



David Kunz <david.kunz@como.gov>

Concerns Regarding Zoning Request Case Number REZN-000183-2024

dbeman claronsolutions.com <dbeman@claronsolutions.com>

Wed, Jun 19, 2024 at 6:07 PM

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

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

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

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

My reasons for opposition are:

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

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

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

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

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

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

Thank you for your consideration.

Regards,

Dave Beman



David Kunz <david.kunz@como.gov>

Joe Barraco M-OF Rezoning Letter

Jay Gebhardt <jay@acivilgroup.com>

Mon, Apr 29, 2024 at 6:53 AM

To: "dbeman claronsolutions.com" <dbeman@claronsolutions.com>

Cc: "Pat.Zenner@como.gov" <Pat.Zenner@como.gov>, "David.Kunz@como.gov" <David.Kunz@como.gov>, "Lara@acivilgroup.com" <Lara@acivilgroup.com>, Barraco <joe.barraco@infraredcameras.com>

Dave

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

Thanks

jay

Jay Gebhardt, PE, PLS**A Civil Group****3401 Broadway Business Park Ct., Suite 105
Columbia, MO 65203****Office - 573-817-5750****Cell - 573-864-9811****Jay@ACivilGroup.com**On Sun, Apr 28, 2024 at 10:55 PM dbeman claronsolutions.com <dbeman@claronsolutions.com> wrote:

Pat,

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

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

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

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

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

Thank you.

Regards,

Dave Beman



David Kunz <david.kunz@como.gov>

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

Denise Thomas <Denise.Thomas@veteransunited.com>

Mon, Apr 22, 2024 at 6:44 PM

To: "Ward4@CoMo.gov" <Ward4@como.gov>, "Mayor@CoMo.gov" <Mayor@como.gov>

Cc: "timothy.teddy@como.gov" <timothy.teddy@como.gov>, "patrick.zenner@como.gov" <patrick.zenner@como.gov>, "david.kunz@como.gov" <david.kunz@como.gov>

Good evening,

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

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

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

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

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

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

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

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

April 1st, 2024

Dear Smith Drive Neighbors,

I am reaching out on behalf of my family and our cherished home at 4414 Smith Dr., where my parents, Dan and Audrey, have built a lifetime of memories. As we plan for their future, including my mother's care in light of her cognitive decline, we're committed to ensuring they can continue to live here comfortably. To support this, we've engaged *A Civil Group*, a reputable local civil engineering firm, to request a rezoning of our property from the City of Columbia.

Our 4.56-acre property is currently zoned R-1, which limits us to a single home. We propose rezoning to M-OF, a change we believe serves as a thoughtful transition between the commercial zones to the north and east and the residential areas to the west and south. This shift would not only allow us to add a home for my wife, our two daughters, and me to provide close care and maintain the property, but it also aligns with future planning for the area. We're eager to share more about our vision and discuss any questions or concerns you might have. Please join us for a neighborhood meeting on Tuesday April 16th at 6pm at our home, 4414 Smith Dr., Columbia, MO 65203. *A Civil Group* will maintain an email list for updates on the rezoning process and City meeting dates. Should you have any questions, wish to be added to this list, or are unable to attend the meeting but would like to engage in discussion, feel free to contact Lara or Jay at *A Civil Group*. Your understanding and support mean the world to us as we navigate these changes. We look forward to the opportunity to connect with you soon.

Sincerely,

Joe Barraco,
companionjoe@gmail.com

A Civil Group, LLC Contact Information:

Lara Florea, Project Manager
Lara@acivilgroup.com
(573) 817-5750

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

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David Kunz <david.kunz@como.gov>

Petition against Rezoning EZN-000183-2024

Kittiya Pawlowski <kittiyapawlowski98@gmail.com>

Fri, Jun 28, 2024 at 3:49 PM

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

Dear Zoning Board,

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

Here are my specific concerns:

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

Alternative Solution:

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

Thank you for considering my concerns.

Sincerely,

Kittiya Pawlowski



David Kunz <david.kunz@como.gov>

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

Sonya Germain <sgermain@veteransunited.com>

Fri, Apr 19, 2024 at 1:58 PM

To: "Ward4@CoMo.gov" <Ward4@como.gov>, "Mayor@CoMo.gov" <Mayor@como.gov>

Cc: "timothy.teddy@como.gov" <timothy.teddy@como.gov>, "patrick.zenner@como.gov" <patrick.zenner@como.gov>, "david.kunz@como.gov" <david.kunz@como.gov>, "germain.dustinp@gmail.com" <germain.dustinp@gmail.com>

Good afternoon!

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

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

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

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

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

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

Thank you for your time and consideration!

April 1st, 2024

Dear Smith Drive Neighbors,

I am reaching out on behalf of my family and our cherished home at 4414 Smith Dr., where my parents, Dan and Audrey, have built a lifetime of memories. As we plan for their future, including my mother's care in light of her cognitive decline, we're committed to ensuring they can continue to live here comfortably. To support this, we've engaged *A Civil Group*, a reputable local civil engineering firm, to request a rezoning of our property from the City of Columbia.

Our 4.56-acre property is currently zoned R-1, which limits us to a single home. We propose rezoning to M-OF, a change we believe serves as a thoughtful transition between the commercial zones to the north and east and the residential areas to the west and south. This shift would not only allow us to add a home for my wife, our two daughters, and me to provide close care and maintain the property, but it also aligns with future planning for the area. We're eager to share more about our vision and discuss any questions or concerns you might have. Please join us for a neighborhood meeting on Tuesday April 16th at 6pm at our home, 4414 Smith Dr., Columbia, MO 65203. *A Civil Group* will maintain an email list for updates on the rezoning process and City meeting dates. Should you have any questions, wish to be added to this list, or are unable to attend the meeting but would like to engage in discussion, feel free to contact Lara or Jay at *A Civil Group*. Your understanding and support mean the world to us as we navigate these changes. We look forward to the opportunity to connect with you soon.

Sincerely,

Joe Barraco,
companionjoe@gmail.com

A Civil Group, LLC Contact Information:

Lara Florea, Project Manager
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Sonya Germain

Senior Group Product Manager

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

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