



**Columbia Planning & Zoning Commission
Meeting Recap**

Council Chambers, Columbia City Hall
7:00 PM Thursday, May 18, 2017

CALL TO ORDER (Members Present: Strodman, Burns, MacMann, Rushing, Stanton, Loe, Russell, Harder)
(Members Absent: Toohey)

APPROVAL OF AGENDA (Approved as revised earlier by staff.)
APPROVAL OF MINUTES (Minutes from May 4, 2017 approved.)

SUBDIVISIONS

Case #17-61

A request by Brush & Associates (agent) on behalf of SBSR II Properties, LLC (owner) for approval of a 47-lot preliminary plat of R-1 (One-Family Residential District) zoned property to be known as "The Coliseum Subdivision." The 13.49-acre subject site is located at 4515 St. Charles Road.

(Action: Staff reported that this was a 43-lot plan. East edge contains future extension of Ballenger Lan. Primary access fed from St. Charles. Right of way provided for future roundabout at St. Charles and future Ballenger. Recommended approval.

Engineer spoke on behalf of applicant and explained road construction. Identified that a common lot will be used for bio retention.

Speaker indicated that she lives across from opening of new subdivision. Her street is a dead-end street now. She is concerned that her street is off of St. Charles and wants to know if St. Charles can handle the new traffic. Staff explained that ROW for expansion was obtained, but that any expansion of St. Charles is in the future and will be contingent on the acquisition of several parcels and rights of way before money would be spent on this. Asked how this would affect her property? Will it take a large chunk of her yard? Staff indicated that any right of way has already been dedicated but the only current improvement will occur on the north side with a possible half-width required in the future. Engineers indicated that the new neighborhood will not generate significantly new volumes of traffic. Speaker asked what the price range of the new homes would be. Staff did not know that answer.

Loe indicated that it fits the East Area Plan and represents infill. No further discussion.
Motion to approve carried 8-0.

Case #17-111

A request by Crockett Engineering (agent), on behalf of Walter A. Beasley (owner) for approval of a three-lot final minor plat to be known as "Woodrail Meadows, Plat 3 -A". The subject parcel includes 1.01 acres, and the parcel consists of three lots, addressed as 1004, 1100, and 1102 Willowcreek Lane. The purpose for the plat is to plat the subject lots in accordance with a number of small area transfers which have affected the lot layout since the original subdivision was platted.

(Action: Staff report presented as indicated. Fixes lot lines that changed over time. Center house was built over a lot line. Replatting required to fix problem. No plans by applicant for any new construction.

No public comment or discussion.

Motion to approve carried 8 – 0.

PUBLIC HEARINGS**Case #17-113**

A request by Columbia Civil Engineering Group (agent) on behalf of The Residences at Old Hawthorne, LLC (owner) for approval of a major amendment to the Residences at Old Hawthorne PD development plan to waive sidewalk construction. The 8.2-acre subject site is located along Residence Drive (private), east of Old Hawthorne Drive West.

(Action: Loe disclosed that she had received a memo from the management of this area regarding parking and that she received it from a resident. MacMann asked if this came from the HOA. Loe indicated that she believed it came from the residents' association.

Staff report presented. Indicated that staff does not generally support sidewalk waivers so they looked at some other opportunities. Sidewalks would be obstructions in some cases. Option to build sidewalks somewhere else. That had problems because of individual ownership of other properties. Fee in lieu was suggested by applicant. Entire CIP plan was looked at and there are no other current projects in that area. Since this is a private street it is an additional challenge. Sidewalk requirements were not clear for private streets when built. New code fixes those problems, but it is too late for this project because it is already built out, so staff recommended approval.

MacMann asked about fee in lieu of proposal. Isn't there a new school coming in and couldn't we apply that? Staff indicated that there were no projects that would be paid for by the city in that area so the money would be collected without a project to spend that money on.

Original plan indicated that sidewalks should be required and that that was agreed to. Loe asked why we now are backing out on that agreed to plan.

Harder wondered why they didn't think of cars parking would be blocking sidewalks when this came forward. Loe pointed out that there were sidewalks in an abutting development. Asked if those were not working? Staff indicated that there were some problems with ADA compliance, however, because this is a private street the rules are a little different. MacMann asked if the ownership of all of the surrounding properties was the same. Staff was unsure. Strodman asked if the internal street was of sufficient width to be able to provide for walking and golf cart access to the golf course. Pointed out that there will not be more development here because it is constrained by the layout of the golf course.

Public hearing was opened.

Engineer appeared on behalf of the applicant. Engineer got involved on this about two weeks ago. Indicated that he was not aware of the entire history. Private street configuration changed the rules and the project was built without sidewalks. Current driveways are too steep to accommodate sidewalks by ADA standards. Installation of more sidewalks and ripping out the old will decrease the green space. From a practical point of view there is plenty of connectivity right now, even if cart paths are not technically allowed to be used for walking. Indicated that single family homes are exempt from ADA. Because some of these are connected, there is not a good way to build workable sidewalks. Occupancy permits were issued for all but 8 of these homes years ago. A bond has been issued by the applicant to get the final 8 permits. Applicant would prefer not to pay any fee in lieu. Staff indicated that inspections did not catch this lack of sidewalks until the very end. Fault goes to many parties. Burns indicated that she was uncomfortable with the whole thing and encouraged scofflaws. Engineer indicated that these are 28 foot roads. Also, indicated he grew up in a neighborhood with no sidewalks and he thought it was fine. Loe indicated she thought it was odd and that modern standards should apply.

Next speaker indicated that he lives in Old Hawthorne. Supports this variance. Indicated that the last part of the overall development was done correctly, but the first phases were not. Believed that the development on Trellis was a good model of how to do this right. Indicated that his home is not as compact. Speaker indicated that you can't walk on cart paths because of liability. Only way to walk out of these homes is by walking in the street. Indicated that there are some other issues about people cutting across the course to get to the clubhouse.

Public hearing was closed.

Stanton indicated his gut tells him to bust up the current driveways and redo them, but, that may not be reasonable. He will let the builders get away with this one. Loe indicated that she believes ADA does not apply because there is no public involvement. Asked if there could be some kind of compromise like a narrower sidewalk that is not ADA compliant. Engineer indicated that there is just not space to do this because of lot size constraints.

Russell indicated frustration. Thought this might be a bridge too far. If this is approved, she wants a caveat in the ordinance. Staff indicated that private street rules make this a different case. Staff indicated they made a mistake by not enforcing the sidewalk ordinance up front. Indicated that Planned Development weren't required to submit complete plans up front. The new code requires a more comprehensive plan up front. Fault can be found with everyone. Requiring this now is not a good option. Staff indicated they need a private street standard. This is the impetus for such a rule to be developed.

MacMann indicated that he believes that we will run into this in the future and wants to have a better fee-in-lieu-of plan as we expand west or anywhere else. Rushing indicated that the developer didn't do what they were supposed to do and there seems to be no penalty. Wishes there was one somehow. Strodman reminded the commission that this was a private street. Believes it is unique situation. Agreed that private road standards should be developed. Indicated support.

Motion to approve accepted 7 to 1.

Case #17-114

A request by A Civil Group (agent) on behalf of Charles and Misty Keene

(owners), seeking annexation of their property at 3500 Wellington Drive and permanent City zoning of R-1 (One-family Dwelling) upon annexation. The property consists of 3.37 acres and is currently zoned Boone County R-S (Residential Single-Family).

(Action: Brief report provided by staff as indicated. No public or commission discussion. Motion to approved supported by a vote of 8 – 0)

Case #17-115

A request by Crockett Engineering (agent) on behalf of Aegis Investment Group (owners) for approval of a PD development plan to be known as “Dunkin Donuts on Blue Ridge Town Centre Development Plan.” The PD (Planned District) zoned site contains 1.29 acres and is located southwest of the intersection of Rangeline Street and Blue Ridge Road.

(Action: Staff report presented as indicated. Commissioner asked about landscaping plan and believed it seemed light. Staff indicated that it is not all shown on this plan, but that this plan meets the code.

Engineer appeared on behalf of the applicant. Explained that this is the first part of a new plan for property that was originally intended for other purposes. Indicated that one private drive is allowed and that it will have required sidewalks. Traffic study has been completed and updated. Some offsite improvements were originally required, but most of those have already been completed. Believed that this was a fairly straightforward request.

No additional speakers.

Motion to approve accepted by an 8 – 0 vote)

COMMENTS OF THE PUBLIC

(Action:

COMMENTS OF THE STAFF

(Action: Five projects outlined for next meeting. Mill Creek Meadows, Centerstate Apartments, Bristol Lake HOA lake, Discovery Park Plat C – PD Major Amendment and 4206 Savoy Drive.

COMMENTS OF THE COMMISSION

(Action: Stanton asked for a further look at issues with private streets and sidewalks.

Strodtman asked for a look at private street standards and congratulated reappointment of Toohey and Loe.)

NEXT MEETING DATE - June 8, 2017 @ 7:00 pm (tentative)

ADJOURNMENT

(Time: 8:35 PM)

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