



## Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall  
7:00 PM Thursday, November 9, 2017

**CALL TO ORDER** (Members present: Loe, Burns, Harder, MacMann, Strodtman, Toohy, Rushing, Stanton.)

(Members absent: Russell)

**APPROVAL OF AGENDA** (Agenda approved as submitted.)

**APPROVAL OF MINUTES** ([Minutes from October 19, 2017](#) approved as submitted.)

### SUBDIVISIONS

#### Case 17-119

A request by Brush and Associates (agent) on behalf of Elias & Elias, LLC (owner) for approval of a 31-lot preliminary plat on R-1 (One-family Dwelling District) zoned land, to be known as Mill Creek Meadows Subdivision Plat 1, and a design adjustment from 29-5.1(b.2.iii), which requires areas identified as sensitive land not be included on lots intended for development. The 15.57-acre subject site is generally located on the east side of Old Mill Creek Road, approximately 3,000 feet south of Nifong Boulevard, and addressed as 4700 S Old Mill Creek Road.

(Action: Staff presented a report on the project. The applicant is seeking approval of a preliminary plat for the development of a single-family subdivision that includes 29 buildable lots and 2 common lots. The applicant is also requesting a design adjustment to allow Lot 15 to include a small portion of flood fringe within the south portion of the lot. Access for the site will be from Old Mill Creek Road. The subdivision will include additional public roadways, and will connect to Old Mill Creek Road with an internal road - Terzop Street. Terzop is classified as a neighborhood collector, which is a wider roadway profile than a local residential street, and may serve a collector role within the surrounding street network if extended east across Mill Creek to the intersection of Sinclair Road and Southampton Drive.

The decision to construct a bridge over Mill Creek will likely occur at the time the property to the east develops and would likely include participation by the City since such extension would require a major drainage and bridge crossing. In the interim, Terzop will terminate in a temporary turnaround at its eastern terminus. The subject site includes several types of features considered as sensitive areas. Mill Creek travels along the south edge of the property, and stream buffers, floodway and flood fringe are all found within the site. The sensitive areas located on the property are accommodated within Lot C1 and

Lot C2 - common lots that are not for development - with the exception of the flood fringe discussed in the design adjustment.

The applicant is requesting a design adjustment from 29-5.1(b.2.iii), which requires areas identified as sensitive land not be included on lots intended for development (which would generally mean that it should be included on a common lot). In order to offset the requested inclusion of 300 sq. ft. of floodplain on the property, the applicant is proposing to include an area of land along the east side of Lot 15 in the abutting common lot - Lot C2. This would be property that is not required to be preserved otherwise. After considering the request and the submitted information by the applicant, staff supports the granting of the design adjustment, given the limited scope of the request, the location of the floodplain (which is adjacent to a roadway and within a future utility easement), and the inclusion of additional wooded property within an undevelopable common lot. If the design adjustment were granted, staff does not foresee significant detrimental impacts to public safety or other surrounding properties.

Commission questions were entertained. Rushing asked how major intersecting roads could connect in the future. Staff indicated that according to current plans connections could occur at Sinclair Road and Southampton.

Commissioner Loe asked a series of questions relating to street layout and sensitive area regulations. Loe cited code provisions that indicate that street construction should try to avoid intrusion into sensitive areas. Staff acknowledged that provision and also indicated that connectivity of the street network was also an important consideration in considering any project. Loe indicated that even street building was referenced in the code and that street construction should also try to avoid impacts to sensitive areas. Loe further pointed out that if development in sensitive areas occurred, that such changes should indicate a defined building envelope for structures and that she understood that intrusions into the sensitive area must be placed in separate protected lots. Loe also stated that as she understood the proposal, some of the areas identified in the flood plain would be graded and filled to the extent that they would no longer be subject to flooding. She asked if the plan, as proposed, were changed, with the elimination of one shown lot on the plan, could the development avoid intrusion into the sensitive areas completely? Staff replied that that may be true in terms of the lot layout, but that there would still be intrusion into the floodplain area by the proposed or future road requirements, and that exact road location plans are not required at this stage of development – just conceptual connectivity and future use.

Staff continued and indicated that even if a specific “building envelope” had not been shown on the plan, the envelope would be defined by the yard setbacks required in the code. Loe thought a specific demarcation should be shown and that road building in the affected zone should be restricted if possible. Staff indicated that the dispersal of traffic throughout the entire area road network was an important consideration, that not all roads are always shown on the CATSO plan in exact locations, and that this plan and the site layout did anticipate other future road requirements and consideration of the existing features. Staff indicated that in the absence of specific future plans from surrounding areas like Sinclair Farms, they were obligated to make decisions based on potential future development patterns.

Staff also indicated that development in a flood plain IS allowable if done in accordance with specified rules and that this development seemed to achieve those requirements. It was also the position of the staff that even if some road construction crossed a sensitive area, it was still required to build up to

mitigate impacts and that you have to consider multiple criteria, not just one factor, in making an overall decision on the project. Staff believed that is what they had done when recommending approval.

MacMann commented that this project would have some impact on the entire area as would the proposed school that has been approved for construction in this same area. He advised careful planning for sewer and stormwater in this area.

Rushing noted that one major street in the area was shown with the potential for future connectivity, but asked how it would be considered if it were not considered to be a through street. How long could that street be if it were proposed as a cul de sac? Staff indicated that it could have a length of 750 feet and that as proposed it would possibly meet that standard, but that staff was interested in future connectivity. Rushing surmised that such a capped scenario might result in the loss of some lots.

Public comment was invited and an engineer for the project provided testimony. He indicated that the developer had actually started with a cul de sac design on the street referenced by Rushing, but that staff had encouraged a higher degree of connectivity. He also indicated that to pursue this plan, at least five feet of fill would be required, lifting the identified sensitive area out of the area where it would be impacted by flooding. He further indicated that the typical size of homes in this area would be between 1,800 and 2,500 square feet and that homebuyers would be informed that the street that is currently stubbed could potentially become a through street in the future.

The public comment period ended. Stanton asked why the developer's original plan to propose the cul de sac design was abandoned, and it seemed to be indicated that that decision was made at the urging of the city. MacMann added that he believed that providing additional protected land in this subdivision was a fair trade-off.

Motion to approve was made and seconded.

**Motion to approve passed with a 5-3 affirmative vote. Staff pointed out that this will be processed through City Council as an ordinance, not a resolution, and that such a process would require an additional read and hearing before passage. He also indicated that it would be placed on the Council's Old Business agenda since it did not achieve approval by more than 75% of the Commission.**

#### **PUBLIC HEARINGS & SUBDIVISIONS**

##### **Case # 17-76**

**(This item is being considered in tandem with the next item on the agenda, Case #17-77.)**

A request by Crockett Engineering (agent) on behalf of The Brooks at Columbia, LLC (owner) to annex 161.84 acres of Boone County A-R (Agricultural-Residential District) zoned land into the City of Columbia and apply R-1 (One-Family Dwelling District) as permanent zoning. The subject site is located on the north side of State Route WW, approximately 900 feet west of S. Rolling Hills Road. **(This item has been previously tabled at the August 24, September 21, and October 19, 2017 Planning Commission meetings).**

(Action: Staff presented a report. The applicant is seeking to annex approximately 162 acres into the City of Columbia and permanently zone the property R-1. The site is currently located within unincorporated Boone County and is zoned A-R, which requires a one half-acre minimum lot size. In addition, a preliminary plat for the property has been submitted for consideration as case #17-77. A Traffic Impact Study (TIS) was requested due to the proposed traffic impacts that the requested rezoning and corresponding preliminary plat will create within the surrounding area. The TIS identified several off-site

improvements that were recommended due to the scope of the development. The site is bordered on the east and west by A-R zoned property. The site to the east is developed with a single-family subdivision, and to the west is a County fire station, as well as some undeveloped property. PD (Planned Development) zoning is to the north that is spread across several parcels. The far eastern PD parcel is being developed with single-family uses, and the remaining parcels are vacant; however, they are approved for similar development.

The comprehensive plan's future land use map identifies the property as being located within the "Neighborhood District" for the entire site. As such, rezoning the property to R-1 would be generally compatible with surrounding development and consistent with the expected Future Land Use per Columbia Imagined and the East Area Plan's (EAP) residential designation. The EAP; however, does include other goals, which are listed below in CAPS, with specific objectives shown in bold text below the goal. While there are numerous goals and objectives within the EAP (many of which are met or would require regulatory changes), staff has identified the following items that may be able to be addressed with the zoning and design of the site. It is important to note that the following items are not required to be met in order to consider the site compliant with the relevant zoning and subdivision regulations.

- **"Provide opportunities to integrate varied house types within residential development."** The associated preliminary plat that is also under consideration includes approximately 400 lots within the R-1 zoning designation, which will generally restrict development to single-family detached housing. Staff does not necessarily find that additional housing types (and their appropriate zoning) should be required, but they could nonetheless be incorporated to some degree on the site, and would provide a transition between the commercial nodes at El Chaparral and Elk Park as well as add density within a walkable distance to help support the commercial uses. A relatively small amount of R-2 or R-MF near the southwest corner of the site could facilitate more varied housing types within the development. Another strategy to provide varied housing types would be the use of Planned District (PD) zoning to allow the platting of smaller lots than what would normally be permitted, and to permit a range of housing types within the development as a whole. A cluster-type development could integrate greater open space within the PD area and provide for a greater number of smaller lots and houses than what R-1 would otherwise permit.

- **"Effectively integrate park/green space into residential developments."** For its size, and the number of contemplated residential units, the development provides limited active, open space for residents of the development to use. That is not to say that the site will not include open space. The lake on Lot C5 will provide an opportunity for usable open space for residents, and an access easement has been provided that would permit access to Lot C5 from Stayton Fairy Loop, east of the lake, and provide a through access connection from Stayton Ferry and Brockton Dr. (although no trail is specifically identified on the plat). There are also two "eyebrow" common lots (C8, C7) that would be considered common space for use by residents, and several larger common lots that are utilized for stormwater purposes. In addition, the site will be required to preserve at least 25 percent of the climax forest area located on the site. Cases #17-76 The Brooks at Columbia, LLC Annexation Annex, Permanent Zoning 3 Additionally, the applicant has identified Lot 242 as a potential location for neighborhood amenities by use of a note on the preliminary plat. The approximately 1-acre lot is also adjacent to Lot C10, which is 9 acres of common area that will likely include some of the required tree preservation. However, these areas are generally located on the east side of the development. To create additional active neighborhood space, existing residential lots could be converted to common lots for the benefit of the development's residents. It is worth noting that the PD-zoned property to the north is required, upon

development, to make available 10 acres of property to be donated to the City for use as a park. Once the adjacent property develops, land would be donated - likely along Grindstone Creek - for use as a park and/or trail facility.

- **“Preserve existing tree cover and other natural vegetation”**. The site will be required to preserve at least 25 percent of the climax forest area located on the site. It is not uncommon in developments of this size that the amount of preservation area exceeds the minimum amount, but it is difficult to predict at this stage how much above the minimum would be preserved. Strategies that could help preserve more of the existing tree cover could include agreement of the applicant to provide a higher percentage of preservation, or working with staff at the final plat stage to ensure that as much of the tree coverage is retained where possible, within preservation easements being granted in appropriate situations.

It is also important to note that the East Area Plan is a guidance document, and thus the recommendations provided within it cannot by themselves require compliance. Overall, staff finds that while there are objectives within the East Area Plan that could be more adequately addressed, the proposed permanent zoning is generally consistent with the goals and objectives of the East Area Plan and Columbia Imagined, is compatible with adjacent zoning and land uses, and is appropriate for the subject property. Staff noted that almost no project ever meets 100% of every aspect of the guidelines suggested in the various plans adopted by the city. The request has been reviewed by both internal and external agencies and is supported.

The public hearing was opened.

An engineer representing the applicant appeared and indicated he would be happy to answer questions but would defer his main presentation until the second aspect of this request was considered. Staff indicated that this could be a confusing procedure, so the engineer returned and provided a brief overview of the project indicating that the area in question was within the Urban Service Area; that a variety of housing options were available in this vicinity and that an R-1 zoning designation was appropriate.

No further questions ensued, and no other individuals provided testimony.

**Motion to approved was made.**

**Motion to approve passed 8-0.**

#### **Case # 17-77**

A request by Crockett Engineering Consultants (agent) on behalf of Brooks Development, LLC for approval of a 398-lot preliminary plat on R-1 (One-Family Dwelling District) zoned land, to be known as The Brooks Preliminary Plat #2, pending annexation and permanent zoning. The 161.84-acre subject site is generally located on the north side of State Route WW, approximately 900 feet west of S. Rolling Hills Road.

**(Recommendation for annexation of this property was provided in the previous vote.)**

(Action: Additional report provided by city staff relating primarily to road access and connectivity. The applicant is seeking approval of a 398-lot preliminary plat on approximately 162 acres pending annexation and permanent zoning per Case #17-76. The entire site is proposed to be zoned R-1 which would allow the site to be improved with single-family detached dwellings. The development includes 390 single-family lots and 8 common lots. The common lots are depicted as being used for stormwater management, recreational, and preservation purposes. Please note that the subject site was submitted

prior to the adoption of the UDC and therefore has been reviewed under the previous subdivision regulations.

Access to the site will be primarily from State Route WW, located to the south of the property, which is currently an unimproved roadway maintained by MoDOT. The roadway is generally improved with approximately 24 feet of pavement except where turn lanes have been installed near the intersection of State Route WW and Elk Park Drive. The site provides a connection to the adjacent subdivision to the northeast that will extend existing Hoylake Drive through the site and connect State Route WW to Rolling Hills Road. Such connection will serve as a major collector for the development and facilitate the movement of the subdivision's traffic to nearby arterial roadways (State Route WW and Rolling Hills Road). A second access to State Route WW is provided on the west side of the site at Sagemoor Drive. The adjacent subdivision, The Brooks, Plat No. 1 in which existing Hoylake Drive is built, did not stub directly into this property, but did include a common lot that was identified as potential future right of way if this subject site developed. To facilitate the extension of Hoylake Drive through the subject site a replat of the common lot within The Brooks, Plat No. 1 will be necessary to dedicate the appropriate right of way through the common lot. The applicant is aware of this requirement.

State Route WW is identified as a minor arterial on CATSO's Major Roadway Plan (MRP). Additional right of way will be dedicated at the time of final platting of this site to provide the required 53-foot halfwidth. Hoylake Drive will be dedicated as a 66-foot right of way as required for a major collector and as such will not permit direct access for residential properties. The preliminary plat also reflects connections to adjacent, undeveloped properties to the north and west that will accommodate future interconnections. The connection to the west will provide a tie-in to a potential north/south major collector that would extend north from the State Route WW/El Chaparral intersection and eventually connect to Richland Road to the north. The applicant has taken this proposal through the CATZO approval process and the changes were adopted. The proposed preliminary plat incorporates revisions (approved June 29, 2017) to the CATSO MRP.

A traffic impact study (TIS) was requested by staff to evaluate the possible impacts that the additional residential lots within the development would have on the City's street network. One of the recommendations of the TIS was that eastbound, left-turn lanes should be installed at both of the development entrances from State Route WW. It also indicated a potential future need for a traffic signal at Hoylake Drive for the north leg of the intersection that would be installed with this development, although the expected traffic generation from this development did not warrant its installation. Currently, this intersection includes three legs (two on State Route WW and one on Elk Park Drive) of an inactive traffic signal. The initial activation of the signal could occur in the near future due to the ongoing development of the Vineyards subdivision, which is located on the south side of State Route WW.

The preliminary plat has been reviewed by all relevant staff and found to be compliant with all zoning and subdivision regulations. Per the findings of the TIS, **staff will be recommending that the applicant and the City enter a development agreement to address the timing of required infrastructure as well as off-site improvements that are necessary to mitigate the development's impacts on the surrounding street network**, such as the installation of a traffic signal at Hoylake and State Route WW that would serve traffic exiting the development, oversizing of Hoylake to a major collector, construction of a pedway along State Route WW, and the grading of northern shoulder of State Route WW to allow for the future widening of the street. The use of a development agreement to address such issues is a common Council practice; however, entering into one is at the sole discretion of the Council. Should

Council not agree to enter into a development agreement, the minimum TIS identified improvements would need to be installed by the applicant. Adoption of a development agreement would assist in establishing a timing sequence for those improvements that best meets the applicant's and City's needs. Given the common usage of development agreements in projects of this scale, staff is comfortable in recommending approval of the project at this time.

Staff did note that this project was being considered under provisions of the old zoning code since it had initially been presented under the requirements at that time. Commissioner Burns asked about the status of the proposed park located on property to the north of this parcel. Staff confirmed that such an agreement did exist, and that the applicant would meet all other preservation requirements on the proposed site.

Loe asked about connectivity of the street network to El Chaparral subdivision; appreciated the fact that the applicant had taken this process through the CATSO review process; and questioned the realignment of what had previously been a direct east-west road connection through the property. It was indicated that the new alignment was preferred, and that additional connectivity would be achieved through the proposed internal road network. Staff also indicated that the CATSO plans are often conceptual, not always specific, and that this proposal achieved goals of connectivity and future traffic management. Also indicated that the park And Rec department favored acquisition of park land in the tract to the north of this development to create a linear park along an existing creek.

The public hearing was opened.

The engineer for the project returned and pointed out that this was a large project and that it has significantly fewer cul de sacs than most other projects of this scale. He further pointed out that there were significant developer contributions to this project that notable including \$185,000 for improvement of the Hoy Lake road; \$87,000 for the construction of the 4<sup>th</sup> leg of a signalized intersection at Hwy WW; \$55,000 for the construction of a pedway along Highway WW; and \$90,000 for the construction of turn lanes on Highway WW. He further indicated that the proposal is compliant with code regulations and with plans such as Columbia Imagined and the East Columbia Area Plan.

MacMann acknowledged that there were provisions for a park to the north and pedways to the south, but asked about potential pedways within the subdivision. Engineer indicated that they encouraged connectivity for the new residents of this subdivision and how people would connect to a future park north of this area.

Loe asked about new CATSO road alignment choices. Engineer indicated that the plan presented was the preferred alignment, and although there were some driveway cuts into the major road at some other parts of the street, no new driveway cuts onto a collector were planned in this new proposal.

MacMann asked why there were so many common lots indicated on this plan. Engineer indicated that some were for preservation purposes, some were for public access, but that many were for stormwater detention and management. Many people prefer easements on private lots, but that in the case that common lots are required, those lots will be maintained by the HOA by agreement.

One additional speaker from the public appeared and indicated that she was a resident of the El Chaparral subdivision and that she technically lives in the county. She indicated that most of the information she had received about this project had come from online sources, although two MoDOT

representatives and a county planning expert had made presentations to members of their neighborhood association. She said that a MoDOT survey showed 11,000 cars traveling through this area within a 12-hour period, and that those measurements were taken before the completion of a new school in that area and other residential build-out. Due to the many curves and hills on the road, the speaker worried about traffic safety. She further indicated that WW is a state maintained road, but that there are no funds for immediate improvements in the area. She indicated that a roundabout in this area would help traffic more than dedicated turn lanes, but that any improvements would be welcomed. The speaker then addressed the issue of riparian corridor protection and efforts of the existing neighborhood association to improve the south fork of Grindstone Creek. She hoped that the new development would focus on similar protection efforts.

Loe asked if the speaker had attended earlier CATSO meetings about the area. She indicated that she had not been aware of those meetings. MacMann indicated that funds had recently been appropriated for the riparian corridor project she had referenced.

There were no further public comments.

**A motion to approve was made and seconded.  
The measure was approved 8-0.**

**PUBLIC COMMENTS**  
(None.)

**STAFF COMMENTS**

Staff indicated that there would be no further P&Z meetings during November due to the Thanksgiving holiday. The next regular meeting will occur on December 7. The following items are currently scheduled for consideration during that meeting:

Subdivisions: Quaker Oats, University Centre, Lenoir Plat 2, and Bluff Creek Plat 9.  
Public Hearings: NGT Annexation and Paris Road Plaza rezoning from PD to IG.

A more complete description of each of those projects followed. Not all projects may be completely ready for presentation in December.

**COMMISSIONER COMMENTS**  
(None.)

**NEXT MEETING DATE - December 7, 2017 @ 7 pm**

**ADJOURNMENT**

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