N 89°35'25"E, 734.44 FEET TO THE WEST LINE OF BLUE RIDGE HEIGHTS SUBDIVISION PLAT 1 AS RECORDED IN PLAT BOOK 24, PAGE 42; THENCE ALONG THE WEST LINE OF BLUE RIDGE HEIGHTS SUBDIVISION, S 00°06'05"W, 306.63 FEET TO THE NORTH LINE OF OAKLAND RIDGE SUBDIVISION AS RECORDED IN PLAT BOOK 27, PAGE 16; THENCE ALONG THE NORTH LINE OF OAKLAND RIDGE SUBDIVISION, N 89°37'05"W, 735.29 FEET TO SAID SECTION LINE; THENCE NORTH ALONG SAID SECTION LINE, N 00°16'10"E, 296.48 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.09 ACRES. Known as, or located at 3310 Oakland Gravel Road. Mr. L-- do any of the board members have any communications or anything to disclose regarding this case, please speak now. All right. Mr. Zenner, has the notice been properly advertised?

MR. ZENNER: Yes, it was.

MR. NORGARD: And was it properly posted with a notice of public hearing?

MR. ZENNER: Yes, it was.

MR. NORGARD: And have parties of interest been notified?

MR. ZENNER: Yes, they were.

MR. NORGARD: And were there any inquiries?

MR. ZENNER: There has been one inquiry. It was a real estate agent who attended the Planning and Zoning Commission meeting as it was related to the rezoning of the subject site just wanting to confirm that the application was still for cottage development standards and not a potential R-2 development. No other inquiries were made, no correspondence received.

MR. NORGARD: Thank you. Mr. Colbert, would you please come forward and swear in?

MR. COLBERT: Good evening. Caleb Colbert, attorney, at 827 East Broadway, here in Columbia.

(Witness sworn.)

MR. COLBERT: Thank you, members of the Board. I'll start with distributing our exhibits and taking care of the paperwork. So in your packet, you should have as Exhibit 1 the staff report. Exhibit 2 would be the locator maps. Exhibit 3 is the Board application and supporting documents. Exhibit 4 is the hearing ad, the parties in interest letter and list. Exhibit 5 are the Planning and Zoning Commission meeting minutes.

MS. HAMMEN: Yay.

MR. COLBERT: So they made it in there. And Exhibit 6 is a copy of our presentation this evening. And so, with that I would ask that those be admitted and considered part of the record.

MR. NORGARD: Certainly. Admit those. Thank you.

MR. COLBERT: Thank you. And with that, I will turn it over to Jay Gebhardt. I'll certainly turn it over to Jay Gebhardt to run with the presentation.

MR. GEBHARDT: My name is Jay Gebhardt with A Civil Group.

(Witness sworn.)

MR. GEBHARDT: Good evening. Pat, do you know how to get the PowerPoint up? Thank you. Good evening. Tonight I'm here with Jesus Mendez, who is the owner of this property. He's in the audience over there. This request went through Planning and Zoning a month ago or so, and it -- if I believe, it was unanimously approved for the preliminary plat and rezoning to R-2, so we have a five-acre tract that has a recommendation of approval of a preliminary plat, and it is zoned R-2. We are here tonight to ask for those cottage standards. I have a slide here that just kind of reminds you of what is permitted in the R-2 zoning. We can do one-family detached, one-family attached, and two-family dwellings. The Village uses cottage dimensional standards for a residential neighborhood to one family detached dwellings for each of the buildable 22 lots. I want to make a point. We did meet with the neighbors and their main drive or main focus on this was that it was going to be single family. And we encouraged them to come to the meeting tonight to voice that opinion and not to -- because their concern was this would be a single-family attached or a two-family development, and that is not the intent. Should we be allowed to do the cottage standards, that's how we intend to develop the property. Each of the lots will have a 20-foot front yard, and we're increasing from the standard of ten-foot rear yard to a 20. There are some existing neighborhoods that abut this on the east side and the south side, and when we get to the preliminary plat, I'll point out some things on that that actually we exceed the 25-foot rear on these. I don't necessarily need to go through all these, but basically, we're -- we're justifying why a cottage standard is a good thing for -- for this area and for this -- for the community in itself, and it fulfills and meets a lot of the goals in the Columbia Imagine and the City's master plans. It will ensure that we are building single-family. Excuse me. I've got allergies, so I'm kind of congested tonight. This is a chart that basically compares what the R-2 would allow, what the R-2 cottage allows, and then what we're proposing. And if you notice that minimum lot area, there's -- there's only one lot that actually falls below

the 5,000 square foot minimum that would be allowed in the R-2 zoning. So we're really asking for the cottage standards for the width of the lots, not to have 60-foot minimum, but 42-foot minimum. The minimum in the cottage standard, as you know, is 30 feet, so we -- we feel like a 42-foot lot allows us to build a house with a garage and still have a presentable street presence on that. This is an overview of the lot. As you can see, there's quite a bit of tree cover on this. We have gone through the land analysis map that's required by the preliminary plat, and we have set aside the minimum required tree preservation for the trees. A lot of those trees are invasive and they're -- a lot of them are cedars, but there are some oak, hickory, climax forest, and we are preserving the 25 percent that's required for that. The home that's there will remain during most of the construction of the project, but will be removed eventually, but that will be kind of Jesus' base while he's building these homes, and he will be building these homes. This is the preliminary plat. It shows a connection to the street that stubs to us from the north, and then a connection to Oakland. As you can see, the lots are pretty deep, even by R-1 standards, and the lots to the east and to the south of the road -- well, first -- the first two that you come in, there's a big common area there, and that is our tree preservation and our detention pond to meet the stormwater requirements for the neighborhood. And then when we get to -- up the hill a little bit, we get to the lots, and part of the stormwater requirements is that that backyard drainage has to be picked up in a pipe and piped to the detention pond, so there is a large drainage area -- drainage easement that we're proposing, and that's what that dash line that kind of angles across the back of those lots. The pie-shaped lots, you know, almost half the lot is a drainage easement back there. Part of the intent of that is to keep people out of it, and also keep -- it has the benefit of keeping those houses forward, because, as you know, you're prohibited from building within an easement any structure. So is -- we're asking for a 20-foot minimum. The only one of the lots that that would apply to would be the very first one, and that's only on its west side where it's 16 feet -- the easement is 16 feet. Everywhere else, the easement exceeds the 20-foot minimum setback. So we feel like, unlike a previous project of mine where we had neighbors that were concerned about the proximity and the expectation of having homes at least 25 feet away, we're going to exceed that even though we're asking for the 20 because of this easement and the easement is memorialized on this preliminary plat, which should go, if you guys approve the cottage standards, should go to Council later this month for approval. And then, lastly, you've seen these slides before, but they're pulled off of Zillow, and they're representative of the price range of these homes. These homes are around 1,200 square feet. Jesus would like to build 1,600, maybe 1,800 square feet at the maximum on these. But -- so they may be a little bit more expensive than these homes here, but it kind of gives you an idea of what a cottage -- a new cottage lot would look like built with either a two-story or a one. If you can -- we have set this up so that the -- each one can have a two-car garage, but he would be allowed to do a one car, and even with the one car, you get the two parking spaces by having one in the garage and one in the drive, but the intent is to have two-car garages on these, so actually four parking spaces on each lot instead of the minimum two. So having said that, I think that's pretty much

time for me to just ask you if you have questions, and try to answer any concerns you might have. Yes, Janet?

MS. HAMMEN: Are these going to be spec homes or custom built or both?

MR. GEBHARDT: Jesus will build each home, and then they'll be put up for sale for it. So he has several plans for the homes, so it won't be just the same home repeated on all 22 lots. So -- but they are speculative in the sense that he doesn't have, you know, a buyer of the lot, and he's not selling lots. He's selling houses.

MR. NORGARD: Could you help me understand how to pronounce the name of the development? Did I get it right?

MR. GEBHARDT: I wish -- I wish I could, Peter. I've been calling it Total Magic because it's just my American ways, but it's the village that Jesus grew up in and he can -- he can tell you how to -- because I don't speak Spanish.

MR. NORGARD: Okay. I'm sure I botched it when I read it. I just wanted to clarify and correct, if possible.

MR. GEBHARDT: If you butchered it, I didn't even know.

MR. NORGARD: Any further questions? Thank you, Mr. Gebhardt.

MR. GEBHARDT: Thank you.

MR. NORGARD: If there is anybody else in the audience who wishes to speak in favor of this application, now would be a good time to come forward and speak. I see none. Is there anybody in the audience wishing to speak against this application, please come forward now. I see none. Therefore, I will ask Mr. Zenner to present the City's case.

MR. ZENNER: So as Mr. Gebhardt has laid out here, we are looking at 22 single-family detached lots. They will have frontages that are less than the R-2 minimum of 60 feet of lot frontage. As such, the way to be able to achieve that outside of a planned development is as you seek to have cottage development standards applied to the property. So when we look at what other alternatives exist, the only other alternative is to seek a planned development here, which, again, based upon our UDC requirements, we believe is not necessary given we have buffering and screening standards now within the UDC that did not previously exist, and planned development administration, as well as just long-term management, is viewed as being less desirable than being able to put property into a zoning classification that allows just for more of a direct process to be able to apply for a building permit, get a permit, provided you meet the requirements of the zone. This is a traditional subdivision, and so as a part of the approval process, a preliminary plat was required to be presented to our Planning and Zoning Commission, and that preliminary plat was presented concurrently with the rezoning request to rezone this property from R-1 to the R-2 designation. As you are aware, cottage development is only permissible today in the R-2 designation, and furthermore, only permissible upon the Board's authorization of the lesser dimensional standards. As a practice of the Planning Commission for several

years now, in order to grant -- to give greater certainty to adjoining property owners that are concerned that duplex development is what is being proposed, we have advised and the Planning Commission has, as well, the preliminary plat requests be submitted concurrently. That preliminary plat cannot be presented to City Council for approval prior to the Board's action on this request, and that has to deal with the fact that the lots that are shown do not meet any of our conventional dimensional standards. And so we cannot submit a plat for Council's consideration without the dimensional standards that are desired having been approved. And so the circle of life continues. This is why we are trying to eliminate this Texas two-step process. We would like to be able to get somebody to know that they can make an investment decision to buy a property, meet the requirements, and then go directly to platting. It's a more efficient way to be able to bring small lots to market, which is something that has been identified within the recently completed Boone County/City of Columbia Housing Study. This is also generally considered gentle density when we look at it from the aspect that this is bringing in single-family housing into a single-family neighborhood. So all of the adjoining property that surrounds this with the exception of -- I should say that the church to the north of this property is actually also zoned R-1, but all of the property that is generally south of Blue Ridge is actually all in the R-1 zoning classification. All of them are also likely slightly larger than these lots generally, immediately to the east of -- to the west of this property is, of course, is Oakland Park on the opposite side of Oakland, and there is some multi-family as well as duplex development in the surrounding area, as well, but immediately adjoining this is all conventional R-1. Unlike the prior request that came to you for Wyatt Acres, this particular property, given the drainage conveyance that will be along its south boundary and along its eastern side, did not generate the same concerns of the Planning and Zoning Commission as it related to the necessity for a more significant setback. As Mr. Gebhardt pointed out, the drainage easement that will need to collect the water from the northeastern portions of the property does need to be piped, and that pipe requires a minimum of a 16-foot drainage easement by which that drainage will have to be contained, and where the easement line is for the drainage area, even though it is part of the overall lots resulting in the lot sizes being much greater than what we would normally associate with a cottage lot, it does define a distinct boundary, as Mr. Gebhardt pointed out. You cannot build in a drainage easement. We will not allow you to build in a drainage easement. And upon the recording of the final plat, all of the easements will also be recorded, so there is no way post final plat approval that any waiver to being able to build any closer to the southern property line is going to be possible. They would have to come back and they would have to ask for relief from the Board. Well, what is being proposed here right now is a 20-foot rear yard setback at the minimum, which is five feet shy of what would normally be considered an R-1 zoning setback. So that is -- that is one of the more critical elements associated with the southern portion of the property. And the stuff that is on the north side of this project is actually adjoining the church's parking lot. Ms. Hammen?

MS. HAMMEN: So this drainage area will be underground, I guess?

MR. ZENNER: There -- so in the northern reaches of the property, the northeastern reaches of the property will be more from a swale system, so it will be above ground. As it reaches roughly the -- what I would consider the eastern third of the property, there will be an inlet, and so that is the line that you see that's got the darker box on the graphic. And that is actually an inlet that will then pipe the drainage that is being brought from the northeast corner back out to the -- to a junction box, and that will actually then drain toward the detention pond, which is in the very southwest corner of the property.

MS. HAMMEN: And so you've -- you've stated that the houses must be built forward or toward the front of the lot of that, could an ADU be built to the back of it?

MR. ZENNER: So that is a very good question. And our ADU standards will allow an ADU to be built on a lot that is as small as 3,000 square feet. Now, this is zoned R-2, therefore, ADUs could be constructed. However, ADUs would also still have to comply with the required setback. They would not be allowed to be built into the drainage easement. There are a series of other requirements, such as separation from the existing single-family home that would be onsite, and there may be other requirements, as well. But in the R-2 zoning district, generally speaking, you would be able to build a ADU. Those were changes that we did make approximately a year ago to reduce the overall lot size, and that was tied to the changes that were made to our substandard lots that we have within the City. So we will allow now a substandard lot, meaning a lot that is smaller than the 60-foot required lot width in any of our residential zoning districts, and then smaller than the minimum lot area by any of our zoning districts to be platted and become legal, and what that then creates is a potential that a lot that is -- was previously substandard that became legal through the platting process could have as little as 3,000 square feet on it, and we did not want to reduce the opportunity for an ADU and a single-family home. One of the other controlling factors, however, to ADU construction is that it cannot be any greater than 75 percent of the floor area of the existing primary structure, or greater than 800 total square feet. And so there are a lot of factors that would go into making an ADU an actual viable use on these properties. That does, however -- ADUs, up to a particular number of bedrooms, do not require supplemental parking, either. That is built into the ADU standards, again, in order to encourage ADU construction. ADU absorption within the City and ADU construction in the City has been very, very slow. It is not, I think, as envisioned as being something that has been really a mecca for folks to gravitate toward. And again, there is nothing within this project that has been proposed up to this point that ADUs would be otherwise allowed. I'll let the applicants respond to that question possibly when they get recalled. But there's nothing in the zoning requirements that would forbade that from happening. And now that I think about that, yes, it does, because you cannot on a cottage lot. That's correct. I was reminded of this. Cottage lots will not allow you to do an ADU. Anything other than an ADU, or a cottage lot, you can do an ADU in the R-2. That is specific actual prohibition. And that is partially as a result of, once you reduce your setbacks, reduce your lot area, you do. If this was R-1, however, or R-2 general, and it was just a substandard lot, the ADU would be an option, but it would be subject to a lot of other requirements.

Thank you very much, Caleb. I saw you jumping.

MS. HAMMEN: So looking at these really large lots to the -- what -- west of the development --

MR. ZENNER: To the east -- the eastern -- the northeastern corner.

MS. HAMMEN: Okay. So I'm thinking this is -- okay. I'm not oriented right on it. You know, they're big lots.

MR. ZENNER: Yeah.

MS. HAMMEN: Could -- could an owner come and ask for a variance for an ADU on one of those?

MR. ZENNER: They would have to come through this body because that is --

MS. HAMMEN: Well, they're --

MR. ZENNER: -- that's a -- you -- if you choose to increase the density within the development as a result of the lot area, you are more than welcome to do that. However, what I would tell you that we would most likely advise is given the impacts that that may create, based upon the area -- so these could be the larger lots that Mr. Gebhardt referred to that Mr. Mendez would like to maybe do 1,800 square foot homes on, you know, it is 75 percent of that 1,800, you're going to get to a somewhat sizable ADU that could accommodate possibly two to three bedrooms. Once you get to that, that's going to trigger additional parking. I think an observation from staff would be if we don't have parking sufficient to accommodate the ADU regardless if it may trigger it or not, we're going to probably have some concern with that. And those lots, while they are deep, and the only reason they are as large as they are is because almost half of the lots that are -- it would be Lot 116 through -- 115 through 118 are the largest lots within the development. Lots 116 and 117, or almost 50 percent of the lots in the actual drainage easement, which is undevelopable, and then probably a third of 118 is in the drainage easement, as well as about a third of 115. I think, depending on the size of the house, the family that may want to buy that home for which Mr. Mendez may be building it for, they're probably going to require a slightly larger footprint. And not all lots are created equal in this development, which is actually what we would prefer. We want housing variety based on not only style, but scale. And so the way that the development is laid out, while it is a very valid observation, and it was one that we were a little concerned with, as a staff, when we were reviewing the plan, only because it really doesn't comport with the idea of a cottage lot being tiny, but there was really no way to be able to make better use of these deeper lots because of the curvature of Glorietta as it's coming through the project site. And so this is almost some unusable land without doing additional infrastructure improvement would then -- just increases the overall cost. So we balanced the idea of larger lot with the reality that you're likely not going to see something more than maybe a larger home, which is more contemporary with what's in the surrounding neighborhoods, but we do have this variety of allowing for lot width variations and you're still getting preservation of the forested area that will be slightly -- it will be modified. There is no question about that they have to convey drainage, but you're still going to have a very, very wooded rear portion of these lots that's really going to

be untouched. And as Mr. Gebhardt pointed out, the reason it's not labeled as a common lot, which is what you will see for the pond and their climax forest preservation area, is because they didn't want either a homeowner's association having to maintain this large area; furthermore, they would prefer not to have the general public being accessing this particular area potentially doing damage to the tree canopy that is being retained. So these are part of each individual lot and they would be conveyed as a part of that ownership. The lots themselves at 42 feet are what we believe, based on analysis that we have done as it relates to our small-lot standard work that we're doing, is probably the sweet spot for lots. Cottage style lots would be anywhere between about 35 to about 40 to 45 feet in width. That is where you get the maximum amount of opportunity because you have to accommodate driveway drainage, driveway flares, all of these other aspects -- utility placement. These style of lots, this width, is consistent with what we believe is necessary, but it is, of course, a reduction from 60 feet. You're saving 18 feet per lot from what standard R-2 construction would be, and that is something that is quite substantial, and that's how you end up yielding a slightly higher density, but by no means is this yielding a density that is exceeding what would otherwise have been possible in an R-2, a standard R-2 development at 5,000 square foot -- or 7,000-square-foot lots with duplexes. Duplexes would have generated slightly higher density, but they've chosen to take that off the table by seeking this approval. When we talk about consistency with the Comp Plan, this isn't a residential zoning district as defined on our future land use map. This is considered a residential land use, and therefore, we believe that it is consistent. We do not believe that there is a negative impact being created to the surrounding development, even though these are smaller lots. We are integrating a housing topology into an area that would support this given what's to the north and west, which we do have some multi-family and other duplex development. Again, this is supported by the housing study for the City of Columbia. This is public streets. On-street parking will be permitted given that the road right-of-way width and the travel lane width is going to be sufficient to allow for that, but again, that is -- you are still going to be required to provide on-site parking. So as Mr. Gebhardt pointed out, the opportunity on a 42-foot wide lot, take 12 feet away from that, that's going to give you the -- the actual building envelope of a 30-foot building envelope, standard two-car garage is normally 20 feet, that's still going to leave you then with a ten-foot livable space on one side or the other. If you do a single-car garage, which is generally about ten to twelve feet, you get that much more living area. Depth of driveway at 20 feet is going to allow for parking to be accommodated regardless if there is a garage or not, so that's the front setback of the house is going to have to be back the depth of a parking stall, so all parking can be met on these sites. This is a very different from some of the challenges that were with Wyatt where we were going with a much smaller right-of-way width. This is traditional subdivision development, as I said. So we are basically bringing all of our -- the Glorietta extension is really being matched up all the way out to Oakland Gravel. So parking public safety is not an issue for us, either, given how the development has been presented. And then, finally, when we talk about the final criterion, the development that we are being -- you are being asked to consider is not

unlike any other development within the area. You know, we have the capacity along Oakland Gravel. We'll have the capacity along the extension of Glorietta. When our traffic engineer did an evaluation of the preliminary plat in order to determine was there a need for any upgrades associated with this property in regards to turn lanes or anything along those lines, this project did not trigger that. At 22 lots, it really does not. However, unlike our prior case off of Woodlawn this evening, this does require the dedication of additional half-width right-of-way along Oakland Gravel Road because it is currently substandard to its street classification, so we will have dedication upon recording of the final plat of an additional, I believe, roughly seven or so feet of right-of-way. The sidewalk already exists along Oakland Gravel, so that will not be required to be installed, and then sidewalk is proposed throughout this development, which would allow for safe passage of pedestrians outside of the public right-of-way. So with that, we are looking at -- our belief is is that the project does meet the compliance standards. We believe, again, that this is a -- a good infill, bringing in soft density into this particular area, and offering an opportunity to be able to construct homes that are different, but yet similar to what's in the surrounding area -- detached single-families that are going to be on slightly narrower lots, but ultimately, at the end of the day, consistent with what would be in the R-2 size wise at about a 5,000-square-foot lot size average. So with that, if you have any questions, I'll be more than happy to try to answer them.

MS. HAMMEN: I have a question. Just Planning and Zoning is discussing changing the cottage designation because of small lots, incorporating it in that was --

MR. ZENNER: Yes. Integrating.

MS. HAMMEN: What will that zoning be?

MR. ZENNER: It will be -- actually, it's -- we are -- we refer to it as an integration project. And so, when we talk about integration, we mean that these lot styles will be integrated directly into the R-1, R-2 and R-MF zoning districts as by-right options subject to meeting use-specific standards. So with many of our uses in the new Unified Development Code, there are criterion that must be met in order for that use to be able to be constructed. Cottage style housing has gone through a very, very extensive analysis. We have looked at -- we -- as you shrink a lot in half, in essence, so you take a 60-foot wide lot today, you allow it to be as little as 30 feet wide. You're basically chopping a lot in half. We do not want the same scale of a building on a lot half the size. And so we have created a series of use-specific standards that establishes a floor area ratio, a maximum ground floor coverage. We have an open space standard. We have architectural requirements. We have screening and buffering standards as it relates to building height in comparison to its adjacent development. There are a whole series of criterion that must be met if an applicant chooses to avail themselves to this optional side of development. If they don't want to comply, they can develop a single-family home in the zoning districts that they are zoned according to our regular regulations. There is a -- what we -- what we refer to as a quid pro quo, a give and a take, and we're trying to streamline the process to bring this style of lot to market faster, but we are not willing to give up and sell the farm out in the process of doing it, so we have controls. We have

spent probably the last year and a half discussing this project. And right now, we are going through the final stages and insuring that the subdivision regulations, because we have certain criterion in our subdivision standards, which again is what will facilitate this type of development generally, because when you take up acreage like this, you still have to subdivide to get there. The subdivision action requires Council involvement, and if it is a replat of a property, we have very specific criterion that if you are potentially detrimentally impacting the characteristics of a neighborhood, Council has the authorization through their purview to deny that platting action. But when you take a development like this that is what's considered green field or infill development in more of a residential environment, the Planning Commission believes strongly that this style of development should be allowed by right without going through a political process of rezoning, and that is part of why we're doing that.

MS. HAMMEN: What would the zoning be?

MR. ZENNER: The zoning would still be R -- it would either be R-1, R-2, or R-MF. And again, there are lot size differences that are proposed. So within the R-1 zoning district, for example, Ms. Hammen, we are currently discussing small lots, which would be 3,000 to 5,000 square feet allowed in the R-1, subject to use-specific standards, 5,000 to 7,000 square foot lots, again subject to use specific standards, and then 7,000 regular sized R-1 lots being allowed all within the R-1 zoning district. And in the R-2 zoning district, the only change -- R-2 and R-MF, the only change that would be added would be basically 5,000 to 3,000 square foot lots, because right now those zoning districts allow 5,000 square foot single family construction. And it only applies to single-family housing, as well. It does not apply to any other form of development, so you -- you would not be able to do a duplex on a lot like this. You wouldn't be able to do attached single-family housing. You would only be able to do detached, small footprint, small lot development, and that is -- that is exactly the focus and the direction that this amendment would be going through.

MR. MINCHEW: Can I ask you a question? Would you set the homes, like, on the larger lots in the radius of that road, could you set those further back from the street?

MR. ZENNER: They could. So you could have a larger front yard. That is entirely left up to the discretion of the developer. Therefore, you would end up with a larger driveway approach -- or a larger driveway. That may be appropriate given the scale of the house, potentially the number of drivers that may be associated with it, or other factors. There is nothing there -- you do not have to set at the required setback, you just can't go forward of the required setback.

MR. NORGARD: In the case of these properties, would a -- adhering to the rear yard setback is also somewhat silly given that you have this drainage easement in the rear. So I assume this -- the rear-yard setback will still stand; is that true?

MR. ZENNER: Well, the rear-yard setback technically will be 20 feet from the exterior of the property line. But because of the easement, in essence --

MR. NORGARD: Okay.

MR. ZENNER: -- establishes the rear yard, because you can't build into the easement, the way I used to say it when I worked out east is is the easement line becomes the setback line. So we have -- you'll have -- technically, you have a rear yard of 20 feet, but if your easement is at 30 feet, that's your rear yard setback on that lot. You just -- you can't go into the easement. That's a -- that's a standard practice of -- of the City as it relates to its easements and the establishment thereof when we record final plats. You can't build in an easement, at least structurally. I will say a home cannot be built there. You could potentially erect a fence at your own risk. Typically, our Utilities Department does not want fences because if they've got to go do line repair, they're ripping fences out and then we don't put fences back in, and we make people very upset with us when we don't do that, or we rip out vegetation.

MR. NORGARD: Any further questions? Seeing none. Would the applicant like to come up and make a final comment or respond to anything they've heard.

MR. GEBHARDT: Yes. Jay Gebhardt, again. No, I don't really have anything. I just want to make sure everyone is clear, no ADUs, only one home on each lot. Okay?

MR. NORGARD: Clear. Very clear. Thank you. With that, I'm going to go ahead and close the public hearing.

MR. NORGARD: Legal, would you like to add any additional UDC code?

MR. CRAIG: Yes. Yes. Thank you, Mr. Chair. As the applicant has submitted their exhibits, as a preliminary matter, I would like to introduce into the records -- I suppose we'll call it, for the sake of clarity, City's Exhibit A, rather than 1, which will just be certified copies of Chapter 29, Sections 1.11, Sections 2.2, subsection (a) (2), an accompanying table 2.3. Section 4.1, and accompanying dimensional chart 4.11, and articles 6.3 and 6.4.

MR. NORGARD: So moved.

MR. CRAIG: And secondly, again the matter before the Board in this case this evening is a request for an optional development standard pursuant to Section 29, 6.4, subsection (j) (3), and pursuant to that section, this Board may approve an application for an optional development standard if it determines that the following criteria have been met: First criteria, the use of the optional development standards is consistent with the intended character of the area as shown and described in the City's adopted Comprehensive Plan. Second criteria, the use of the optional development standards will provide adequate off-street parking for the permitted uses available in the zoned district where the property is located, and will not result in significant increases in off-site parking on sections of local neighborhood streets other than those immediately fronting the applicant's property. And finally, third criteria, the use of the optional development standards will not create an additional traffic congestion or risk to public health and safety in the surrounding area.

MR. NORGARD: Thank you.

MR. CRAIG: Thank you.

MR. NORGARD: All right. Are there any comments or discussion from the Board? I feel like

this case, once again, meets all the criteria for the process to be met. They've demonstrated adequate off-street parking.

MR. CRAIG: I'm sorry. Mr. Chair, can you use --

MR. NORGARD: Oh, yeah.

MR. CRAIG: -- the microphone for the sake of the record for -- yeah.

MR. NORGARD: Oh, yeah. Yeah. Sorry.

MR. CRAIG: Thank you.

MR. NORGARD: I'm drifting here because I'm trying to read what I wrote. So anyway, I believe this meets the criteria for off-street parking. For sure, there's going to be adequate off-street parking. If the traffic study from the City is -- if the traffic engineer is happy with the congestion potential, then I think that we don't really have a lot to say about that. It seems to meet all the goals.

MR. MINCHEW: I think it -- given the area that it's going into, I think it improves the area and I think it helps bring up property value, by -- by putting it in the area it's in, given the age of the houses that are there. So, I mean, I think it's good for that area.

MS. HAMMEN: I agree it meets all the criteria and looks like a good project.

MR. SHARP: I agree, too. The setbacks are generous, and the property sizes are generous. It looks good to me.

MR. NORGARD: All right. Any further comments? Does somebody wish to make a motion to approve this --

MR. MINCHEW: So moved.

MR. NORGARD: Okay.

MR. SHARP: Second.

MR. NORGARD: Okay. Moved and seconded. Is there any discussion on the motion? Seeing none. Mr. Zenner, would you please formulate an appropriate motion?

MR. ZENNER: In the matter of Case Number 241-2025, 3310 Oakland Gravel Road, cottage optional development standards, a motion has been made to approve the application as submitted with the following setbacks: 20 feet on the front and rear, six foot on the sides, in accordance with the preliminary plat that was presented to the Planning and Zoning Commission illustrating 22 single-family detached lots, and one common lot. Mr. Norgard?

MR. NORGARD: Yes.

MR. ZENNER: Ms. Hammen?

MS. HAMMEN: Yes.

MR. ZENNER: Mr. Minchew?

MR. MINCHEW: Yes.

MR. ZENNER: Ms. Rogers?

MS. ROGERS: Yes.

MR. ZENNER: And Mr. Sharp?

MR. SHARP: Yes.

MR. ZENNER: The motion has five affirmative votes. So ordered.

MR. NORGARD: Thank you, Mr. Mendez. All right. We're going to move on to the final portion of the meeting, the final stretch.

VI. GENERAL COMMENTS BY PUBLIC, MEMBERS AND STAFF

MR. NORGARD: Are there any members of the public who wish to address the Board of Adjustment, you have an opportunity now to speak. I see none. Is there any other items that the Board or staff need to discuss?

MR. ZENNER: At this point, you do not have any items on an upcoming agenda. I will inform you if we have a status change. I cannot recall the next deadline for your -- you definitely do not have a meeting in -- what month are we in -- August. You do not have a meeting in September, and I'll have to check our deadline on our October meeting at this point. We will, at some point, need to probably consider your annual education on open records laws as well as FOIA related issues. We will try to have Ms. Nguyen here for that as a regular Board member. My apologies as it related to a couple of the errors that were in our staff reports this evening, some incomplete thoughts as it related to processing these reports, and we will attempt to do better. As many of you are aware, we have been without a director. That director position has been filled. Our new director will begin at the end of September, and it is a former staff member that you have had present before you, Mr. Clint Smith. He is currently the planning director in Jeff City, and will be coming to become the Planning Director here in the City of Columbia. So you will continue to have the pleasure of having me give you your reports, and I am going to try to, I believe, start to yield those reports to some of my other staff, as I will have some other items that I will need to be attending to, I think, here in the coming year, a Comprehensive Plan being one of them that will likely draw my time. As we discussed this evening, we are in the process of trying to make changes to our small lot process, and so as that unfolds, again, the design profession will be given an opportunity to break the code as we like to say once we have all of the features put together. There will be public commentary and an opportunity for public comment, as well, prior to the Planning and Zoning Commission's public hearing, which will be required. I anticipate probably the ordinance being presented for public consideration at a hearing later this year. It should be before the end of the calendar year, though. Beginning in 2026, as I understand it, we are going to try to take more of a structured approach at trying to address some of the objectives contained within the housing study, and one of them is going to be to figure out ways of being able to promote this type of housing that we've discussed here this evening in these two cases more readily and more quickly such that they can come to market and address the housing issues that we currently are experiencing. With that, we don't have anything else to talk to you about, no issues that I am aware of that are going to come before this Board, such as conditional uses for -- (inaudible) -- communication or anything of that nature. We appreciate your time

and this is an awkward type of thing where we only have a meeting about every other month. So being available, Mr. Sharp, I greatly appreciate you being on call, helps us make sure that we can do our business on behalf of the community. Thank you.

MR. NORGARD: Thanks, Paul. Thanks, Pat. All right. Anybody else? Seeing none. Is there a motion to adjourn?

MS. HAMMEN: So moved.

MR. MINCHEW: So moved.

MR. SHARP: Second.

MR. NORGARD: A third? A fourth? All right. All right. That's it. Thanks.

VII. ADJOURNMENT

(Off the record.)

(The meeting adjourned at 8:40 p.m.)