

January 24, 2024

The Village of Cherry Hill Town Center Association
c/o Smith & Associates
PO Box 30532
Columbia, MO 65205

Columbia South Real Estate, LLC
c/o Travis McGee
308 S 9th Street, Suite 101-M
Columbia, MO 65201


Re: Board Approval of the proposed development on Cherry Hill Lot 3B

Travis,

I am happy to inform you that the Board of Trustees of The Village of Cherry Hill Town Center Association approved your proposal to develop 24-apartment units on Lot 3B. Enclosed are copies of the Conceptual Site Plan C.2 and the artist rendering of the proposed building that you presented to the Board that they approved today.

We want to thank you for all of the time and effort you put into meeting the requirements of the Design Review Board and your willingness to comply with the many revisions that were requested.

We wish you the best of luck with the new project.


Richard King, President

Comments for City of Columbia Planning and Zoning Meeting February 22, 2024
Case # 260-2023

The planned commercial area within Cherry Hill is referred to as the Town Center. The controlling documents for this mixed-use development are explicit about which parcels can be members of this association and enjoy the rules and conventions controlling their use. These documents allow residential use as well but these parcels are excluded from the Town Center controlling association and only share the use of common areas when both commercial and residential units are in the same parcel. This is a primary part of the planned mixed-use development and initially was included in a few of the early buildings within Cherry Hill.

Standalone residential parcels like the Gables, Verandas, and Woodstock buildings provide their necessary parking spaces within the parcel because they do not enjoy the “common area” designation associated with parcels that are controlled by the Town Center Association conventions. This same designation is also applied to the Townhomes and Condos within the Town Center development area. The parking these units have is private and not available for shared use as a part of the Cherry Hill development. These parcels are all members of the Village of Cherry Hill Neighbor Association and are controlled by a separate set of declarations and conventions.

The applicant's assertion, in note number 6 on the Lot 3B plan sheet submitted with this application, that they can rely on the shared parking convention of the Town Center declarations to meet the needs of this proposed building is in error. It is not supported within the Town Center declarations because this parcel is not part of the Town Center Association. The proposed 10 parking spaces shown on the plan sheet within this parcel is not adequate to meet the code requirements of the City.

While the applicant does own the property parcel to the west and could offer access for parking within that parcel this is not a satisfactory solution. The applicant also proposes to use parking on the parcels to the north and east as well. There are no supporting documents that can be applied to this kind of arrangement for parking at this time.

This application is incomplete and cannot be considered by the Commission because the assertions about adequate parking are in error.

Town Center Declaration recorded in book 1592, page 366 – Section 7.3:

“7.3 **Membership**. Every Owner of a Commercial Parcel shall be a mandatory Member of the Town Center Association. Temporary Parcel Owners and lot owners who pay the assessments shall also be considered Members. Membership shall be appurtenant to and may not be separated from title to any Parcel. As provided in Article III, Owners of Residential Parcels shall not be members of the Town Center Association but shall be members of the Residential Association.”

Dick Purcell
2204 Potomac Dr.
Columbia, MO