

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
June 9, 2022

Case Number 115-2002

A request by Crockett Engineering (agent), on behalf of Jeremy and Michelle Moore (owners), seeking approval of two design adjustments related to sidewalk installation and public improvements, 29-5.1(d) and 29-5.1(g), respectively. The requested design adjustments are sought in connection with a proposed two (2) lot final plat of approximately 6.55 acres of R-1 (One-Family Dwelling) zoned property. The property is located on the west side of Bluff Creek Drive, approximately 200 feet north of the intersection of Bluff Creek Drive and Pebble Creek Court.

MS. LOE: May we have a staff report, please?

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the requested design adjustments to waive grading between the trail and the bridge abutment and to allow sidewalk to be built in an alternative location.

MS. LOE: Thank you, Mr. Kelley. Before we move to questions of staff, I'd like to ask any Commissioner who has had any ex parte related to this case to please disclose that now so all Commissioners have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Commissioner Geuea Jones?

MS. GEUEA JONES: Hi. Thanks. I'm looking at the alternative -- sidewalk alternative graphic. Am I reading it correctly that it will tie into whatever sidewalk is built at the development that will be across the street? I'm trying to figure out if the property lines I see where the sidewalk on the east side of the street ends, are those property lines or the --

MR. KELLEY: It would -- it would tie in. It's a whichever happens first, so if this development comes through first, they will build all of the sidewalk as shown here. There's a little stretch that overlaps, so if the development across the street builds their portion of sidewalk first, then this will just build the part on the graph that hasn't been built yet.

MS. GEUEA JONES: That's what I thought, I just wanted to make sure I was reading it correctly.

MR. KELLEY: Yes. Yeah. Where the cursor is is what -- is the part that would be overlapping on the other part of the development.

MS. GEUEA JONES: Yeah. Thank you.

MR. KELLEY: But the other -- the other development on the other side of the street.

MS. LOE: Commissioner MacMann?'

MR. MACMANN: Just a point, and this may be a Mr. Crockett thing when he gets there. The future bridge abutment is in the flood way or the floodplain? The potential abutment --

MR. KELLEY: I --

MR. MACMANN: You're not sure?

MR. KELLEY: I don't believe so. I believe, as you can see --

MR. MACMANN: It's above that point?

MR. KELLEY: Yeah. If you look here, this is -- I'm going to the other side just so I have north-south oriented. No. That's not going to work for me. Okay. So this hatch line with the hatches facing toward the right of my screen, that is the flood way, I believe, and this is the under your floodplain, so the bridge abutment is outside of that at a higher elevation.

MR. MACMANN: Just wanted to make sure. Thank you.

MS. LOE: Any additional questions? Commissioner Placier?

MS. PLACIER: Yeah. Just to be clear, if the City does at some future date decide to pursue this bridge, does that entail any obligation for the property owner to then do the sidewalk?

MR. KELLEY: For the property owner, no. That would be the City completing that portion of sidewalk.

MS. LOE: Commissioner MacMann?

MR. MACMANN: Just a quick revisit. See that piece. If it's not on the ten year, it's imaginary, and it's more than aspirational, and I seriously doubt in this neighborhood if this bridge ever gets built unless the neighbors want a bridge. So I think the chances of this bridge or the sidewalk are low.

MS. LOE: Commissioner Stanton?

MR. STANTON: I concur. I was just going to say that. If you thought ten-, twenty-year plan, it's not. It's not happening.

MS. LOE: Any additional questions for staff? If there are none, we will open up the floor to public hearing.

PUBLIC HEARING OPENED

MS. LOE: If you have any comments, please come up to the podium and give your name and address for the record.

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I believe Mr. Kelley did a good job explaining what I kind of thought originally was a little bit more of a complex situation, but I think he did a very good job, at least it was in my mind, of explaining what's going on here, so I don't want to bore you with a bunch of details and reiterate what he had already said, but the big thing I want to -- I want to talk about is really the applicant is really wanting to build as much as they can, and in this particular case, they just can't. And so that's what they're asking relief from. Many times, you have a -- a variance request coming before you asking for relief because they don't want to do it, and that's not the case here. They're willing to build a sidewalk, they're willing to grade as much as they can. It's just without that bridge abutment in place, we can't go

any further. That bridge abutment, the elevation has yet to be determined, and so it's not something that can be built in grade two. Even if it was built in grade two, our sidewalk is going to be elevated so high, it doesn't go anywhere. And so the idea that it is, you know -- you know, my company worked with City Staff to come up with an alternative layout that would be more accommodating, you know, so we can provide sidewalk, maybe not to their standard location, maybe not the full length of the property, but it's going to be used. It's going to allow this development to have access to the trail. I don't know if Mr. Wade is still in the room or not, but I think that was one of the questions that he had at the -- at the last meeting -- or, excuse me -- that last hearing about that, and I think this is going to answer his question. So all the residents would have a better access to the trail down below. And so, again, just want to reiterate, my client is willing to do what they need to do. It's just they don't want to do things that they really can't. So with that, I'm happy to answer any questions the Commission may have.

MS. LOE: Thank you, Mr. Crockett. Commissioner Geuea Jones?

MS. GEUEA JONES: Hi. I'm going to ask you a series of leading questions for the record. They are not traps. So this -- this property has some pretty unique geographic features.

MR. CROCKETT: The entire piece of property?

MS. GEUEA JONES: Well, this particular area. It's very steeply graded. It's down into a flood plain?

MR. CROCKETT: There's -- correct. Correct.

MS. GEUEA JONES: And you are not requesting to build no sidewalk. You do want to build sidewalk?

MR. CROCKETT: That is correct.

MS. GEUEA JONES: And that sidewalk ties into other public transit sidewalks even though that is a trail rather than a street sidewalk?

MR. CROCKETT: That is correct.

MS. GEUEA JONES: Thank you very much.

MS. LOE: Any additional questions for this speaker? I see none. Thank you, Mr. Crockett. Any additional speakers on this case?

MR. WADE: Tim Wade, 2104 Bluff Point Drive. I've got a picture of what trail access looks like for a developer.

MS. LOE: We need a user-friendly computer.

MR. WADE: Yeah. So I wish I could tell you in words what pictures look like. The -- the opportunity to use 95 more feet of this development for a better surface would be far superior to the -- somebody suggested there's an existing trail there. It's basically a -- that was maybe weed-whacked through the grass, so there are a lot of ticks, there's a lot of rocks, there's a lot of -- it's basically through the middle of the woods. You have an opportunity to get 95 feet closer to an existing trail system, so why not take the opportunity to utilize that extra 95 feet. The developer is willing to do it, I'm sure, because it's a highly valued property. As it ends, the -- you're probably going to end up -- don't worry about it. You're

going to have a sidewalk to nowhere that just sort of does a -- turns around. I don't really understand why we're not taking advantage of 95 more feet toward the Grindstone Trail. You know, you can explain to me what -- what a bridge abutment would mean, but as I understand it, 95 more feet of sidewalk would get us 95 feet closer to the existing trail rather than just saying, well, it's not really on the ten-year plan for CIP.

MR. KELLEY: Sure. Yeah. Sure. So going 95 more feet in the typical location would be actually going away from the trail. I discussed this pretty well at the -- no. And so the trail is actually going to the - the southern portion of this screen. I'm discussing with the Parks Department --

MR. ZENNER: The lighter area here, Tim, that you see here where the cursor is, that's actually the trail as it comes off --

MR. WADE: That's what I'm saying. That's not a trail. That's a cut back --

MR. KELLEY: It's a deer path. You're right. Yeah.

(Multiple people taking simultaneously.)

MR. ZENNER: And then -- yeah. The green line that is here is really probably the cut trail that the Parks Department has leading down to the creek channel.

MR. KELLEY: On City property, yeah.

MR. ZENNER: City property. That may or may not be improved at some point in the future to something more significant. This design, at least, would get you to that trail on an improved pedestrian system that doesn't exist today, and that is why it's viewed as being more practical than building the sidewalk that's in yellow to a future bridge abutment that has not yet been set.

MR. WADE: Ninety-five closer to an existing trail. I hear this word existing, direct access to the Grindstone Trail, but that's not true. We still are going to end up with development, you know, new development on an existing trail where a cul-de-sac or a dead-end does not access the trail system. That's sort of become a problem in Columbia when, you know, you have an opportunity when you develop the dead-end area that backs up to the trail to give the public access to that trail rather than, okay, we're just going to cut through somebody's backyard and hope they don't yell at me.

MS. LOE: Commissioner Carroll?

MS. CARROLL: I did want to ask some follow-up questions. So can we go back to that graphic, Brad?

MR. KELLEY: Yes.

MS. CARROLL: So I do us this trail, actually, a bit. I'm a hiker and a cyclist. When I drove this area, it wasn't clear to me. So when I drove down this street, it wasn't clear to me where the trail access was. However, I'm not clear, listening to you and looking at the graphic, how building the extra 95 feet on the yellow line gets you closer to the trail, either.

MR. WADE: So --

MS. CARROLL: So what are -- I wish I could see the picture that you brought. And riding that trail, I did not know that there was any kind of access here.

MR. WADE: Access is a really incorrect word to use. It's a way to get to the existing trail.

MS. CARROLL: So how does the yellow get you closer to the trail, though?

MR. WADE: That Bluff Creek Road goes directly across toward Hollywood 14 Theaters, and so you see the -- the Grindstone Trail coming -- coming right in between the two. So you're -- you know, you get 95 feet more if you -- if you basically stayed with a plan to build the sidewalk. I just think we're giving up 95 feet of -- of getting closer to the trail.

MR. KELLEY: Yeah. One thing I was referring to is access, yeah. It's not -- this part is an improved trail, like it's not a paved trail or anything. Right? It's more of a deer path kind of situation as it runs through this hillside, switch backs here, and then crosses at Grindstone Creek. So the proposal would be to construct it up to the point that it comes into City property, where the City has -- lays this rough portion of a trail at the end of their property.

MR. WADE: If the City could give a promise to give a real through access to the Grindstone Trail, I think that would be fine. That ought to be included in the proposals, part of the approval by the Planning and Zoning Commission that we -- we promise or we have -- here's the design. We'll make this a real trail rather than -- you know, I mean, just somebody went and weed-whacked it for this -- you know -- you know, it's -- you need to have access to the Grindstone Trail. That's what this community is billed about. It's -- you know, we've got these trails running through our backyards and no one can get to them because developers who developed the dead end don't allow easements through. So I'm just going to say we've got two opportunities here. The first one, I didn't really hear anything said I'm going to give you access to the -- give you access to the City property, but on a trail to it, to the Grindstone Trail. Why not use this one? It's, you know, closer. I'm just going to make that suggestion. Thank you.

MS. LOE: Thank you, Mr. Wade. Any additional questions for Mr. Wade? I see none. Thank you, Mr. Wade. Mr. Kelley, this plan for the alternative -- any additional public comments?

MR. COX: Again, Shawn Cox, 2705 Pebble Creek Court. I guess if you could go back, Mr. Kelley, to -- I guess I'm confused. If it is not in the plans for the City to make the trail access, and it's my understanding it's not -- it's not on the budget right now, why are we asking this homeowner to extend a sidewalk? We already have issues with homeless individuals living up in that area. We have access with people parking there, trying to get back down this. It is, by no means, a trail. It is literally a deer path that is covered in mud and is extremely dangerous for people to try and go down. So now we're going to extend a sidewalk that's going to present an image that this is going somewhere. We're going to have people parked there thinking that they can then access it, and we have no plan in place for a trail to be done; is that what I'm understanding?

MS. CARROLL: Not requiring them to build this --

MS. LOE: Commissioner Carroll?

MS. CARROLL: Sorry. I'm sorry. I just wanted to clarify. We're not requiring them to build this. They're offering this as an alternative to building it in the traditional location.

MR. COX: Okay. So they're offering to build it on the other side --

MS. CARROLL: They offered --

MR. COX: -- but still as Mr. Wade was saying, it's still going to be a road to nowhere. It's just an invitation for problems.

MS. LOE: Any questions for this speaker? Commissioner Stanton?

MR. STANTON: The developer is required to do the sidewalk as he develops his property, so it was going to be a sidewalk to nowhere, just more nowhere. And if he were to do it, it would have been at great expense because of the elevations and the lack of the bridge above it, which a bridge that is on a 20-plus plan, which means it's not going to be built. So this is an alternative to not having any sidewalk which is required. If he did not ask for this adjustment, he would have to build this monstrous sidewalk basically levitating over extreme elevations and build up probably ten feet of dirt to make it happen. Do you see what I'm saying?

MR. COX: Right.

MR. STANTON: But he's asking for an alternative, and that's why we're in this discussion. He's going to build some versus all that he will be required if he did not come before us and ask us for this adjustment at all.

MR. COX: I understand. I live three houses from there. So my next question then becomes once this is built by the developer, who then does this become responsible -- who is responsible for this thing?

MR. STANTON: The City.

MR. COX: So it will be City property --

MR. STANTON: The City maintains it.

MR. COX: -- to maintain it.

MR. STANTON: Takes custody of it after its built.

MR. COX: Okay. We already have issues with that not being maintained. We have issues with those roads not being plowed during the winter. I can't tell you the number of people I've had to pull out of that neighborhood with my truck. The appearance of that having more access, people come down there thinking that they can access all the way over across to the movie theater. I have numerous people who stop my children, asking my children how they get to the movie theater. That being extended, the appearance of that sidewalk going -- is going to only exacerbate that, and I just think that if there was going to be a plan to extend the sidewalk, I'd like to see something as was mentioned -- I would like to see something on the plans for the City then to make it an actual access.

MS. LOE: Any additional questions for Mr. Cox? I see none at this time. Thank you, Mr. Cox. Any additional speakers on this case? Seeing none. I'm going to close public hearing.

PUBLIC HEARING CLOSED

MS. LOE: Commission comment? Commissioner Carroll?

MS. CARROLL: Despite my earlier comments --

MR. MACMANN: Oh, excuse me. Ladies first.

MS. CARROLL: I was going to say you can go first.

MS. LOE: Commissioner Carol?

MS. CARROLL: Despite my earlier comments, I think that this sidewalk location makes sense. The other sidewalk is impractical, also goes nowhere. There is no bridge coming. We've all stated this. I think that it would be nice if the City would provide a trail sign there so we knew why it was connecting as users, but that's not part of this request. So I do intend to support this request.

MS. LOE: Commissioner Stanton? Mr. Kelley, the plan for the -- or the design of the revised sidewalk location was looked at by Parks and Rec?

MR. KELLEY: This specific graphic, yes.

MS. LOE: Did they indicate any provisions or plans for tying the trail in, or that this does -- they did identify that this does tie into a trail head?

MR. KELLEY: Yes. This was heavily supported by them. I don't have any info for any other plans for Parks offsite.

MS. LOE: No. But -- but they have identified this as a location that ties into a trail they identify as existing or --

MR. KELLEY: Yes.

MS. LOE: Okay. Thank you. Commissioner Placier?

MS. PLACIER: Now I am confused because I thought that green thing was not -- I guess the white -- whitish curved thing there is the bush-whacked, rough area, but what about the green? Is it actually the trail, or is it access to the trail?

MR. KELLEY: No. This is a little zoomed in. The graphic didn't work well for the dimensions of the TV, I think. I was trying to point out where the trail connection would be, and then pointing out farther to the southeast. The trail runs fairly linear along the contour line right there. If you just imagine extending where you can see it; it's like a gravel path now where it makes that L-shape. If you just imagine extending on that same path. And you can also see it on the -- when I showed the slope earlier, you can see where there's an area that's at grade continued throughout the hillside.

MR. ZENNER: Notice -- I think you can see this in the graphic. This is the bridge that Mr. Kelley has been referring to that comes over the creek. And as he's referenced, there is a switchback due to the grade change here in this what we would refer to and our Parks and Recreation Department would refer to as a trail. And it is a trail, a hiking trail. This is not an improved by any means access, but it comes and generally is -- follows the topo, and has to come back, and then comes down to get across. This is an undeveloped City property that was acquired several years ago. As is the Parks Department's general practice, as monies become available and ballot initiatives are passed to extend the Parks sales tax and demands or requests are made of them within their neighborhoods in which they have these types of facilities, then improvements may be being proposed or made, but that is not something that was discussed with us at the time that we were looking at this alternative with the Parks Department. No additional information has been provided, but from a practical perspective, the connection of the sidewalk that was shown on the graphic will eliminate, in essence, what you see starting here at the end of

pavement all the way down, in essence, to where it goes into the tree line. That becomes a paved surface that then accesses and completes a trail -- the beginnings of a trail network, a traditional paved trail network as you can see here on this graphic, on the north side of the creek.

MS. LOE: Thank you. Any additional comments? Commissioner MacMann?

MR. MACMANN: If my fellow Commissioners have no more questions or concerns -- Mr. Kelley, before I open my mouth, this is just two design adjustments. Right?

MR. KELLEY: Correct.

MR. MACMANN: Do you want two motions?

MR. KELLEY: Yes.

MR. MACMANN: Could you return to the relevant page so I can read it off. In the matter of Case 115-2022, design adjustments to that particular plat --

MR. ZENNER: Bluff Creek Estates Plat 10.

MR. MACMANN: Thank you, Mr. Zenner. Bluff Creek Estates Plat 10. I was reading forward before I went back. I move to waive the grading between the trail and future bridge abutment location.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Motion on the floor. Any discussion on this motion? Seeing none. Commissioner Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Ms. Burns, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Wilson, Ms. Loe. Motion carries 9-0.

MS. CARROLL: We have nine votes to approve. The motion carries.

MS. LOE: Thank you. Commissioner MacMann?

MR. MACMANN: If I may, in the matter of Case 115-2022, Bluff Creek Estates Plat No. 10, design adjustment, allow the sidewalk to be built in an alternative location as demonstrated by staff's report, I move to approve.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Motion on the floor. Any discussion on this motion? Commissioner Placier?

MS. PLACIER: I hope somebody can explain to me how this alternative sidewalk, it connects to an unmaintained, unmarked trail that is a route to a trail. I'm just trying to think what is the -- what's the long-term value of it unless more work is also done?

MS. LOE: Commissioner Carroll and then Commissioner MacMann.

MS. CARROLL: As a -- as a user of these trails, I would say that unimproved gravel hiking trails have a community use of their own for recreation, if not transportation. I would say that it is still more useful than the alternative, which is a sidewalk that goes nowhere, or no sidewalk at all, so I would look at that as more beneficial than what we would end up with. I -- my main problem is that there's -- I did not

see any signage at that location of where the gravel trail started. I would like the City -- the Parks Department to put, like, just that small little green sign with the tiny placard. That's all that's needed. But that's not part of this request. I -- I assume that this does appear on the trail maps, so people who live there could know that it's there. People in the City at large could know that that's there to access. It has more value than a trail -- than a sidewalk that would go to a bridge that's never being built, and even if it was built, the chances of them tearing out the sidewalk that they put there sounds very high to me. I -- I don't see any advantage to having the sidewalk in the location where it would be required, and I do see an advantage to cutting out that extra, so, like, there's gravel or bush-shacked something that's covering that distance on the map that I assume the City or someone in the neighborhood is currently maintaining. Put a sidewalk there, and the City doesn't have to maintain gravel that has more upkeep associated with it.

MS. LOE: Commissioner MacMann?

MR. MACMANN: Given -- I appreciate your concerns. I do.

MS. PLACIER: I don't want the sidewalk, by the way. I do not want the traditional sidewalk. I'm just saying this is a super secret --

MR. MACMANN: I don't -- given a couple of things. I grew up in the country with deer runs and weed-whacked trails, although, when I was a kid, we didn't have weed-whackers, so you guys think about that for a minute. Even our discussion here, given the City Council will see this, given the 48 people who always watch and it always boggles my mind, and this trail does -- already has some use. Someone has weed-whacked it, if nothing else, the deer are using it. It will become more utilized over time, and I think -- I think it's from an environmental use, also. This is going to follow the grade and go around and down. If we extend there the more sidewalk, it would be, like, a causeway into nowhere. Yeah. I think this trail will eventually get used. It's probably going to be low use. I appreciate that, and I appreciate Mr. Cox's concerns, but we can talk afterwards, Mr. Cox, about people in your neighborhood being problematic. We have the same problem. I think it will develop over time. That's what I think. I can't speak for Parks and Rec. They have their own funding stream. Apparently, no one can speak for Parks and Rec. I don't mean to be so flip about that, but I think it'll -- once the sidewalk is there, it will start to be used, particularly once the other one is connected. So I felt I needed to make a motion for it. All right.

MS. LOE: Commissioner Placier, I live across the street from a park where the trails are very rustic, and you wouldn't know they're there probably if you didn't live across the street from the park. They're maintained more by use than by Parks and Rec, but the more they're used, the more maintained they are by virtue of that fact. So I think creating more of an entrance or more access to this trail will actually, by virtue of that, improve the trails. Any additional discussion on the motion? Seeing none. Commissioner Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Ms. Burns, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Wilson, Ms. Loe. Motion carries 9-0.

MS. CARROLL: We have nine votes to approve; the motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council.