

**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBERS**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**DECEMBER 21, 2023**

**COMMISSIONERS PRESENT**

**Ms. Sharon Geuea Jones**  
**Ms. Valerie Carroll**  
**Ms. Sara Loe**  
**Mr. Anthony Stanton**  
**Ms. Peggy Placier**  
**Ms. Shannon Wilson**  
**Mr. Zack Dunn**  
**Mr. Matt Ford**

**COMMISSIONERS ABSENT**

**Mr. Michael MacMann**

**STAFF PRESENT**

**Mr. Pat Zenner**  
**Mr. Rusty Palmer**  
**Ms. Rebecca Thompson**

**I. CALL TO ORDER**

MS. GEUEA JONES: I will now call the December 21, 2023 regular meeting of the Planning and Zoning Commission to order.

**II. INTRODUCTIONS**

MS. GEUEA JONES: Commissioner Carroll, may we have a roll call?

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Present.

MS. CARROLL: Commissioner Dunn?

MR. DUNN: Present.

MS. CARROLL: Commissioner MacMann? I'll go back. I am here. Commissioner Geuea Jones?

MS. GEUEA JONES: Here.

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Here.

MS. CARROLL: Commissioner Ford?

MR. FORD: Here.

MS. CARROLL: Commissioner Wilson?

MS. WILSON: Here.

MS. CARROLL: Commissioner Stanton left.

MS. GEUEA JONES: No. Commissioner Stanton is here.

MS. CARROLL: Oh, sorry. MacMann -- Commissioner MacMann left.

MS. GEUEA JONES: Yes. Yes.

MS. CARROLL: We have --

MS. LOE: I am here.

MS. CARROLL: Oh, Commissioner Loe. I'm so sorry.

MS. LOE: Here.

MS. CARROLL: We have eight; we have a quorum.

MS. GEUEA JONES: Thank you.

### **III. APPROVAL OF AGENDA**

MS. GEUEA JONES: Are there any changes to the agenda, Mr. Zenner?

MR. ZENNER: Yes, there are. A couple of unfortunate housekeeping issues, as well as a request to table a project which came in late yesterday afternoon. Case Number 31-2024 has been requested to be tabled. We will cover that before we handle our first subdivision action. And then Case Number 21-2024 was actually shown under the Public Hearing section of the agenda. That actually should have been under -- the first item under Public Hearings and Subdivisions. Those are the only changes we have to the agenda.

MS. GEUEA JONES: I'm sorry. Could you repeat the case number on the last one?

MR. ZENNER: Case number on the last one is 21-2024.

MS. GEUEA JONES: Got it. Thank you. I will do my best to remember that. With those adjustments, is there a motion to approve the agenda?

MR. STANTON: Move to approve the agenda.

MR. DUNN: Second.

MS. GEUEA JONES: Motion by Commissioner Stanton, seconded by Commissioner Dunn. Do we have thumbs-up approval of the agenda? Unanimous.

(Unanimous vote for approval.)

MS. GEUEA JONES: Thank you.

### **IV. APPROVAL OF MINUTES**

MS. GEUEA JONES: We all received a copy of the December 7th, 2023, regular meeting minutes. Are there any changes or adjustments to the minutes?

MR. STANTON: Move to approve the minutes.

MS. LOE: Second.

MS. GEUEA JONES: Approval moved by Commissioner Stanton, seconded by Commissioner Loe. Thumbs-up approval on the minutes?

(Unanimous vote for approval.)

MS. GEUEA JONES: Unanimous, with abstention from Commissioner Carroll? Oh, wait. No. You were here for the regular meeting, just not the work -- sorry. Unanimous. Thank you.

MS. GEUEA JONES: With that, we will move to our first case of the evening, which would be the tabling motion. Correct?

MR. ZENNER: That is correct, ma'am.

## **V. TABLING REQUESTS**

### **Case Number 31-2024**

**A request by Crockett Engineering (agent), on behalf of TKG Storage Mart Partners Portfolio, LLC (owners), seeking approval of a Conditional Use Permit (CUP) to allow a self-service storage facility over 14 feet in height, located at 3412 I-70 Drive SE.**

MS. GEUEA JONES: Is there a date certain on the tabling?

MR. ZENNER: There is. January 18th, 2024.

MS. GEUEA JONES: The request has been made to table until January 18th, 2024. Is there a staff report on the tabling?

MR. ZENNER: Just that the applicant is continuing to work with staff on some technical items for us in order to complete our review. The staff report, while it has been issued, will likely be revised before the January 18th meeting, based on additional information that will be presented. This was an advertised public hearing, so if there are individuals of the public here, you would likely like to open the public hearing on that, but it would be only to discuss the tabling, not necessarily the merits of the case.

MS. GEUEA JONES: Thank you. Are there any questions about the tabling motion for staff? Seeing none. We will open the floor to public hearing. We will not be hearing or discussing the merits of the case tonight.

### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Anyone here to discuss tabling of this case on the self-storage mart? Seeing no one coming forward.

### **PUBLIC HEARING CLOSED.**

MS. GEUEA JONES: Any Commissioner discussion? Comments? Would someone like to make a tabling motion? Commissioner Stanton?

MR. STANTON: As it relates to Case 31-2024, I move to table of date certain -- is it January 18th, 2024?

MR. ZENNER: Yes.

MR. DUNN: Second.

MS. GEUEA JONES: Moved by Commissioner Stanton, seconded by Commissioner Dunn. Any discussion on the motion? Seeing none. Commissioner Carroll, when you are ready.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton,**

**Mr. Dunn, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

MS. CARROLL: We have eight votes. The motion carries.

MS. GEUEA JONES: Thank you. That case will be tabled till January 18th, 2024. Back up to the top of the printed agenda.

## **VI. SUBDIVISIONS**

### **Case Number 35-2024**

**A request by Crockett Engineering (agent) on behalf of The Roxie Grant Revocable Trust (owner), for approval of a 122-lot preliminary plat to be known as "Amberton Place." The 60.26-acre subject site is located at 3705 Gibbs Road and is currently under Council consideration for permanent zoning (Case Number 247-2023) and annexation (Case Number 13-2024).**

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the "Amberton Place," preliminary plat pursuant to minor technical corrections. The plat will not be presented to Council for approval unless the pending annexation and permanent zoning requests are approved.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had outside discussions about this case, please disclose so now. Seeing none. Any questions for staff? Just one quick question from me. This seems pretty similar to the concept plat that they kind of showed us before. Were there any major changes of note? I don't think there --

MR. PALMER: No. It matches.

MS. GEUEA JONES: Yeah. That's what I thought. Thank you. Commissioner Carroll?

MS. CARROLL: Yeah. I'm just trying to understand the Gibbs extension. So is that something that they're extending, or is that something future CATSO planned? Is there more planned road out there?

MR. PALMER: Yeah. So the CATSO major roadway plan shows both current major roads and future major roads. This is on the future map -- well, it is a future road on the map, and it would extend from this point north all the way to Route E or North Stadium, however you want to call it. But that's a significant -- you know, it's probably almost a mile or more.

MS. CARROLL: Can you point to the point of the extension on this map?

MR. PALMER: So right now -- yeah.

MS. CARROLL: Okay.

MR. PALMER: Right now, Gibbs comes along and makes this kind of jog, and then it becomes Barberry and goes into town.

MS. CARROLL: I see.

MR. PALMER: And so now Gibbs will come up and just continue on and -- and it actually turns

to the north at the edge of this property.

MS. CARROLL: Okay.

MR. PALMER: Like I said, this section here along the jog will probably be renamed to Barberry, just extending Barberry out until it intersects with this -- this new Gibbs Road location, so --

MS. CARROLL: Yeah. I think that's what I was envisioning, but I need it very explicitly spelled out, so I know what I'm looking at.

MR. ZENNER: And I think as to answer the broader question, the developer would be required to build the piece of Gibbs as it crosses their property.

MS. CARROLL: Uh-huh.

MR. ZENNER: As with most major roadways, once it leaves this site, that major roadway would be either being installed as a portion of future development activity on properties further to the east and north, or should the road connectivity raise to the level of being added to a -- a transportation bond for our roadway projects, it would be potentially constructed by the City. But at this point, there are no identified capital improvement plans to extend Gibbs Road beyond where this property is at this point.]

MS. CARROLL: And we don't have any problems with the way that they're accessing the properties trafficwise until -- without any future plans yet?

MR. ZENNER: That is correct. So that there was a traffic study that was performed on this. The traffic study has identified that the road network that is shown is sufficient to support the needs of this 122 lots. The relocation or the rededication of right-of-way and the realignment of Gibbs/Barberry where it comes back up, that's part of the traffic studies identified that as a controlled intersection -- a controlled stop intersection because the through traffic will be Gibbs, so there will be improvements that will be made to that intersection when it is reconstructed. But the road right-of-way and the alignment and the access points to get to the 122 lots is adequate to meet all of our regulatory standards.

MS. CARROLL: Thanks.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will now open the floor for public hearing.

#### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward, state your name and address for the record, six minutes for a group, three minutes for an individual.

MR. CROCKETT: Madam Chair, members of the commission, Tim Crockett, Crockett Engineering, 20 -- excuse me, 1000 West Nifong. Just a quick overview. You've seen this before several meetings ago, the rezoning request came before this commission in which you approved it unanimously. Again, it's a little bit untypical or atypical. Typically, we have the preliminary plat and the zoning coming together. Given the cottage standards that we're looking for in this development, typically in the past, we've gotten the zoning approved, then we've gone to the Board of Adjustment, then come back with the preliminary plat. After further discussion with staff, we believe that the preliminary plat

sliding on through before the Board of Adjustment is a more appropriate route, so that's the reason why we're -- have that little offset. Again, it's about 60 acres in size. We're proposing the mixed zoning of R-1, R-2, so we get the cottage standards, and then R-MF for town homes. With about 115 total units within the project, our density is going to be about 1.9 units per acre, so even though we are asking for the increased density for cottages and multi-family, with the amount of green space that we have on the property, it's still a relatively low density development for the total acreage being proposed. You've seen this before. This is just a simple location map. You can see the residential developments further to the east. Those residential developments range in densities anywhere from three and a quarter. They've got one at two point nine, one at two point 0, and then there's a duplex development just immediately to our southeast that has about five units per acre. So our project is less dense than what's currently there. Again, you've seen the preliminary plat. I will say that there has been a couple of little changes to this revised -- to this layout than what you saw before. The two revisions where we took the -- the lot for the amenities that was originally on the eastern side of the development, and we moved it more centrally located into an interior portion of the development. And then also we also realigned to Gibbs ever so slightly on the east side. Both of those were at the request of the neighbor to the east, so he asked us if we could slide the road, realign the road just every so little bit so it would have less impact on his property or his house in the future, still on his property, but not so much towards his house. And then also get the light and the noise from the amenities to our development away from his house. And so we obliged those requests. Again, you can see this -- the layout, you can see the green area here. That's the open space that's going to be left. Obviously, the little one right in the middle, that's the common lot for the amenities. The purple-shaded region, that's our standard R-1 lots, so that's their standard R-1 portion. We add in the blue. That's going to be our cottage standard, smaller lots, a little smaller homes, and then our single-family attached, our town home, is right in the middle of the development indicated there by yellow. Again, the zoning classification is the area, it's a wide mix. Currently, it's zoned R-S, which is our single family in the county. There is multi-family zoning to the south. There is quite a bit of multi-family further to the south and east, as well. And then, of course, there are some larger agricultural zoned properties as well that are in the city. To answer your question, Ms. Carroll, this is -- this is the CATSO map, and so you can kind of see the -- the solid portion of Gibbs is what's there currently. That's yellow, and then, of course, it drops down to a neighborhood classification in pink, and then the dashed green-yellow is what goes across the property. And so that was -- been on CATSO maps since at least 2008, if not longer, so it's been on the CATSO plan for quite some time with a planned road connection through here. There is a preliminary plat. I believe it's expired now, but -- that has that connection coming from the north down. And so, we believe that Gibbs Road in the future will get extended, and this will certainly be a part of that. The preliminary plat before you tonight, it's -- it's supported by Columbia Imagined. It talks about a broad mix of residential uses, smaller lot sizes promoting home ownership, and we'll talk about that briefly, and then in encouraging in integrated residential densification, and then,

of course, all the utilities are in place to serve the development, as well. Single family, we're looking for -- you know, our lots are, you know, 60 or 62 foot wide at the building line, so they are a little bit on the smaller side. Looking for single family homes, you know, on the smaller side. Typically, what we're looking there is probably from 1,200 to 1,700 square feet. The cottage style, looking for something even a little bit smaller, single-car garage, maybe two, two bedroom, two bath, three bedroom, two bath. Try to get something in there that's going to be a little bit more affordable. The price range on those, we're probably looking around \$250,000. We're trying to get that price point down. We've talked about that before many times. You know, it's a big issue in this community. Trying to afford new homes is rather difficult for a lot of families, so we're looking for ways that we can cut those costs and get those homes in those price points for a lot of individuals. The town homes, again, this is another -- again, while there are town homes and while it is on multi-family residential zoned property, these are for-sale units. And so we want to sell these. We don't want to rent them; we want to sell them. Each of them will have its own garage, probably on a story and a half or two story, but again, the idea is to sell these units and try to get that price point down closer to that \$200,000 range. And so the idea is we're, you know, looking for home ownership out here, and not for a rental community. The utilities, again, there is a 15-inch sanitary sewer that crosses this property, so while it is going through the annexation and the zoning are going through Council currently, there is sanitary sewer in this area, and it is served by the City Water and Light Department. So there is a territorial agreement with the water district that this is city territory. So if this property is to be developed, it has to be developed in the city. And so, of course, it will be served by Boone Electric and then city stormwater regulations. So in conclusion, it's consistent with Columbia Imagined. We believe it's compatible with the surrounding zoning and land uses, you know, our proposed density is less than two, and then, of course, it's being served by city utilities. And so it comes to you with staff support, and I'm happy to answer any questions that you may have.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Ford?

MR. FORD: Can you pull up the map of Gibbs again?

MR. CROCKETT: Of CATSO?

MR. FORD: Yeah. Where you had the connection --

MR. CROCKETT: Yes, sir.

MR. FORD: And where is that going to the south?

MR. CROCKETT: To the south, right where -- obviously, the blue -- the blue line is I-70, and then that is Sorrel's overpass where it goes down to.

MR. FORD: That's what I thought.

MS. GEUEA JONES: Any other questions for this speaker? Seeing none. Thank you very much.

MR. CROCKETT: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Seeing no movement. Last call.

Okay.

**PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Any Commissioner comments on the case? Commissioner Carroll?

MS. CARROLL: I rather like this case, and that's uncommon for me. I usually have a big problem with these kinds of annexation, especially ones that are waiting on roads that haven't been built yet in the CIP. This is an area that is not all that far out. The zoning that's requested is -- has a good mix of uses. I think this is a great application and I appreciate seeing mixed uses. I appreciate seeing multi-family in the center of the property as opposed to nearest the major road. Yeah. Thanks -- thanks for considering these things.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I'd like to commend the developer and the engineer for doing what we want and how we want it and paying attention to the big picture of the community. The Consolidated Plan visioning, referring to all those, you checked all the boxes as far as what we like to see in making your case. Definitely like the cottage and all the footprints and all that good stuff. So I plan to support it.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: One box that Commissioner Stanton didn't mention was discussing things with the neighbors. And at the last hearing, we had several neighbors here, and the fact that no one else is here to speak on this case I think speaks to the fact that you have worked with them, and we appreciate that.

MS. GEUEA JONES: Anyone else? Commissioner Dunn?

MR. DUNN: If there are no other commissioners, I will make the motion. In the matter of Case Number 35-2024, I move that we approve the Amberton Place preliminary plat pursuant to minor technical corrections.

MR. STANTON: Second.

MR. FORD: Second.

MS. GEUEA JONES: Moved by Commissioner Dunn, seconded by Mr. Stanton. Any discussion on the motion? Seeing none. Commissioner Carroll, when you're ready, we'll have a roll call.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Dunn, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

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

MS. GEUEA JONES: Thank you. That motion or that recommendation will be forwarded to City Council. As the note on the screen says, this case will not go before City Council until after the annexation and zoning requests are approved, for anyone who may be watching the case. Moving on. Okay. I wrote it. I made a note. I did it right.

**VII. PUBLIC HEARINGS & SUBDIVISIONS**



**Case Number 21-2024**

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

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed design adjustments to Appendix A, A.1(c)(1)(ii)(B) and Section 29.5.1(d). Approval of the proposed preliminary plat to be known as "Russell Subdivision Phase 7".

MS. THOMPSON: I'll jump in. The design adjustment should be two motions, one for each design adjustment.

MR. ZENNER: If you have any questions, I'll be more than happy to answer, or we can ask our legal eagle over here.

MS. GEUEA JONES: Thank you. Ms. Thompson just answered mine. Before we go to questions for staff, if any of my fellow Commissioners have had contact related to this case with parties, please disclose so now. Commissioner Loe?

MS. LOE: I live in this neighborhood, and neighbors know I'm on this Commission, and did ask me about this case. I shared with them simply the details that were part of the public package and encouraged them to attend the meeting if they had any further questions.

MS. GEUEA JONES: Anyone else? Seeing none. Any questions for staff? Seeing none. We'll go to public comment. Please come forward, name and address for the record. Please speak into the microphone, six minutes for a group, three for an individual.

**OPEN PUBLIC HEARING**

MR. GEBHARDT: Good evening. My name is Jay Gebhardt, a civil engineer and a land surveyor with A Civil Group. And I'm here tonight representing Kay and Jack Wax for this development, it's called Russell Subdivision Phase 7, but it's really an infill development in the central part of the city. One of the things they -- we want to make clear is we're not rezoning this property. We're living with the zoning that we have, and trying -- you know, when Kay first came to me with this, she said, you know, I want something that looks like it could have always been there and not something that is completely different. So that has been our goal from the beginning. Most of the design adjustments were created by us to try to minimize our impact to this. The development itself, you know, the house on 601 and then there's the common area lot to the north that would be not for development lot, and it will be used for stormwater requirements, so we will comply with the City's stormwater requirements for the whole subdivision. The street itself, it's not a street, it's a driveway, is -- like Pat said, it's about 275 feet long,

maybe 300 feet, and it's -- we're not proposing a sidewalk along it. Originally when we suggested this be a public right-of-way, we were talking about a shared use path striped on the pavement for that, but as we went through this and as we kind of thought about it more, we don't really want to encourage people to walk through this and cut through this. We want them to go to the intersection and -- and follow along the exterior of the property. There is a crosswalk there that is utilized, so that's part of it. We did meet with the City or the neighborhood in late September, and that we -- I think I might have messed up a little bit, but I notified everyone within 185 feet of the property, and some people didn't get notified and were upset about that. And, you know, you apologize for that, but I tried to explain the project as best I could to them. The people that did show up were generally in favor of it, and thought, you know, it was a good opportunity for them to, you know, even for the way they look at it, is this a place someone could downsize from a larger home and still stay in the neighborhood that they want to stay in. So this is the preliminary plat, and it's got -- well, I guess the best way to describe it is, is it's trying to make the best subdivision that we can that with a minimum amount of impact to the existing neighborhood and to the future residents that live here. One of the things that wasn't talked about in the traffic that is -- I've experienced myself is when there's special events at the school, Russell, Rollins, everything just becomes a parking lot. And, you know, that was a big concern of the neighbors themselves that, you know, we're going to be blocked in our driveways and not be able to get out and things like that. But as Pat said in his report, we don't feel like we're going to exacerbate that situation. In fact, by eliminating the one driveway we have on Rollins, we're just moving it over and using that. And we have one driveway on Russell now, so really, it's not a difference as far as driveways entering onto the public road. And I also really just encourage your guys to ask me any questions you have because I always do better with questions and I want to talk about the things that you want to know about, so --

MS. GEUEA JONES: Thanks a lot. Commissioner Carroll?

MS. CARROLL: Can you explain to me why you want to discourage pedestrians from walking through your neighborhood?

MR. GEBHARDT: We're talking mainly about children, and the idea that, you know, this is going to be a narrow road driveway, and we're trying to make it look like it's a private driveway, so we want to just encourage parents to have drop-offs and drive in that, and we just didn't feel like it was really needed. It didn't really add to a thing. But if the sidewalks are a big issue with you, I would go back to that shared path on the pavement because if we want to dedicate an area for walking, we can do that, but, you know, really this driveway is, you know, serving five homes at the most, but really two of the internal homes, and there's not going to be a lot of demand for that sidewalk. It's a safety thing, Valerie. We're trying just to keep them out on the main streets where they're accustomed to walking and where that's -- where the safety measures have been put in place for crossing the roads. We're trying to direct them to that intersection.

MS. CARROLL: My concern here is that you're creating a private enclave of housing that's

going to be inhospitable to the surrounding neighborhood and is not going to stand up to our community -- our community development goals that we've set forth as a City, as our Columbia Imagined goals.

MR. GEBHARDT: Right. Right. And I get that. It's -- but it's, you know, it's always a balance when we're doing infill developments. If we were doing a greenfield development, I couldn't stand here and look you in the eye and say we can't do a sidewalk, but there's -- this is an existing condition, and we're trying to fit something in that will enhance the neighborhood, in our opinion, and -- and make it better, and not create situations where we're encouraging people to walk on the -- a driveway, basically.

MS. CARROLL: How does it enhance the neighborhood if the neighborhood is discouraged from being there?

MR. GEBHARDT: So one of them at the neighborhood meeting, one of the main concerns were people using this driveway as a parking lot, basically, for the school, and queuing up for their kids and that. And when we had it as a public street, they said you won't be able to keep them from doing that. Right? So that's why we went to the private. But we took that same notion that we don't want people driving through here, and so we don't want people walking through here either because we're basically encouraging kids to walk through the woods and bypass the main crosswalk that's -- that's there. And that's -- I just don't think that's a good idea in this situation, and it's unique to this property.

MS. CARROLL: Well, it's not a good idea if you don't build proper infrastructure for pedestrians to put pedestrians there. I'll agree with that.

MR. GEBHARDT: Right. I'm sorry it gives you heartburn, but it's the best that we can do to try to meet all the goals that we have for the property.

MS. CARROLL: Okay.

MS. GEUEA JONES: Commissioner Dunn?

MR. DUNN: In taking a look at the proposed road or proposed drive, rather, and kind of looking at the concept of a sidewalk along that road, for me, it doesn't necessarily look like it would be a more efficient pathway for children or others to take as they're kind of cutting that corner there. So, you know, for me, if I'm trying to imagine who would be utilizing a sidewalk along there, I don't know that there's really a group that makes sense to me that would be utilizing said sidewalk unless you're one of the six houses in that subdivision. That said, though, I think my question to you and perhaps your client is, would you rather have a payment in lieu, or would you rather pave a sidewalk?

MR. GEBHARDT: No. It's a good question. And in page 4 of the staff report, Pat details it at the bottom of the paragraph, and I'm taking this out of context, so, Pat, be kind. It said it should be further noted that if access were not fully connected from one frontage to the other, the individual access segments would be less than 250 feet in length and exempt from the requirement to provide sidewalks. So rather than do the payment in lieu, we would just have a driveway off of Rollins, a driveway off of Russell, and not connect them. We don't think that's the best design, but if it kicks us into a \$50,000 payment, it's a no brainer of what we're going to go back to. So -- and, you know, Kay has indicated that

she would like it connected, and maybe we could use -- she's very innovative in her thought process in this, and she has said, you know, if we can't connect them, then maybe we could use this grass pave that's used for fire access sometimes around buildings where your vehicles can drive on it if they need to, but it's not -- you know, it looks like grass most of the time, so that would be my answer to you is, you know, I don't -- we don't prefer the payment in lieu, and we would avoid it using the UDC code that we have available to us.

MR. DUNN: Thank you.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: So one of the reasons I'm not having huge heartburn about adding traffic right at the school, since when I used to drive to work every morning, that was the pitfall of driving to work every morning was having to mitigate the drop-off traffic. And now that I work at home, the cars back up past my house, and I'm at Kiwanis Park, so all the way down the block. So not connecting, but the fact that it connects to through the Rollins, so they don't -- or it connects through to Russell's, they don't have to exit onto Rollins is the saving grace, so that when school is in session, no one actually has to exit onto Rollins. But if you don't connect them, you are saying some of the houses would have to exit onto Rollins. So I'm not too happy to hear about that option. My question for you is going to be about size of lots. I didn't see it on the preliminary plat. Can you just -- the range of size of lots?

MR. GEBHARDT: Yeah. I think, you know, the largest one is over 10,000 square feet. That's the one with the house on it. The smallest one is the second one in on the left, and I think it's right at 8,800 square feet or something like that. So they're -- they're quite a bit larger than what's required. We tried to have a frontage of at least 80 feet at the building line. We envision all but two of these homes as being slab homes, and for older adults that want to downsize and move into those. And there's been a lot of interest from the public about these lots, and that when they're going to be available because I think this fills a demand that's -- that's not being met. And that's where I -- you know, we're not trying to do -- a lot of people, when we first started this, because of Kay's reputation on Ash Street and the Ash Street Court homes, everyone thought these were going to be small cottages, but they're not. They're going to be normal, single-family homes.

MS. LOE: Thank you. Just a clarification. Is that lot size or is that buildable area?

MR. GEBHARDT: I'm -- I always go by lot size, you know.

MS. LOE: Okay.

MR. GEBHARDT: You know, the boundary of the lot itself.

MS. LOE: Thank you.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: We did have this -- and you've probably seen it -- this very critical communication talking about the homes being cheap and ugly. How -- how will the homes in this subdivision compare in size and style to the others surrounding? This letter makes it sound as if this

would be the ruination of the area. How will they compare to the area?

MR. GEBHARDT: You know, it's probably better answered by Kay herself, because she's been talking to the people that are interested and what they are interested in building. But, you know, in general, I think, you know, the smallest home would probably be in the 1,600 square foot range, on a slab, two-car garage, three bedroom, two and a half baths. I'm not familiar with what some of those homes are, and it's -- it's a diverse thing. If you go up Russell, there's some big homes. I mean, just north of us, there's a very large home. But if you go down Rollins a ways, they're just modest homes themselves. So personally I think they're going to enhance the neighborhood. They're going to be very expensive homes. They're not, you know, I hope for this neighborhood just because of the cost to build today. And I -- you know, as far as materials and that, I think in Kay's reputation is what you have to rely on is that these are going to look nice and they're going to meet her goal, which is what she told me when we first started, was just we want this to look like it fits in and has always been here. And that's -- that's the best answer I can give you on that, but --

MS. GEUEA JONES: Anyone else? My question is, so you decided not to do a public street, which means there's no traffic enforcement by the City, no maintenance by the City, et cetera. Right? So how is it that you plan to keep people from driving through your private road?

MR. GEBHARDT: Well, to be -- to correct you a little bit, we originally asked for a public road because I was thinking it needs to be public so that there is these controls. The City doesn't want it, and they made that very clear. So we didn't really have a choice. If we wanted to move forward, we needed to make this private. It's not what Kay wanted, but that's -- that's what we have. As far as discouraging people from parking there and that, I think it's going to be up to Kay, who is going to live in this neighborhood. She lives in the -- in renovating the house now, the third lot in on the left is the one that she's identified where she wants to live, and it's going to be, you know, up to those neighbors to go out and talk to those people, and say, you know, you're -- you're on private property. It's not a public street, and, you know, please don't cut through here or park here and wait for your kids. And that's not ideal, but we've been left with no options for that.

MS. GEUEA JONES: So there's no sidewalk. It's a narrow driveway, and you think that kids aren't going to cut through there, especially if they're coming from the north walking to school?

MR. GEBHARDT: Well, you know, I was kind of a little shit when I was a kid, and I probably would have cut through there, but I think a lot of people, you know, walk by and they're going to see this looks private, it looks like private driveway, you know. I don't really belong driving down there or walking down there, and that's -- that's what we're trying to encourage.

MS. GEUEA JONES: At the risk of insulting the younger generation, we're talking about kids, not people. They're not going to sit there and go, oh, you know, like a third grader walking to school isn't going to sit there and go, oh, that's a private drive. So now they presumably will use it, and there's no safety mechanism for them. They're walking down a narrow, curvy street in a wooded area. I mean, I

know that the staff report and you both said safety issues, we don't want kids walking through here, that's why we've made it narrow and curvy and da, da, da, da, da. To me, what you've done is you've created the safety issue that you say you want to avoid by not giving them a safe place to walk, because I -- I just don't see short of creating a gated community, which you are almost doing, how you're going to keep kids out.

MR. GEBHARDT: Well, like I said, in the original proposal, we had a shared use path on the plan in a public right-of-way. That was rejected, and that's where we're at with that. We can go back to having a dedicated area for people to walk on the pavement that we're building, and I think that's something that we could design and make work real well. But it will really just kind of depend if this becomes a critical issue for the -- for the plat or not. Personally, I don't see it as -- as that big of a deal. There's not -- it's not like there's a whole lot of traffic. When you take Kay's other project, Ash Street Court, I hate to bring it up because a people thing, but there's 12 homes on that and no sidewalks. And --

MS. GEUEA JONES: Yeah. But that's a dead end and it -- and there are sidewalks.

MR. GEBHARDT: Oh, there are sidewalks?

MS. GEUEA JONES: Yeah.

MR. GEBHARDT: Okay. Sorry.

MS. GEUEA JONES: In fact, I think we made her bid them wider than originally wanted.

MR. GEBHARDT: Okay.

MS. GEUEA JONES: But -- and, again, that's a -- that's dead end, that's not something that people are going to be tempted to cut through.

MR. GEBHARDT: Right. I don't see this as a cut-through. I mean, if we wanted to make it a cut-through, we would have made it more direct. Right?

MS. GEUEA JONES: Sure.

MR. GEBHARDT: So the -- I just don't -- you know, we've put in horizontal curves to slow people down.

MS. GEUEA JONES: Uh-huh.

MR. GEBHARDT: We've made the pavement narrow. We've done all the things that we can to -- to discourage people from cutting through. Can I keep them all from cutting through? No. Do we need to design for 100 percent of the population? I don't think so.

MS. GEUEA JONES: No. So my other question is about lot size. These are -- are these comparable to other homes in the area? It looks like there are some that are quite large nearby and then there are others that are more of the right at 7,000.

MR. GEBHARDT: Right. So it's a very diverse neighborhood. If you go to the west in the Rock Creek area, our lots are comparable to those. If you go, like I said, directly north, the two or three homes, there's some four- for five-acre tracts up there with single family homes on them. So it's a very

diverse area in that as you move down towards Sara's area, it's -- it's different still in that. So, you know, what is the neighborhood? What is we -- what are we trying to define? We have some very nice homes right across the street from us on large lots, but to the west, we have some just homes that I think, you know, these homes are going to be as big, the lots are going to be as big, and they're probably going to be more expensive than that, so --

MS. GEUEA JONES: Okay. Thank you. I think that's all I have. And one last call for anybody else? Thank you very much.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Next speaker on this case? Don't be shy.

MS. DUGAN: My name is Dawn Dugan; this is my husband, Tom. We live at 1700 Oakwood Court. I'm here with a group of our neighbors. Our concern is the street itself and how it goes from Russell through to Rollins. I'm here as someone who lives in this neighborhood to let you know that, as it stands right now, people bypass the corner of Stadium and Broadway through Russell. They fly through that, all the way down to Stadium at the other end. Once they realize that they can cut through and bypass the corner where the crossing guard is, they will do that. I want to bring your attention back to the fact that this is a school zone. This corner is regulated by the City. There is reduced speed there for a reason. The City makes cars slow down. The school has a crossing guard. The school buses have a stop sign to make people stop. The kids have to cross with a crossing guard. That's for a reason because there are kids there. The streets are narrow. There are sidewalks on only one side on Russell, and you can't go both directions when there's cars parked both ways. It's already very difficult in the neighborhood. Most of the houses have one-lane driveways, and so residents are parking on the street, Utilities are parking on the street. Anybody who comes to visit you, housekeepers, lawn people, all those people are parking on the street, and then we have the school on top of it. So to demonstrate this, we took pictures. So I took pictures this week. This picture is coming up Russell Boulevard towards the school, and this is a normal school day. No extra activities going on, and you can see this is going up Russell Boulevard, uphill. To the right of where these cars are is very near where the entrance to the proposed road is going to be. So you can see cars parked on both sides. This picture is from Rollins Road at the corner looking down Russell. There's cars parked on both sides. You can see there's only room for one car to come through the other direction, and the other traffic has to yield. Okay? So this is from the other corner looking, and you can see cars both ways. There's even cars parked illegally where you're not supposed to park here to the corner. It's cars both ways, and this is a normal day in our neighborhood. And this is College Park, and this is what I think you were talking about, Ms. Loe. Cars parked all the way down the street. Okay? This is right across the street from where this project is supposed to be, so what about the safety of the kids. Okay? So we're going to do the street that curves around where cars are going to be popping out, so this right here, this is -- this is Rollins, this is right where the exit to the street is going to be coming out. So right between these parked cars where these

kids are walking down the sidewalk is going to be where that exit is going to be. And you think people aren't going to pop through there? This is another view of it. So, you know, that's your driveway. Right? So that's Ann's driveway right there, so tell them what you have to do when you leave your house.

MS. GEUEA JONES: She'll get her chance.

MS. DUGAN: Oh, I'm sorry. So -- but -- okay. So it went backwards there. Okay? And I want to show you. Okay? This is what we're talking about right here. We're not talking about private drives and its convenience if the kids are walking down your private drive. And whether or not you have to pay for your sidewalk, and whether or not that's convenient. This is what we're talking about. We live in a school district, and we have a responsibility to these kids. The day I took these pictures, there were eight walkers, no adults with them, walking down Russell Boulevard. That's my responsibility. I chose to live in this neighborhood. Okay? I've got two videos for you. This was yesterday. It was a holiday party day. I came home from work to this. No, it's not going to play?

MS. GEUEA JONES: Just so you know, you've got about a minute left.

MS. DUGAN: No, they're not going to play, but it was cars both sides of the street, for -- I mean, it was crazy. I can't even tell you how -- how long it was, but it was extremely dangerous, and it was before school let out, and after school let out, kids were running across the streets. If you think they're not going to cut down -- Mr. Dunn, if you think they're not going to cut down that drive, you're crazy. I'll bet you ten bucks. Before the construction is even down, they're going to be cutting down the driveway. Little kids on bikes, they're going to do it. So we're asking that you not approve it the way it's written, so --

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Stanton?

MR. STANTON: Good evening.

MS. DUGAN: Good evening.

MR. STANTON: What's the solution? This is your property; you're sitting on this -- this mass of land that you --

MS. DUGAN: We are not saying that we don't think it should be developed. We just don't want to see a street that cuts all the way through where cars can fly through and out the other side.

MR. STANTON: So what do you -- what do you think? I know you're not an engineer or anything, but how -- how would you do it?

MR. DUGAN: Do houses with regular driveways. No? I don't know. I'm a nurse, I'm not an engineer. I don't -- I just don't think that a street that cuts all the way through, that gives people the opportunity. If you give people the opportunity to be stupid, they're going to be stupid.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: I believe Mr. Gebhardt alluded to perhaps doing two single drives that don't connect, as opposed to the drive that cuts through. You know, I'm personally not in favor of that. I don't



think it's a good plan, but I don't think the connecting drive is great, either. Is the two single drives preferable to you or to your community? I guess you can't speak for everyone.

MS. DUGAN: I think it's preferable. I still think it's -- it creates more of a safety risk. It's already a dangerous area, and when you have people exiting their homes going across the sidewalk between parked cars when kids crossing, it's already a blind area and it's dangerous. And it's just -- it's -- it's adding to the danger, and I just -- it's a school zone and it's an established school zone, you know. And it just seems like it's such a risk to do this. Of all areas, why does it have to be right here, right -- right across the street from the school? It's right -- it's right across the street from the school. You couldn't -- it just couldn't be a worse area.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I also agree that when you're coming south on Russell and turning west on Rollins, the bump-outs force you to turn into the lane.

MS. DUGAN: Into the lane. Exactly.

MS. LOE: And so there's a lot of stopping and waiting right on that street as it is. So it does slow traffic down, but it also makes greater potential, I think, for -- you have to go slow because you trying to avoid issues. I -- I think a solution where there's not a cut-through, and maybe it's a cul-de-sac off of Russell, because, for me, it's the connection to Rollins right across from the school in the school traffic that is adding to issues. And can there be a solution that isn't adding to the confusion that's -- we're already trying to mitigate the traffic that's there, and this seems to be adding to that.

MS. DUGAN: The problem with Russell, though, is it's the hill going up, so it's blind. Where the driveway is coming out when you're coming up the hill, you can't see someone coming out the driveway until you're right there, because it's going up the hill. That was that one picture.

MS. LOE: Right. This appears to be almost the existing driveway. Yeah.

MS. DUGAN: It's not ideal.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much. Next member of the public?

MS. GRIFFIN: I'll speak, because referenced me. Hi. My name is Anne Griffin; I live at 1815 Rollins, so it is the property that is directly west of the proposed site. So the reason -- and I've been talking to Dawn, and we've been taking pictures. I have zero problem with houses being built. I think Kay's houses are adorable. I walked the pocket neighborhood. I think that they're incredibly well done. I think that these houses will be incredibly well done. Where you -- where I have run into problems with the plan is that driveway coming onto Rollins. My driveway comes onto Rollins just about 50 feet down from where this is proposed, and when I leave, I -- okay. Looking this way, looking that way. The sidewalks are so populated that when I put my garbage out, I'm really worried about getting it on the sidewalk because I know so many people are walking by. Also at drop-off, the area where that is supposed to come out is the area where Tom Whelihan stands there and directs people, like, he's

standing in the road as a crossing guard directing people. And then there will be one more on top of that. So if you told me you could drop six houses from the sky and they could land right there, and Kay Wax would have built them, I would say perfect, they're lovely. It's the road coming onto Rollins that is the concern for me. And to address what you said, Mr. Stanton, what do you propose you would do if you had this land? This land was purchased with the intent to do this. Kay initially had the one lot that is between what was the Coliners' (ph) property and my property. And then the Coliners sold her 709. So this, from the beginning, has been the plan was to let's stick these houses in here. And so I feel as though maybe a cul-de-sac, maybe fewer houses, but it's a real safety issue, and that's -- that's the concern that I have. And so you asked about the adjacent properties' sizes. I'm directly to the west. My house is 4,500 square feet. The house directly to the north I would imagine is similar. I don't have a problem with a 1,600 square feet property going next. I'm not one of those people. I have a problem with the road, so anyway, take that into account. That you for your time.

MS. GEUEA JONES: Thanks. Give us just a second.

MR. STANTON: Anne.

MS. GEUEA JONES: Anne. Sorry.

MS. GRIFFIN: I'm nervous. You can probably tell.

MS. GEUEA JONES: Any questions for this speaker? Sorry. I almost called you by your derby name, and then I thought that I would confuse everyone.

MS. GRIFFIN: Oh, that's okay.

MS. GEUEA JONES: Thank you very much for being here tonight. Have a good one.

MS. GRIFFIN: Okay. Thanks.

MR. PHAM: Hello. John Pham, 1704 Oakwood Court. I'm right across the street adjacent to this property. Been here for a decade or so. So let's fast forward real quick. The school just expanded a wing, an entire wing, 120 kids are slated next year on top of this. It's capable of holding 200 students. With the road that we have right now, this -- bear that in mind. So what you just saw was just the appetizer, the entre is coming right now. I'm just worried for the kids, bottom line. That's it. Thank you for your time.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you. Next?

MR. MCGUIRE: Commissioners, I'm James McGuire, and I live at 304 Russell Boulevard, and we've lived there a little over 30 years, which is just on the north end of your map, a couple of doors north. I'm going to give you a little history lesson on the neighborhood. This lot was originally developed by a gentleman named Robert Smith, who lived until his passing a few years ago. And Mr. Smith is the one that placed the conservation easement on the north end of the land. You know, he also was one of the developers of the entire corridor, Russell Boulevard. He was the founding member of Smith-Lewis, the law firm in Columbia, also a mayor of Columbia at least one term, maybe two. And there was another

gentleman named Howard Lang, who was the CEO of Shelter Insurance, who was a neighbor about four doors north of this. And they worked together to develop the entire corridor. Their vision, back in the '50s when they did this, was to have Russell Boulevard as a feeder street from Broadway down to the newly planned school and then Rollins east and west was also a feeder street to the school. And as -- as you can see to the west and to the east, there's subdivisions with much smaller lot sizes. The theory was those feeder streets, you would have large lots that would not have a lot of traffic coming out of them, and that's been the way it's existed for many, many years, since the '50s. Shortly before Mr. Smith's passing, he subdivided that property, put the conservation easement, which City staff has noted on the north end, to preserve the trees and the green space, which we have all along Russell Boulevard. And he -- he subdivided the lot to the left. It was sold at one time to a house of worship. It was going to be the Quakers, the Friends, were going to build there, and then they found another location and sold the property, I believe, to Mrs. Wax. So now we're sitting here looking at trying to cram seven new dwellings into a lot that was never designed for that. We have the existing Smith home on the corner. We have a subdivided lot to the west, which would make a -- let's call it a normal single-family home, with a conservation easement on the north end. And then one could make a case for another lot on the corner and still retain the integrity of the green space. The terrain drops off and it's -- it's pretty wooded there, and really pretty -- Mr. Stanton -- or Commissioner Stanton, I'll -- I'll address your thing. What do you do? And Bob Smith was a smart guy. He was in his '90s when he formulated this plan, and his plan was to subdivide off that land to the west into one lot. He put a new sewer main across the north end to accommodate everything, sell that to someone within the zoning because it was a house of worship, and then retain his house to be used by somebody as a single-family home. That was his plan. It was a beautiful estate lot. His house was 50 years old and needed probably to be torn down or improved, but that was his vision. That was what he saw. But mainly, he wanted to retain the integrity of green space along -- along Russell Boulevard, and keep it as a feeder for the school. I'll comment a little bit on the sidewalks, real briefly. We live at 304 Russell, and we have a common driveway. We have a 2.8-acre front yard that three homes share every day. I work at home, and every day, we have several groups of children and people walking their dogs on our private driveway, and it just happens, and that's going to happen here, too. It's not very safe because we don't have a sidewalk on our private drive, but that's the way it is, and people will use that if it happens.

MS. GEUEA JONES: Thank you so much.

MR. MCGUIRE: Okay.

MS. GEUEA JONES: Any questions for this speaker? Seeing none. Thank you, sir. Next?

MR. YENZER: Hello. I'm Michael Yenger; I live at 704 Longfellow, which is that big lot there in the corner of Longfellow. I'm not going to talk about kids or traffic. There's always going to be more kids. There's always going to be more traffic. I just think, you know, if you look around at the average size of their lots around here, they're large. You have three acres, an acre, an acre, an acre, two acres,

three acres, five acres, half an acre, half an acre, half an acre. An acre is 44 -- roughly 44,000 square feet. If their largest lot is going to be at 10,000 square feet, I mean, these are really small lots. They're not going to be big homes. They're not going to be set back on it. They're going to be right on the private driveway. Obviously, the land is going to get filled in forever. I would love to argue for the fact that I work remote and see every day deer, turkey, foxes go up my driveway, up into those woods as a habitat. It's not a winning argument here, but I really think the development just has too many homes on two small of a lot. Like it's been mentioned, that lot drops off into the conservation easement. I just don't think filling it with houses reflects the nature of the subdivision as it is. I don't know how easily they're going to be able to keep the trees that are there that are not in the conservation easement. And as much as you can replace a 20-inch tree, you're not actually replacing a 20-inch tree. You're hoping one grows there. So that's all I have.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you. Next?

MS. MCGUIRE: I'm Jeanne McGuire; I live at 304 Russell Boulevard. My husband just was up here. I have nothing against the developer as a person, so I don't want to come across that -- that way. But in meetings I've heard, well, the developer wants to live there. Well, are you going to promise me that for eternity, that the developer is going to live there and make sure that everything stays the way it's supposed to be or what her vision was. I don't think that's possible. We've heard that they're being built for elderly people -- my age, elderly people. How can you assure anybody that that's the way it's going to be. You know, I've heard, oh, I'm not in it for the money. Well, I hope you don't lose money, but that's not a reason to come into a neighborhood and -- and disrupt what we feel was the original plan or the original hope when we moved there. The school, we love having the school there. It is congested, but I -- I -- all the negative things that go with that, there's much more good things of having a school there. I just hope you don't make decisions based on promises, like, oh, the trees are going to stay the same. Well, they're not. You can't put a street in and hope that the trees are going to survive, even if they're close -- even if they haven't been torn down. If they're close by, their roots are going to be disrupted, and they're not going to live. It just doesn't happen that way. So please don't make your decisions on promises of the developer living there for life, that it's for elderly people, that the trees won't die. Just think about, hopefully, what the original intent was initially, what the community, the neighbors want, what's best for the school. That's probably -- that is the number one priority. And that's all I have.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Thank you very much. Anyone else?

MR. HOMBS: Good evening. My name is Kenneth Hombs; I live at 507 Russell Boulevard, which is two lots to the north of this development. You know, I have a little different attitude about this than most. I, more or less, grew up half of my life on Russell Boulevard as a child. Wanted and drove by the house that I bought and live in now my entire life. It was kind of my dream home, because of

Russell's character. I'm not going to debate economics or socio, you know, trends. I worked hard to buy that house, and I bought it in that neighborhood because it has a big lot. I've got almost two and a half acres. That's far from the biggest lot in that neighborhood. I mean, there's huge lots. I love it. I grew up there. I chose to raise my son there. I have a 12-year-old son, and we fight that traffic at that street, at that corner every morning. It is no joke. I promise you people will use that street as a shortcut. They will have to put gates up. It's the only solution. And I won't apologize for 11 big lots. That's why I live in central Columbia. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Next?

MR. SCHAEPERKOETTER: My name is Carl Schaeperkoetter; I live at 1703 Oakwood Court. My wife and I have lived there since 1997. And it is a little bit difficult for me to stand up here today, because I'm going to say things that are in opposition of what my friends and neighbors have said, including my fellow neighbors on Oakwood Court. In full disclosure, I am one of those people who was contemplating and hoping to buy one of these lots. We live in a house that has four levels. We love the neighborhood. We would like to downsize and have a more senior friendly house. And so we are interested in one of the lots. Having said that, I would like to address a few of the -- a few of the concerns. I think it was Commissioner Carroll who talked about children walking through there or whatnot or making it community friendly. You know, the way the traffic pattern flows, there would be no good reason for a child to walk through this development. I mean, there's -- there's -- behind it, there is the easement, there is a ravine. All the traffic flow comes down Russell directly to the school, or to Rollins directly to the school. The only reason kids would cut through this proposed development on the way to school is if they were trying to do something they shouldn't. I don't know what better way to say. And the way the land lays, it's just -- it doesn't make sense why -- why they would -- why they would do that for transportation purposes. As far as the question about the quality, the construction, I could assure you what we have in mind is well more than 2,000 square feet, and it's not going to be some cheap house that we would build. We already have a design in mind, and I think anyone would be pleased with what we would have for our house. As far as what guarantees there can be, I think Jeanne asked that question, if I remember right, you can't have any guarantees on any development at any time about who could buy or what could move in or if you think you're going to have an elderly person and a younger person. There's no guarantees. You can't help that. I think Kay has developed a good plan. I have confidence based on what she has done in the past, and I think she has purchased the property, so in general, you know, she should have the right to develop it, and the City recommends it be developed in this way. And then my last comment was on the traffic flow. I mean, there's already one driveway. I have no particular stake in whether it comes in through Rollins, whether it comes in -- there's a cul-de-sac, whether there's a cut-off, so somebody can't drive through. But I don't think if it's designed as a driveway, one would see all of that through traffic. Maybe I'm naive. And if I were living there, and I -- it was a private driveway, and it got close to time for school, they enter -- or I don't know, I just park my car

out there, and let it sit there, and they're going to definitely, there would be nobody coming through. Anyway, those are my comments. I do regret that I am against all my neighbors. I kind of hope they don't hold that against me, but I'm here, and if you have any questions for me, I'll try to answer them.

MS. GEUEA JONES: Thank you. I have a quick one. So you would still be interested in the lot if it were a cul-de-sac that dead-ended before it hit Rollins?

MR. SCHAEPERKOETTER: Yes, I would.

MS. GEUEA JONES: Okay. Thank you. Any other questions for this speaker? Seeing none. Thank you very much. Anyone else to speak on this case?

MS. WAX: I am Kay Wax; I live at 709 --

MS. GEUEA JONES: Can you pull -- thank you.

MS. WAX: I live at 709 Russell Boulevard. As you well know that I really do value building communities. I've built -- I have a lot of intrinsic value besides just a house where people live in, and that is one of the -- my goals and motivation in developing this Russell property. We only -- already own the lot to the west, and we're planning on building a house there for us anyway, which would allow a drive onto Rollins, so there's going to be -- there would be a driveway anyway, if we build one house or if we build -- add these five other houses. So that's really -- I mean, that's part of the -- that fits within the criteria and the rules, so that won't be any different. The houses that I envision are not going to be just for old people. I like diverse neighborhoods. I like people that are young and old, and I like for them to mix together and know each other and be cross-generational. We have no criteria for who can live there. The houses -- you cannot build a house, a cheap house anymore, so the houses will not be cheap. And as far as ugly, beauty is in the eye of beholder, and I will have no -- the houses are going to be built with the same quality and expectations that are currently in that neighborhood, so I hope that they have a lot of diversity and personality and fit the people that choose to reside there in these homes. They'll all be custom homes. We're not going to build anything and have people come and see if they like them. As it's been noted, they -- we have a lot of -- should this development to proceed, we have a lot of interest of people that want to reside in the neighborhood for a variety of reasons. And so I think that the people will all continue to contribute to the neighborhood and to Columbia as a whole. That's all.

MS. GEUEA JONES: Thank you so much. Any questions for this speaker? Commissioner Wilson?

MS. WILSON: Good evening. Thank you for coming up. So we've heard several people say that we have a school across the street. They're concerned about the safety of the children. A solution could be, perhaps instead of a drive-through, we could have a cul-de-sac. What are some of the other options? As we heard, you're creative, so what are some of the other options that you have thought about, and would you consider doing something other than a through street?

MS. WAX: A cul-de-sac really, in terms of maintaining the integrity of the trees and everything there, a cul-de-sac would require that you take more out because you would have to make a -- literally a

circle as opposed to a free street, which would be -- and the way the street has been -- Jay has put the street on this lot is to avoid losing any of the big trees as we can, so that we can maintain the growth that's there now. We've had a private arborist look at the property, as well as the City arborist, and none of the trees on the perimeters are going to be moved, so people that live in that area, there won't -- they'll -- it'll look the same from the outward appearance. So it's really -- environmentally, it's better not to have a cul-de-sac. Our -- the current driveway at 709 Russell, well is it -- it'll still be there, so that won't change in terms of the traffic or the blocking traffic or anything on Russell. The one on Rollins is already approved because of a lot that's there, there's already going to -- you can already put a lot there -- an entrance onto Rollins anyway. So I think that the option of using that -- having two driveways that don't connect with concrete, they'll still connect with the infrastructure and the difference, what you put in between there is what you put on parking lots. They used it at the conservation department and a lot of places where it looks like it's a road and you can drive over it and you can mow it, but it -- but somebody will -- it will appear like you can't drive. You can't go through. So that, to me, is really a good compromise that would also provide more green space on the lot. It would visually be more appealing. So there's a lot of reasons why that would be a good option. But I don't -- I personally wouldn't -- I think a cul-de-sac, really, it would take more impervious surface to do.

MS. GEUEA JONES: Any other questions? I'm going to go Commissioner Placier, and then Commissioner Loe.

MS. PLACIER: Yeah. I wanted to respond to your last comments there about the two possible driveways. I don't want to call it a road because a road has all these implications. The two driveways with some space in between --

MS. WAX: Uh-huh?

MS. PLACIER: -- are you saying that if somebody did not want to try to -- the hassle of the traffic on Russell, they could drive over that grass area?

MS. WAX: Yeah. You can drive over it. Uh-huh.

MS. PLACIER: So then you're still going to have the issue of -- I mean, as a kid, I went to school walking down the alley, so this is not going to stop me. I'm going to just -- I'll walk down there just for the heck of it. And I don't think this grassy area would -- would stop that.

MS. WAX: I don't think our --

MS. PLACIER: You don't put -- don't put sidewalks in an alley either so I never miss having a sidewalk. I think we're very protective about that now. But I'm just wondering how that, as opposed to the cul-de-sac, would prohibit this passing through.

MS. WAX: I don't think you can stop the kids. If they want to walk on that road, they're going to walk on that road, but it's not the direct route to the school. It would have to be a big detour to go around to get -- because the door to the school is off of Russell, it's not on this lane. But -- and kids are kids, and I don't think we would ever -- we can never stop them from doing that, you know, but we would just

make it as safe as possible if they cut through there.

MS. PLACIER: Yeah, you're right. The crosswalk is at the corner, so if they went down there, it would not be a shortcut to school, they would have to back up to the corner -- the crosswalk, but --

MS. WAX: Exactly. It's not a direct route to anything.

MS. PLACIER: But just for the heck of it, you know, on a weekend or something, you know.

MS. WAX: I'm sure they are.

MS. PLACIER: Ride down -- ride their bikes down there.

MS. WAX: They probably would. And that's fine. I mean, you know, I mean, we're -- we're not going to -- I feel like that we're going to be encouraging people to interact together and to know each other, and to be a neighborhood and to be a spirit of welcomeness. I don't think it's -- our goal is not to keep people out.

MS. PLACIER: It's really a puzzle.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I've been caught in the bus queuing traffic on that corner, and trust me, if grasscrete is not going to stop me from cutting around after I've been waiting three minutes to get through, because I agree, kids take priority. But at some point, I need to get to work, so I'm looking for outs. And, trust me, I've tried every way to get around the school. So this would simply be another option, grasscrete, however it was paved. Also, I have seen Anne try to get out of her driveway, and I -- so adding one more driveway for one house, yes, you have the right. But when we're adding a driveway for multiple houses, that's actually, I think, what we're discussing here today. Mr. Zenner, a cul-de-sac could be a T, could it not?

MR. ZENNER: It could be. That has an impact as it relates to the amount of land area it will take up in order to be able to get it for fire apparatus access. I don't know if the fire service would be supportive of a T, and that is something that we would have to explore with them.

MS. LOE: Would -- does this road -- drive need to support fire access, or are the lots close enough to the main streets that they're within reach?

MR. ZENNER: The two lots that are to the rear of the project are -- if you're supposed to be within 150-foot hose length run, they are -- the lot 605 is probably not going to be. And so that is hence the reason why the fire service would more or less support the circular route even with the lesser width; that is, that's where their position would be. It's a fire -- it does serve the fire lane purpose at that point.

MS. LOE: Thank you.

MR. ZENNER: So a T is an option -- a T is an option, but depending on how far the T comes back, we're -- given the existing house at 709 is being retained, you know, it does significantly -- it may significantly compromise the functionality of that T for whatever purpose. And again, we'd have to confer with the fire service if they would -- what their preferred option would be at that point, because access to 605 becomes the challenge. If 605 is potentially sacrificed in a development, a design, the length -- that



lot gets absorbed and you're, instead of a six-lot development, you're a five-lot development at that point. The driveway extension off of Rollins to 603 and 604 and then the corner, those could be supported off of a driveway there, and then a driveway potentially to serve 606 and 601 would be another option.

MS. GEUEA JONES: Thank you.

MR. ZENNER: If the distance is too long.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Wilson? Or I'm sorry, Commissioner Carroll, you had raised your hand before, and then we'll come back to you. Commissioner Carroll, go ahead.

MS. CARROLL: Yeah. You described wanting to build community. How do you plan to do that, and how do you plan really to communicate with the community at large if you're so intentionally cut off?

MS. WAX: Explain intentionally cut off. I don't know what you're --

MS. CARROLL: Well, it sounds like you've intentionally cut off a private drive to discourage outsiders from accessing your neighborhood.

MS. WAX: No. We already had -- the driveway is already there. We're going to add some more houses on that driveway. We wouldn't be making it exclusive at all or discourage -- it would be like a driveway, like the other driveways that are on Russell that accommodate more than one house. It's not -- we're not -- we're not -- I mean, our intention is not to make anything exclusive and cutting people off. It's a drive -- it would be a private driveway in that respect, but it would be like a driveway to somebody's house, you know. And the driveway is already there, we would just be extending that driveway to make it like a circle, so I -- I don't -- I have no intentions of excluding people.

MS. CARROLL: It's a private drive, but it's not a driveway to somebody's house, it's a drive to six houses. It's a drive to, essentially, a private community. And I don't know. You know, you have a lot of vision. You have a great vision. The vision that you brought us for Ash, I feel, was excellent in many respects, and, you know, I remember when you brought that to us when you originally asked for the sidewalk waive there, which we didn't grant, you know, you talked about, okay, there's no sidewalks, but you want people to run in and out across lot lines, and -- and now we are talking about minimizing foot traffic and keeping children off your property. And I guess everybody has private property, and they're entitled to that, but it sounds very far from your previous vision, and it just has me reeling. And I don't know what I can say about that. People are entitled to private property, and I get that. It just doesn't --

MS. GEUEA JONES: Commissioner Loe --

MS. CARROLL: -- sound like what I've heard from you before.

MS. GEUEA JONES: Commissioner Carroll, are you done?

MS. CARROLL: Yeah. I guess I'm trying to get an understanding of what you're trying to achieve and why, and if that's what you're trying to achieve, that's okay.

MS. WAX: Well, I don't want to give anybody the intention that I want anything to be exclusive or not welcoming to other people because that's not it. And the Ash Court pocket neighborhood is a wonderful example of that, where people do, even though it's a private street, they do go across boundaries and talk to each other and talk to each other and stand out in the middle of the street and visit and stuff. So it's not what has -- what I -- what has been developed and it's not what my intentions are here.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I'm kind of like the person earlier who said I'm not an engineer. But I wonder, would speed bumps help? If we are worried about people driving through quickly and coming out the other side, would you consider putting some speed bumps in so maybe that keeps people from driving through so quickly?

MS. WAX: I don't know. Do you put speed bumps on driveways? I don't know. I'm not familiar with that -- doing that. But I don't think people are going to be driving fast on a private driveway -- I mean, on a driveway, but I don't know, you know.

MS. WILSON: And the people who live there may not, but if people are --

MS. WAX: Pardon me?

MS. WILSON: The people who live there may not, but if people are trying to avoid the school traffic, they may.

MS. GEUEA JONES: Thank you. Anyone else? Commissioner Dunn?

MR. DUNN: When the woman came up and talked a little bit about the communication with the rest of the neighborhood and the neighbors there, one of the comments that was made during the presentation was that, you know, they were told that this would be homes for the elderly. And then, you know, when you gave your presentation, you said you weren't going to be exclusive to any type of demographic, you were going to be pretty open to whomever wanted to live there, but it was going to be custom homes, et cetera. You know, there's a little bit of a discrepancy between what seems to may have been communicated to the neighbors versus, you know, what the maybe idea and goal is. That does concern me a little bit, just as far as, you know, how is communication ongoing, what is the quality of that communication with the neighborhood. You know, typically, I like to see some cohesiveness of that communication. So what is the intent there just as far as the use? I mean, I -- for me, it doesn't really matter which way, it's just more of a -- you know, I like the neighbors who know what's happening and I like, you know, for the developers to also kind have an idea, too. So --

MS. WAX: We have no criteria for who can live in these proposed houses. The people that have expressed interest, there's a bit of a list now of people that would like to live here. And at 50 percent of them are people that live in other parts of Columbia in large homes that want to downsize because of retirement or change in their life situation, or kids are gone or something. So if you call elderly people over 50, then the majority of them probably will fit that category. But they're not being

designed or they're not exclusive to people that are elderly, in quotes.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you very much. Next speaker on this case? Going once -- oh. Please come forward. If you want to speak and are in the back, please go ahead and come up towards the front. That would be great. Thank you.

MR. CONE: Rex Cone, 503 Russell Boulevard. This presenter said that they notified the neighbors within 185 feet of our property. I live three houses away. I -- 503, did you contact us? I don't --

MR. GEBHARDT: I don't have the list.

MR. CONE: I'm stunned by that, so that's really confusing. Your job, as I understand it, is to determine a waiver of a sidewalk and a driveway. Sometimes you call it a road, sometimes you call it a driveway, sometimes you call it a green space. I would encourage you as a neighbor not to approve this. Your credibility as a committee or a function, a commission. I remember back when Darwin Hindman was always advocating sidewalks, and I was all for that. And then when he got pushed back north of town, certain developers didn't want to add sidewalks, and, by golly, you know, they put them in and they held them to it. We have a house at 708 on the corner that has a sidewalk to nowhere, and it's -- they had to put it there. They just had to, because that was the rule. So my understanding is if it's your job to make assignments and make policy and make zoning, then the question before you is do you allow this waiver of a driveway, sidewalk or not, and if you do allow it, then you're basically going -- you have no credibility as you move forward. That's my opinion. I live on this street, kids went there, et cetera, et cetera, so thanks, and if you have questions.

MS. GEUEA JONES: Thank you. Any questions for this speaker?

MR. CONE: Yeah.

MS. GEUEA JONES: Commissioner Placier?

MS. PLACIER: Just to clarify, we cannot mandate on a private driveway that there would be sidewalks.

MR. CONE: Okay.

MS. PLACIER: We can mandate that on a public street. That's -- this has not been defined as public street.

MS. GEUEA JONES: Thank you.

MR. CONE: But I'd be excluded from going on this private driveway. I would be walking down the sidewalk and then, oh, it's private, I can't go down there.

MS. PLACIER: I don't know how that will be handled. I have no --

MR. CONE: Yeah. I don't know. I met Kay Wax for the first time at my house Sunday night, and she seems like a very lovely person. I can't imagine her, you know, preventing me from walking down a private street, but she might.

MS. GEUEA JONES: Thank you.

MR. CONE: It's private.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: My credibility as Commissioner is determined by looking at all the information, looking at the technical and the community feedback and making a decision based on that information. It comes before for us when it isn't a cut and dried situation. And there could be -- there's a lot of times where a sidewalk isn't feasible, and, yes, you know, we try to stick to the letter of the law of sidewalks everywhere. That is our intent. That is our mission. Sometimes that doesn't work. This may not be that case, but my credibility or the credibility of my colleagues isn't dependent on that. It's dependent on how we use this noggin up here and the knowledge that we're presented to make the best decision we can, based on information presented to us, and we'll do that here, too.

MS. GEUEA JONES: Thank you. Is there question for this speaker? Seeing none. Thank you very much. If you want to see us, please come forward. Just a show of hands. Who else is here who hasn't had a chance to speak yet who wants to speak on this case? I believe you're the last one, ma'am.

MS. SCHAEPERKOETTER: My name is Ann Schaeperkoetter; I'm married to Carl Schaeperkoetter. I am interested in one of the lots. And I just want to say that I -- I really have to say that the idea of a gated community is completely unappealing to me. If this, I felt like, was going to be a gated community, I would have no part of it. I really feel that way. And I want to point out that up Russell Boulevard, there is a very similar situation where there is a circle drive. It goes off Russell and comes back on to Russell. There are no sidewalks. I don't know exactly if it's designated as a private drive. My observation is not very many people walk on it because, I mean, unless you're going to somebody's house up there, there's not exactly a reason to walk on it. I don't think that what Kay is proposing, that the street lends itself to a shortcut for children to walk on it to get to the school. It probably does have the possibility of people dropping their kids off and wanting to cut through. When we had the neighborhood meeting, I attended that and I told the neighbors if you're interested in this, living here, you have to know that in the morning and the evening, it's congested. It's congested whether, you know, this goes through or not. And I can live with that. And the City study shows that it will have minimal traffic impact. Also with this proposal, there will be nobody backing out of their driveway onto either Russell or Rollins. They will be going forward, which, to me, it's just a lot more of a safety hazard if you're backing out than if you're going forward. It may be, you know, that there's a lot of cars there and you just know that around 8:00 when school is dropping off, there's going to be more traffic there. But there already is now and I think this small subdivision, as the City study has shown, will have very minimal impact. So, you know, the kids may be at risk. They're at risk now, but the City study shows that there's going to be very minimal increase risk.

MS. GEUEA JONES: Thank you. Any questions for this speaker?

MS. SCHAEPERKOETTER: And I'm a good neighbor. Even my Oakwood Court neighbors

that, you know, are opposed to this development would say I' a good neighbor --

MS. GEUEA JONES: Thank you.

MS. SCHAEPPERKOETTER: -- and I'd be a good neighbor anywhere.

MS. GEUEA JONES: Thank you. Thank you so much for being here.

MS. SCHAEPPERKOETTER: So any questions. No. Okay.

MS. GEUEA JONES: Thank you. Anyone else? Last call. Seeing none. We will close public comment.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Is there any Commissioner comment on the case? Commissioner Loe?

MS. LOE: Mr. Zenner?

MR. ZENNER: Yes, ma'am.

MS. LOE: Clarification on this sidewalk waiver. If it is a private drive, and there is the note in here that if the drive were less than 250 feet in length, they'd be exempt. Is there a requirement for sidewalks along private drives longer than 250 feet?

MR. ZENNER: The -- so because this is being created as a substitute towards a street, as an irrevocable ingress and egress serving as the property's frontage, we would consider the easement equivalent to the public street, therefore, yes, we would determine that a sidewalk would required along it. If it was just a regular private driveway, not serving another function, a public street function, no, it would not. But this drive is serving the public street function and, therefore, ergo, we would require it to comply with those requirements, hence, the reason for the sidewalk waiver request secondary to first determining are you willing to grant a waiver for a public street.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Stanton, do you have anything for us maybe? A motion perhaps?

MR. STANTON: I'm still thinking.

MS. GEUEA JONES: Oh, okay.

MR. STANTON: (Inaudible).

MS. GEUEA JONES: Any further discussion from the Commissioners? Commissioner Placier?

MS. PLACIER: Well, this looks like a great project. This looks like an area that could stand to have more housing on it. Not everybody wants a giant lot, but they -- it's the location that is stymying us. Anywhere else, this would probably fly through. The location across from a school -- of course, we've approved -- I shouldn't say this. We've approved commercial development across the street from a school. I didn't vote for it, but -- we -- we have a terrible dilemma here in that the people moving in here are going to know, are going to be told that at certain times of the day, it's going to be impossible. You might as well be -- just stay in your house until this clears. That would be a condition of living there. The safety of the kids would also be an issue, I think, especially for people exiting across from the school.

I'd hate to see anybody try to do that. So I have no answers. I don't know. I am blabbing here. I'm sorry.

MS. GEUEA JONES: That's okay. Commissioner Dunn?

MR. DUNN: You know, I love infill, I love density. When we look at this site, you know, there's obviously a lot of challenges whether it's environmental, whether it's traffic, or community support, you know. And I think about some of the conversations that were had, and some of the things that I said earlier. And, you know, I do want to clarify when I was talking about the children pedestrians, you know, I think the kind of comment that was made earlier, kind of dictating that, if you look at where the school location is and you look at where the drive goes, you know, there really wouldn't be a lot of cohesive traffic for a reason to cut through that neighborhood. That said, I don't deny that there wouldn't be kids that would want to ride their bikes down that road, et cetera, you know, throughout the day, whether that's to school, just taking a little bit of an adventure, or maybe it's on the weekend. So children's safety is definitely very important to me, something that is certainly under consideration here. You know, I think that this project probably could be better. I don't know how you improve it given some of the obstacles that we face here. So, yeah, I'm really kind of torn on this one.

MS. GEUEA JONES: Commissioner Loe?

MS. LOE: I agree. I think the proposed use is on par with what's allowed for this site. I think we've seen some subdivision of the Russell lots already, including across the street, as well as at the north end, maybe not to this size, but the lots are being subdivided. We have seen lots divided smaller than this down at the Coachlamp Court area at the bottom of the hill of College Park. And in some ways, I see this as a -- as a continuation of that. I do have some real qualms about the circulation. Not only is the school there, but this is the tie-in to the County Heights Bike Trail, and I can't tell you how many bikes I see go up and down the hill. When we were -- when we had an option to do the trail extension, I was actually advocating for improvements to College Park and tying it in to the school. I think the City should be looking at improving that. I have personally taken on cutting back the honeysuckle in Kiwanis Park to clear the sidewalk. So we need -- we need better circulation for the uses that are already there. Unfortunately, I don't think this project facilitates what is there. I think it -- I think it is adding to the confusion that is there. I would like to see something come back that doesn't add to the confusion, but that it doesn't cause more harm.

MS. GEUEA JONES: Commissioner Stanton? Oh, I'm sorry. Commissioner Carroll, and then Commissioner Stanton.

MS. CARROLL: I like what you said about something come back, and I hope that something does come back. Yeah. My problem here is the drive. I don't think it makes sense. I think that it's a bit naive to think that there's a way to build this that's going to discourage it from becoming a parking lot. I think that people are going to go there, and I think that the attempts to discourage traffic are attempts that also make it less safe, and that's what's concerning to me. I think this is a step in the wrong

direction. I do like the size of the lots proposed. I think that's appropriate. I just don't like the drive, and I hope that there's another geometry that will work for you.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: I'm a wise old Commissioner up here. I think I'm probably the most senior up here, so I've learned to cut through all the fluff, the marketing, the proposed this, the proposed -- I've learned to just cut through all of that and look at the data. Lot is good, like the concept, understand all that. I cannot get over through traffic via pedestrian or vehicles. I'm trying to -- I want a win-win. I can't see it yet. I can't see it on this. I do support the development in some form there. It's that road, that traffic, that school situation that is really, really bothering me, and I don't have a solution for myself. It may take some bigger brains, but I can't see -- I can't see a win-win. Somebody has to help me.

MS. GEUEA JONES: Well, I wasn't going to say anything, but then you said that, and it reminded me. I -- there's been -- frustrated is the wrong word. That's too strong. There's been a lot of discussion about what kinds of homes are going to go on these lots here tonight. That is not our purview. This is not a planned development. We do not have form-based zoning. So setting all of that aside, and my thoughts and opinions about what kind of buildings are going to be built on these lots, our purview is the lots, their zoned usage, and their size and the infrastructure around them. There are bigger lots in this area, there are similarly sized lots in this area. I think the lot size is great. I think keeping it zoned R-1 is great. I think that fits the character of the neighborhood. I think to say that because we're making this look like a private drive, and maybe even putting up private drive signs, people aren't going to use it is naive and idealistic. And I think that my problem is the infrastructure, at the end of the day. Kids are going to use this whether you want them to or not. If nothing else, because that the sidewalk traffic and the vehicle traffic is heavy in the other places. Drivers are going to use it, specifically, drivers who don't have to wait in line are going to use it. So -- and I think that's going to be true whether you do a green space, greencrete in the middle of it or not. I think the only solution here is to make it a dead end and to make it a dead end on the side where there's not already an existing driveway. And I can't get myself around the fact that we are putting in additional traffic problems in an area where we know there are already traffic problems. And, yes, the traffic study says it won't contribute significantly to the number of cars. True. It will contribute significantly to the number of places cars are coming and going because it's not just going to be the six feet -- six houses and the six vehicles. It's going to be everybody who is trying to get around that corner, and I -- I can't get around that. So for me, the problem here is the infrastructure that would allow these to be built. And until that changes on the plan, I am a no. Anybody else? Sorry. Commission-- yes, Mr. Zenner? You can't make a motion.

MR. ZENNER: Well, I'm not going to make a motion, but what I am going to ask for or at least for clarity for the applicant, as it relates to the design, and I think the -- the Commission has been clear. The connection from Rollins to Russell or Russell to Rollins, however you would like to look at this, is not

satisfactory, and it contributes to the confusion in the area. I think that that has been clearly expressed, the question being is the Commission willing to accept the size of the improvement that is proposed provided that the access-related issue can be resolved? That's one question that I think the applicant needs to know, because if we're looking at something that is a compliant public street, that is a much more significant alteration to this layout and this proposal. Secondly, the opportunity for connectivity -- pedestrian connectivity, that is -- is that still paramount in the Commission's consideration of resolving the vehicular interference that this development may cause. If it is, that is something that the applicant also needs to be aware of, because if we want a public sidewalk installed, does the applicant need to come back and seek to have that improvement waived on one side of what may be considered an equivalent to a public street, but just less in width, or can it, as Mr. Gebhardt pointed out, be incorporated into the existing pavement that is proposed to be installed as long as it's a dedicated area. I view this and base the comments that have been made tonight by both the public and the Commissioner, I'm looking at this development right now, and without sitting down with Mr. Gebhardt, there is a simple solution if the fire department is amenable. And that is to basically look at T-turn-around along lot 601 and 603, which are right at the corner. It's coming into those lots with the appropriate T and the radiuses necessary to support that, and that is where the road ends. And if that is an acceptable alternative to the fire service, the Commission's action on this this evening by granting a variance with that caveat may be appropriate. If you're wanting more, send it back to the applicant as a tabling, and allow them to resolve some of the issues that were brought up this evening instead of starting all over from scratch.

MS. GEUEA JONES: So let me get some clarity about what the two design adjustments do, and then maybe we can discuss a little bit more. So design adjustment one just says they can have a private drive that's narrower than the street. It's not about the layout of said drive.

MR. ZENNER: That is correct. Just a 20-foot wide instead of the required 50-foot right-of-way.

MS. GEUEA JONES: Design adjustment two is no sidewalks along said drive and has nothing to do with the layout.

MR. ZENNER: Correct.

MS. GEUEA JONES: The plat is where we get to whether or not the private drive connects to both.

MR. ZENNER: That would -- that is correct. And if either design adjustment fails, the plat cannot be approved because it is not compliant.

MS. GEUEA JONES: So we can table it ourselves, have a discussion again with the applicant, or we can deny the design adjustment or approve the two design adjustments and deny the plat. Can we -- I'm looking at legal.

MS. THOMPSON: I've been here. I'm a little bit hesitant to approve -- the design adjustments are tied to this preliminary plat, and so I would be hesitant to approve a design adjustment with an unknown preliminary plat.



MS. GEUEA JONES: So that gets me to my question. Can we add conditions?

MS. THOMPSON: I don't think you have before you -- I mean, if you're going to approve the design adjustment --

MS. GEUEA JONES: I don't think we do, either. I'm just --

MS. THOMPSON: -- and the T turnaround, you have that before you.

MS. GEUEA JONES: That's what I was thinking. I'm just making sure.

MS. THOMPSON: Right. And so I think you need to wait until you see that preliminary plat, and then make a motion on those design adjustments as it applies to what you see on that preliminary plat.

MS. GEUEA JONES: Are we -- how do we send -- Commissioner Stanton, you may be able to help me. I'm floundering here.

MR. STANTON: I think the applicant -- (inaudible) -- may want to make a deal.

MS. GEUEA JONES: Okay.

MR. STANTON: Open up the public hearing again?

MS. GEUEA JONES: With the -- yes. With the indulgence of the rest of the Commission, Mr. Gebhardt, did you have something?

#### **PUBLIC HEARING REOPENED**

MR. GEBHARDT: I think you have a Planning and Zoning Commission on January 18th, which is approximately -- because I don't think the one, the first meeting in January would be sufficient. But I would ask that you table this and allow us to investigate the T-shaped turnaround with the fire department to see what kind of issues they may have with that, and be able to modify this drawing and bring it back to you at that January 18th meeting.

MS. GEUEA JONES: All right.

MR. STANTON: Madam Chair?

MS. GEUEA JONES: Yes, Commissioner Stanton?

MR. STANTON: Let your engineering brain free. I mean, get a win. If the T works, a W, a Q, whatever, you're heard our -- you've heard our position. You've heard from the neighbors, you know.

MR. GEBHARDT: But I just want to be clear, and I think Pat was pretty succinct in his question to you as, you know, what -- if we do this, is that -- is that the issue that needs to be resolved, or are there other issues that need to be done, because we're going to pause this and -- and come back with a different plan. I want to address all your concerns and not just a single one, so --

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: My issue is the infrastructure, the -- the road, the driveway situation and --

MR. GEBHARDT: And dead ending, and coming off Russell and dead-ending it before --

MR. STANTON: I'm not going to -- I'm not going to restrict your -- your engineering brain. That's the problem I have. So use all your mathematics and --

MS. GEUEA JONES: Any other Commissioner want to express thoughts? Commissioner Placier?

MS. PLACIER: I agree that is the issue, and if you can come back with a solution that, you know, closes this off a little more from through traffic and from danger to kids, great.

MS. GEUEA JONES: Commissioner Carroll? Oh, sorry. Commissioner Loe, and the Commissioner Carroll.

MS. LOE: One -- one item that Mr. Zenner raised that I'm not sure I'm clear on is the sidewalks. We're talking about not carrying the drive all the way through and I think I'm hearing that clearly. But if the drive doesn't go through, does this Commission still want a sidewalk or not.

MS. GEUEA JONES: We'll discuss that during our Commissioner comments.

MS. LOE: All right.

MS. GEUEA JONES: Commissioner Dunn, did you have something else for Mr. Gebhardt?

MR. DUNN: I'll wait.

MS. GEUEA JONES: Okay. Nothing else, Commissioner Stanton?

MR. STANTON: Commissioner Loe brought up a good point --

MS. GEUEA JONES: Okay. But --

MR. STANTON: -- because we're going to give him what we're going -- what he needs to work on.

MS. GEUEA JONES: Right.

MR. STANTON: So what does the Commissioner feel about sidewalks if it doesn't go through. We're talking if.

MS. LOE: I believe the Chair wants to finish public comment, and then we'll discuss.

MR. STANTON: Okay. All right.

MS. GEUEA JONES: We will make sure you have a clear picture of what you need to bring back on January 18th.

MR. GEBHARDT: Thank you.

MS. GEUEA JONES: Can't promise unanimity -- unanimity. I can't speak tonight.

MR. STANTON: Unanimity.

MS. GEUEA JONES: But I think you'll be in good shape. Okay.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Okay. Closing public hearing. Commissioner discussion. What do we want to do about sidewalks? Are there any Commissioners that feel strongly about sidewalks? I'm going to go with Commissioner Dunn first, and then you, Commissioner Carroll.

MR. DUNN: I would be supportive of a T or another alternative there. And then as it relates to sidewalks, if it doesn't connect, I don't see a need for a sidewalk.

MS. GEUEA JONES: Okay. Commissioner Carroll?

MS. CARROLL: Yeah. I'm sometimes the outside vote on the Commission for this. I do think a sidewalk should be required here. It's partially because of the school and it's partially because of visibility. I don't care if it connects or not. A sidewalk on at least one side, because there's going to be people walking in there, and even if they're working in the road, there's going to be less visibility. I think that it's a basic safety function for this plan and this location.

MS. GEUEA JONES: Anyone else? Commissioner Wilson?

MS. WILSON: You know, this is something that I was really processing. I think because it really, technically, is just a way for people to get out of their homes, I agree. As long as we've got a cut-off and there is no through traffic, I don't think sidewalks are going to be a strong point for me at that point.

MS. GEUEA JONES: Yeah. Anyone else? I would agree. I don't require a sidewalk if it doesn't go through. Commissioner Stanton?

MR. STANTON: I agree, and I'm a concrete guy, so -- yeah. I would agree. It wouldn't make any sense.

MS. GEUEA JONES: All right. Are we ready for a motion now, Commission?. Do you know what motion you're making, Commissioner Dunn? Yes. Go ahead.

MR. DUNN: In the matter of Case Number 21-2024, I make a motion to table this.

MS. GEUEA JONES: To date certain January 18th?

MR. DUNN: Yes. Thank you.

MR. STANTON: Second

MS. GEUEA JONES: Moved by Commissioner Dunn, seconded by Commissioner Loe?

MR. STANTON: No.

MS. GEUEA JONES: No. Commissioner Stanton. Seconded by Commissioner Stanton. Is there any discussion on the tabling motion. I think this is a good move. Seeing no other discussion. Commissioner Carroll, when you are ready.

**Roll Call Vote (Voting "yes" is to recommend approval to table.) Voting Yes:**

**Mr. Stanton, Mr. Dunn, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.)**

MS. CARROLL: We have eight votes to approve the tabling. The motion is carried.

MS. GEUEA JONES: Thank you. That case will be tabled till date certain January 18th. Okay. I'm going to keep moving on, but if any Commissioners or other guests need a break, feel free to come and go. We've got plenty of people here. Moving on.

**Case Number 33-2024**

**A request by Allstate Consultants (agent) on behalf of Rock Ivy, LLLP and Thomas K. Gordon (owners) to rezone 24.23 acres of property from the A (Agriculture) and R-1 (One-Family Dwelling) districts to the M-C (Mixed-use Corridor) district. The subject site is located on the east**

**and west sides of Fairview Road between Bernadette Drive and Worley Street, and is addressed as 700 Fairview Road.**

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning to the M-C District.

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

MS. PLACIER: I -- I just had one question. You recommended approval despite your concerns about some of the uses allowable under M-C. What made you recommend approval despite that?

MR. PALMER: The items in my conclusion about the existence of the buffer, the natural buffer, and also just the access to the major roadways. The site is situated such in a road network that it's -- it's appropriate to have those warrantance [sic] of uses. The kind of rub is, you know, you do have residential in close proximity, and so I think that green space does offer an acceptable buffer. It would be above and beyond anything that the Code would ever require, obviously, and then there's also just the physical distance that's separating the two. So, you know, it's kind of a weighing of the pros and cons and at the end, I do feel like it's appropriate, so --

MS. GEUEA JONES: Okay. Thank you. Any other questions for staff. Seeing none. We will open the floor -- Oh, I'm sorry. Commissioner Carroll?

MS. CARROLL: Yeah. Were there -- were there going to be changes to the intersection at Bernadette?

MR. PALMER: No. Actually the plan just shows that it's extended through.

MR. ZENNER: If you're familiar with where the driveway is that leads back to our power plant, that would basically just be widened, and it follows that general alignment.

MS. CARROLL: Okay. Thanks.

MS. GEUEA JONES: Any other questions for staff? Seeing none.

#### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: We'll open the floor to public comment.

MS. LAMAR: Good evening. My name is Phebe LaMar; I have offices at 111 South Ninth Street. I'm here this evening on behalf of Rock Ivy LLP, and Thomas Gordon, who own together the approximately 24 acres east and west of Fairview Road and north of Worley. My client is seeking to rezone all of their property to M-C to match the small portion at the northern end that's already zoned that, and it's also requesting approval of a preliminary plat that was displayed to you this evening. Originally, my client approached the City staff with a concept review for the self-storage facility as was discussed as a result of the comments that we got from City staff. Instead, we came back with this proposal to rezone the entire thing -- the entire piece of property and also to submit the preliminary plat for the entire piece.

At this location, M-C is the most reasonable zoning option. If you look at the larger zoning map, which you didn't have in front of you, all of the property that's north of the Mall up -- up to I-70 is zoned M-C, so all the way over to Stadium, all the way along that, that's all M-C, so this is certainly not spot zoning, this is absolutely a zoning -- a zoning district that makes -- makes sense. And if you look at the Mall property, which is the only property -- well, maybe not quite the only property, but pretty close, the main property in that area that is zoned PD as opposed to M-C, there are lots of reasons for that that include access issues, also the fact that the property itself, the larger Mall area is owned by multiple owners, so there are all kinds of issues that go along with the fact that that has to be zoned PD. Not only that, but it was zoned that prior to the adoption of the UDC in 2017, and the UDC certainly discourages the use of planned zoning as opposed to the regular zoning. So M-C in this area is the type of zoning that makes sense. As Mr. Palmer also pointed out, there is the green space area. I went back and looked, and there's a deed restriction on the property for at least a portion of that green space that requires that it be used for that only at the time that it was deeded, and that will continue into perpetuity. So there is buffering between the residential zoned property and the commercial property that's built in and has to stay that way. It's also important to note that the City will -- will and can require a traffic impact analysis prior to the issuance of a building permit or approval of a side plan or conditional use permit, and that will address if there are traffic issues at that time, and whether there need to be traffic -- need to be improvements made to the infrastructure at the time that actual uses are being put into place. The proposed preliminary plat is compliant with all City ordinances and should therefore be approved. For all these reasons, and those already provided by City staff, we request that this rezoning and the preliminary plat be approved. Ron Shy, who is the engineering on the project, and I are here and happy to answer any questions that you have.

MS. GEUEA JONES: All right. Thank you. Any questions for this speaker? Seeing none. Thank you so much.

MS. LAMAR: Thank you.

MS. GEUEA JONES: Anyone else to speak on this case? Seeing none. Any Commissioner comments on this case? Seeing -- oh, Commissioner Loe?

MS. LOE: Just clarification on the traffic improvements. Commissioner Carroll was asking about Bernadette. On Worley Street, any improvements there would be -- come out of the traffic study?

MR. PALMER: Potentially so. Actually with the Walmart development to the south here, there was some plans to improve and realign Fairview so that it met at that intersection as opposed to having a jog. Part of that discussion ended up creating the green space on the south side. It was part of the MBS property, and it was deeded to the City with a deed restriction. And because of some of the topography and other issues, that road alignment just wasn't feasible to begin with, a lot of it being utility easements, stuff like that, that nobody was really interested in moving. Then also I know there's steep slopes in there and some other things, but just the fact that it's, you know, probably climax forest in most

of it. But anyway the end result, though is that that jog is -- was designed to stay there. The City traffic division created a new design for improvements that is not on the CIP plan at this point, but they do have a design for it, and it maintains that jog. So I don't know what improvements would be necessary, but yes. If they propose a use that meets the threshold of 100 trips, they will be required to have that traffic study, and the traffic study would be recommending whatever improvements at that time, and it would be part of their approval process for their building permit, so --

MS. LOE: All right. And the reason I asked this is just with that jog, and it currently only being controlled by stop signs, it can be a bit problematic.

MR. PALMER: Yeah.

MS. LOE: Long waits, and you're shuffling in and out of that lane. So I'm anticipating that if we're adding traffic, I was just curious if we're talking about adding lights or traffic circle, and would those options then be on the table?

MR. PALMER: It's all potential outcomes, yeah.

MS. LOE: Right.

MR. PALMER: And I'm not sure what would be a good design for that -- that jog. It's problematic, obviously, so --

MS. LOE: Thank you.

MS. GEUEA JONES: Commissioner Carroll?

MS. CARROLL: Traffic analysis includes pedestrian traffic. Okay. Yeah. I feel like I would be remiss if I didn't point out pedestrian traffic on Stadium is pretty inhospitable because of the traffic on Stadium. If you're trying to get to the Columbia Mall or to the Walmart shopping from central city, it's actually maybe less frequented, but pretty important pedestrian route to go across Worley or Ash and up Fairview. I use it myself quite a bit. I know other people within the pedestrian community that try to use cars less use that same route. I realize we're in the minority, people who want to do Walmart shopping by bike, but I still think that it's an important consideration.

MS. GEUEA JONES: Anyone else? Questions for staff, or where are we at? We're at Commissioner comment. Okay.

MS. LOE: We're in comments.

MS. GEUEA JONES: Come on, Sharon. Let's go. Okay. Any other Commissioner comments? Okay. Seeing none. Anybody want to -- okay. Commissioner Loe?

MS. LOE: In the case of 33-2024, Gordon Farms rezoning, move to approve the requested rezoning from R-1 and A to M-C.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner Loe, seconded by Commissioner Stanton. Is there any discussion on the motion? Seeing none. Commissioner Carroll, may we have a roll call.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton,**

**Mr. Dunn, Ms. Carroll, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion carries 8-0.**

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

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

**Case Number 34-2024**

**A request by Allstate Consultants (agent), on behalf of Rock Ivy, LLP, and Thomas K. Gordon (owners), for approval of a five-lot preliminary plat of 22.2-acre property to be known as "Gordon Farms." The subject site is located north of the intersection of Worley Street and Fairview Road. A concurrent request (Case Number 33-2024) has been submitted seeking to rezone the property from A (Agriculture) and R-1 (One-Family Dwelling) to M-C (Mixed-use Corridor).**

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the "Gordon Farms," Preliminary plat.

MS. LOE: Thank you, Mr. Palmer. Before we move on to questions for staff, I would like to ask any Commissioners if they have had any ex parte prior to this meeting to please share that with the Commissioner now for the benefit of everyone. Seeing none. Are there any questions for staff? I see none. Nice second round there, Mr. Palmer. All right. If we don't have any questions for staff, we're going to open up the floor to public comment.

**PUBLIC HEARING OPENED**

MS. LOE: Anyone who would like to comment on this case, please come forward.

MS. LAMAR: Phebe LaMar; I have offices at 111 South Nine Street, and I am not going to prolong this. So if you have any questions, I'm happy to answer them.

MS. LOE: Appreciate that, Ms. LaMar. Any questions for this speaker? I see none.

MS. LAMAR: Thank you all.

MS. LOE: Thank you. Any other speakers on this case? Seeing none. We're going to close public comment.

**PUBLIC HEARING CLOSED**

MS. LOE: Commissioner comment? Mr. Stanton?

MR. STANTON: If my colleagues don't have any other questions, I would entertain a motion, ma'am. As it relates to Case 34-2024, Gordon Farms preliminary plat, I move to approve.

MR. FORD: Second.

MS. LOE: Moved by Commissioner Stanton, seconded by Commissioner Ford. We have a 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,**

**Mr. Dunn, Ms. Carroll, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Not Present for Vote: Ms. Geuea Jones. Motion carries 7-0.**

MS. CARROLL: We have seven votes to approve, the motion carries.

MS. LOE: Thank you. That recommendation will be forwarded to City council. That brings us to our last case for the evening.

## **VIII. PUBLIC HEARINGS**

### **Case Number 37-2024**

**A request by Crockett Engineering Consultants (agent), on behalf of Discovery Entertainment Center, LLC, Discovery Business Center, LLC, and P1316, LLC (owners) seeking approval of a PD Plan amendment and revised preliminary plat of The Kitchen & Discovery Offices PD Plan that will increase dwelling units and building heights, eliminate a building, add a drive-up ATM, and revise proposed structures associated with the "Kitchen" portion of the development. The approximately 10.64-acre subject site is located northwest of the intersection of Discovery Parkway and Endeavor Avenue and includes the address 3701 Discovery Parkway.**

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the requested PD Plan and preliminary plat revisions to The Kitchen and Discovery Offices PD.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, would any of the Commissioners like to recuse themselves from this case?

MR. STANTON: Madam Chair, I will.

MS. GEUEA JONES: Thank you, Commissioner Stanton. All right. Any -- oh. Before we go to questions for staff, one more question. Anyone have contact with parties to this case outside of this public meeting? Seeing none. Now questions for staff. Seeing none. Excellent.

### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Public comment?

MR. STEPHENS: Jesse Stephens, Crockett Engineering, 1000 West Nifong. Also with me tonight, I've got Jack Cardetti, and he'll be here to answer any questions on behalf of the developer, if you should have any. Pat did a good a job of explaining what we're trying to do, but just a quick overview. It is a little under an 11-acre site. And though the parking configuration has changed somewhat, the core parking arrangement is pretty much the same as it was originally approved, aside from the area where we removed the building and added the parking lot for the ATM. Obviously, we are changing from one-story commercial buildings on -- along Nokona to a larger three-story mixed use building, that's -- that's the biggest change here, and also with the addition of the drive-through ATM, which was intended to support one of the bank tenants that have moved into another part of the Discovery development. We added a location for trash compactor. Another request that continues to be made by some of the residents is



some stand-alone EV parking for electric vehicles. And then in working with Pat, the developer did agree that it made sense to add more internal connectivity in the parking lot, so that was an easy -- an easy thing to add. This is kind of what the original plan looked like. Obviously, more buildings, but more one-story, so basically what was two and three were combined, and where building four is is kind of the new ATM location with the future parking. And that's kind of the overview of how it changed, and you've already seen. Obviously, the landscaping, Pat did talk about that, but the idea being that these major landscaping corridors are, you know, taking big chunks of parking and breaking them into smaller, more manageable chunks with more shade. The main islands are far bigger than normal islands would be. And also our stormwater collection is happening down in that main central island, so obviously the main change is mixed use. The electric vehicle parking is kind of happening up there by the dumpster near the round-about, which is also where the drive-through ATM is. All of that is kind in close proximity to an electrical transformer location that's nearby, and then we did add the pedestrian route down to The Kitchen. So on utilities, this is -- this is pad ready and ready to go as pretty much any site you're going to find in town. We did actually just get a transformer the other day, so we're very excited for The Kitchen. Stormwater management, we've already got in a large -- I won't claim that it's the largest one in town, but it's certainly one of the biggest underground detention systems. It's already installed and function. All the water mains are there, sanitary sewer is no issue, and we've tried to consolidate the trash collection in a way that makes sense for the development. Our conclusion is is this mixed -- we're trying to have this mixed-use capability of this. We think this is a better utilization of the parking lot overall. And, in fact, they've done their own internal studies and it's pretty clear in the areas that are solely residential, the parking lots are clearly underutilized. And then since they have added mixed-use components to some of the other areas in and around The Kitchen, those parking lots are definitely better utilized. So with that, I'll field any questions you guys might have for me.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Loe?

MS. LOE: I very much appreciate the landscaping added to the parking lot and the pedestrian. I think that's going to be a huge asset. I appreciate the moving of buildings and the massing. I think it's allowing some nice daylight to reach the different areas of the site. I was curious about, given the built-in residential and the outdoor focus of use, I'm not -- I don't feel like I'm seeing any outdoor eating areas attached to the restaurants, and I feel like that's something that we're definitely seeing more and more often these days. Is that still an option? I see there's a little bit of future parking on Artemis, so maybe that could actually become outdoor eating.

MR. STEPHENS: So I think -- (inaudible) -- but -- so internal to The Kitchen itself, there -- there is a large amount of outdoor patio area.

MS. LOE: You're right. I see it on that one corner, but the other two potential restaurant spots.

MR. STEPHENS: Right. The one -- the one that's closest over to Artemis does have a triangular area that was intended to be outdoor patio.

MS. LOE: Okay.

MR. STEPHENS: It's kind of where the parking veers down, and then there's a dumpster, so there's a pretty large patio over on that one. I mean, that was clearly the intent of that.

MS. LOE: Yeah. Yeah. I just bring it up because it looks like you're moving in this direction. I think it'll be -- I can see it really being popular and really being used and just --

MR. STEPHENS: I know that's what they hope.

MS. LOE: Yeah. I would encourage you to consider to allow that flexibility. Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you so much. Anyone else to come forward? Seeing none.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Any Commissioner comments? Seeing none. Anyone want to make a motion? Commissioner Carroll?

MS. CARROLL: Motion to approve the requested PD Plan and preliminary plat revisions To The Kitchen and Discovery Offices PD.

MS. GEUEA JONES: In case number?

MS. CARROLL: Ah. As it relates to Case Number 37-2024.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner Carroll, seconded by Commissioner Loe. Is there any discussion on the motion. Seeing none. Commissioner Carroll, when you're ready, we'll have a roll call.

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

MS. CARROLL: We have seven votes to approve, the motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council.

#### **IX. PUBLIC COMMENTS**

MS. GEUEA JONES: Next up on our order business, public comments? Seeing none.

#### **X. STAFF COMMENTS**

MS. GEUEA JONES: In that case, Mr. Zenner, your turn.

MR. ZENNER: Yes. January 4th is your next meeting, and we do have a regular work session that will proceed that. And then we have a number of items on the regular agenda for the 4th. So we have a single final plat in this is actually that address may be familiar to some. That is actually --

MS. GEUEA JONES: Can we fix the thing so we can see what you're doing?

MR. ZENNER: No. There we go. There we go. Okay.

MS. GEUEA JONES: Thank you.

MR. ZENNER: So January 4th is your meeting. We will have a work session prior to that. We

will be discussing our favorite topics, but for our regular meeting, you have one final plat, the address here at 1800 Parkside should sound familiar to some of you. If you have children, that is Cosmo Park. We are platting the entire acreage in order to facilitate some division of the property for grant purposes, so this is basically a City initiated platting action that our City surveyor has prepared. That'll be your only platting action. And then the rest of them are public hearings. We have a request at the corner of Grace Lane and Richland Road, 5401. That is PD Plan for a daycare. And then this is a former site that came before you about a year or two years ago for a self-storage facility for RVs. It is a daycare site now and has a potential expansion for an indoor recreation facility, and Kiaan will be doing the presentation on that. We have a rezoning off of North Tenth Street. This is consistent with the other rezoning activity that we have had. This is on the west side of North Tenth, just north of ARC. And then 209 South Providence, that may be an address that's familiar for some of you, as well. This is the common lot that is presently occupied by Raising Cane's and the vacant parcel immediately to the south and the parcel behind it. It is a CUP request for -- for -- anybody want to guess? How about a drive-through coffee shop to boot. So it has gone to the Board of Adjustment. This is for a 7Brew coffee facility. The Board of Adjustment did grant necessary waivers as it related to the M-DT, and the project has gone through a traffic study at this point. We do have comments. Yours truly will be delivering that, along with all of the tough answers I'll have to give. So that is on the agenda. And then we have another request, catty-corner from what we have just dealt with here down at Discovery, this is 4900 Artemis, and that is another major plan revision taking away four artisan industry retail type office uses and replacing it with a centralized detention facility for the overall development, as well as a four-story residential structure. And so we can give you guys where we're going to be. Here is our park property plat at 1800 Parkside, our rezoning request PD Plan approval at Richland Road and Grace Lane, as well as the North Tenth Street request, and then the 7Brew coffee facility drive-through at 209 South Providence, as well as the Artemis rezoning, or a major PD Plan revision and preliminary plat that goes along with that, as well. So those are your cases for January 4th. Please come back from your Christmas break so you can participate with all of us. We wish you a happy holiday, and we thank you very much for all of your efforts this year. It has been one that we hopefully can put in the books in the rearview for a while, but we've got some really exciting stuff that we are working on for 2024. So thank you, and you have a good holiday.

MS. GEUEA JONES: Thank you.

**XI. COMMISSIONER COMMENTS**

MS. GEUEA JONES: Any Commissioner comments? Does anyone want to say anything about leaving?

**XII. ADJOURNMENT**

MR. STANTON: Move to adjourn.

MS. GEUEA JONES: Thank you. Commissioner Stanton has moved to adjourn.

Commissioner Dunn seconded. We are adjourned.

(The meeting adjourned at 10:33 p.m.)

(Off the record.)