



Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall
7:00 PM Thursday, October 18, 2018

CALL TO ORDER (Members present: Loe, Russell, Burns, Harder, MacMann, Toohey, Stanton, Strodman.)
(Members absent: Rushing)

APPROVAL OF AGENDA (Agenda approved as submitted.) No changes to the agenda were made, but it was announced that the Commission had held its annual election of officers during the earlier worksession. **Sara Loe has been elected Chair for the coming year; Brian Toohey was elected Vice Chair; and Tootie Burns will continue as Secretary.**

APPROVAL OF MINUTES ([October 4, 2018](#) meeting minutes approved as submitted.)

PUBLIC HEARING AND SUBDIVISION

(The following two items relate to the same parcel of land.)

Case # 18-166

A request by A Civil Group (agent), on behalf of Gary Ridenhour (owner), to have 64.32 acres permanently zoned R-1 (One-family Dwelling), 2.29 acres permanently zoned M-N (Mixed Use-Neighborhood), and 2.38 acres permanently zoned M-C (Mixed Use-Corridor) subject to annexation into the City of Columbia. The subject site contains a total of 68.98 acres and is presently zoned County A-2 (Agriculture). The site is generally located east of Masonic Drive, west of Alfalfa Drive & Oakland Gravel Road, and north of Prathersville Road. (This item was tabled at the September 20 and October 4 Planning and Zoning Commission meetings).

(Action: Staff presented a report. The applicants are seeking to annex approximately 68.98 acres located at the NW corner of Oakland Gravel and Prathersville Road into the City of Columbia and permanently zone the majority of the property R-1 for single-family development, and zone two smaller portions of the property for mixed-use commercial. The site is currently located within unincorporated Boone County and zoned A-2, which requires a two and a half-acre minimum lot size.

In addition, a preliminary plat for the property has been submitted for consideration as case #18-167. The site is bordered on the north by the Haystack Acres Addition subdivision and zoned County A-R (Agriculture-Residential) with half-acre lot minimums. To the east is R-S (Single-family Residential) County zoning with 7,000 square-foot minimum lots sizes.

There are two properties that are adjacent to the site that are within the City's municipal boundary and zoned PD, and both were annexed and zoned into planned districts in 2007. In general, the majority of the property to the west of the site (referred to as Tract A in the zoning ordinance) was approved as O-P and generally permits office and residential uses. The portion of that same property that includes the Masonic Lodge (Tract B) was zoned C-P and generally allowed residential and office uses, but included more commercial uses as well. The zoning for the property that is south of the subject site (Tract C) included similar uses as Tract B.

Regarding the subject site and its status, it is currently vacant. The overall site includes some wooded areas, but a small portion of this is considered climax forest. A portion of the Cow Branch stream is located in the southwest portion of the site. The site is contiguous with the City's existing municipal boundary along its entire south property line and is able to be served by utilities.

The Comprehensive Plan's future land use map identifies the majority of the property as being located within a "Neighborhood District". The permanent zoning of the parts of the property to R-1 would be generally compatible with surrounding development to the north and east. The location of the M-N zoning appears to be compatible with the surrounding uses. Masonic Drive currently includes PD zoning that allows for residential, office and some commercial uses.

The applicant is requesting M-C at the intersection of Prathersville Road and Oakland Gravel Road, at the southeast corner of the site. Both roadways are considered major roadways (collectors), which is appropriate for M-C zoning. However, this location would be directly across the street from existing single-family homes along Oakland Gravel Road. Due to the existing residential uses to the east and concerns raised by staff, the applicant has attempted to mitigate impacts of the M-C zoning by including a 30-foot private landscape easement along the Oakland Gravel Road right of way, which can be seen on the preliminary plat associated with Case #18-167. Staff is comfortable recommending approval of M-C in this location with this restriction in place, as it should buffer the impacts of the site to a degree, and also require at least a 30-foot setback along the east property line for all structures. Additional mitigation suggestions (such as prohibiting driveways on Oakland Gravel Road) were suggested but were not included on the preliminary plat.

The site would be served by the City but would connect to the overall city sewer system through a line controlled by the Boone County Regional Sewer District (BCRSD). BCRSD has identified a location of sewer line within the Gregory Heights Subdivision, to the east, that is not sufficient to serve the fully built-out design shown on the preliminary plat and are requiring the owner to enter into an agreement with BCRSD to upgrade the facilities prior to the platting of the 80th residential lot or any of the two commercial lots within the development. The agreement between the applicant and BCRSD is expected replace the undersized sewer line, in the southeast corner of Gregory Heights, prior to its connection with the City's sanitary sewer main. To ensure that the development of the subject acreage does not exceed infrastructure capacity, similar development restriction language has been included in a development agreement between the City and the applicant.

Overall, staff finds that the proposed permanent zoning is generally consistent with the goals and objectives of Columbia Imagined, is compatible with adjacent zoning and land uses, and is appropriate for the subject property. The request has been reviewed by both internal and external agencies and is supported.

The public comment period was opened.

An engineer appeared on behalf of the project to explain that they were looking at 160 lots. 9 common lots will be included with 16 acres of green space and a small amount of commercial. The commercial is at the intersection of two major roads and is near Waco Road which is expected to feed into the commercial aspect of the area. He believed that this was good planning. The commercial is not expected to materialize soon. We have also opted for neighborhood protection standards even though they are not required along the major road. We are including both fencing and landscaping, including a 35-foot landscape buffer with a berm. As the corner develops and roads are put in the highest use of these front properties would be commercial. There is already some industrial property in the southeast area owned by the county. We have 2.5 homes per acre, some others around us have 3 to 4 homes per acre. Haystack acres is in the county and has a larger lot size requirement.

Another engineer talked about traffic impacts. They met with MO DOT, the county and city before application. We also spoke with the school district and that those impacts would be minimal. We hired a traffic engineer. They agreed with our findings that this residential portion would generate additional traffic and that at peak there could be more than 160 trips per hour, spread out over that hour. None of these roads fell below the rating of B even during peak. There were no mitigation items required for this area. We did make assumptions about the commercial use, since none is known, but if we find some additional impacts we will revise the plan. Road conditions may not be optimum, but the addition of this new subdivision does not warrant additional road work at this time, although we will contribute to some road improvements as required.

MacMann asked about traffic modeling assumptions and what types of businesses were used. The engineer indicated that they used mini storage and a lumberyard. MacMann found that interesting. He asked about the berm location and wondered if it would go away if the road was improved. The engineer indicated that it would NOT go away since the berm is set back from the half width road line. MacMann asked about screening in the landscape buffer.

The chair indicated that speakers would get three minutes each, unless there was an organized group speaker and they would get 6 minutes.

Another engineer appeared on behalf of the applicant to discuss buffering and landscaping for the area. He indicated that they were trying to construct a landscape buffer that did not include fencing. We think that would be better. He indicated that some future road widening might be required, so we would pre-grade the area and relocated utilities so that future road projects would be accommodated. We will enter into a development agreement with the city to insure that that work is completed. Common areas have been set aside on the north side of the property and will try to maintain the existing tree line. The lake is about 5 and half acres. We will maintain that since it is the headwaters of the Cow Branch. We will also plant street trees in accordance with the new code. We have city sewer and water and all utilities basically serve this area. We are within the Urban Service Area. We did meet with the neighbors and tried to help them. We are not asking for variances or waivers and we meet the code. Some of their requests would have required variances, so we brought this in clean.

MacMann asked about maintenance of the open areas. The engineer thought that an easement rather than common ownership would be best so home owners didn't get burdened with the cost over time. On some of the picnic areas those would be mowed by the ownership.

Loe asked if there was any consideration to making the M-C lot R-1? No. this area is best used as commercial and most people would not want to put a residence in that spot. If we could do a planned

district we would, but that is discouraged. Is access off of Prathersville Road? That is to be determined. It could be direct access or off a driveway off of Prathersville. It could be 10 years from now and we will update the traffic study then.

The next speaker represents the Willowbrook Subdivision. He complimented the engineer on his community presentation and work with the neighborhood. He has 4 concerns. The first concern is that they fear future annexation of their own neighborhood and they oppose that. The second concern is increased traffic. The third complaint is the M-C zoning. The final problem is potential erosion caused by this project. MacMann indicated that water coming off this project would be controlled. The speaker felt like there would be dirt erosion. MacMann said that that is complaint driven and the neighbors should watch for problems.

Staff indicated that a stormwater protection plan will be required. If there is a breakdown in that plan, we can make sure that is addressed. The speaker asked what happens if there is an impact to an adjacent property. Do they have to go to court to get that fixed? Staff could not answer that question fully at this time. Loe asked the speaker what they feared about the M-C zoning. He said they feared a convenience store, because that is code for a liquor store that sells gas. He thought a storage mart would be OK, and a lumberyard would be better than a convenience store.

The next speaker lives on a farm east of this area. She is speaking on behalf of all the subdivision neighbors. The neighbors in attendance at preliminary meetings went door to door and more than 80 people have attended meetings. The vast majority of neighbors are concerned about this change in use on our lifestyles. Particularly, we are concerned with the zoning. We wonder what will happen with the fairgrounds property? It seems like there will be some commercial development along with fairgrounds improvements. That might mean hotels, bars etc. Nobody has raised red flags about that. We are catty corner from that. We are thinking about the housing along Prathersville Road and that will increase traffic. We don't know when that will happen, but we are opposing the changeover to commercial at this time since it is inconsistent with neighbors already across the street. There will already be people living on those busy streets when Waco comes through. We oppose this zoning and have other options that are more consistent. We know that the current developer is interested in the residential part of this, so we can wait on the commercial part for now.

MacMann asked about the M-C. Is that worse than the M-N? Yes, but it is too vague. Over time maybe we have a better sense of where this is going. MacMann asked if they would prefer the M-C to be less than M-N. MacMann also asked if this was on the CATSO plan. Staff indicated that is may be on a long-range plan, but the speaker indicated that she thought the county had been banking funds for improvements in this area, at least that's what we heard has been happening. The developers told us that right now no one would put a convenience store in there right now because it would not be supported. How long would that be? No one knows. Let's leave it residential for now and if things change, then we will come back to this part later.

Staff clarified that the Waco extension is on the CATSO plan and it would eventually connect close to this intersection. Oakland Gravel is NOT on the long-term plan.

The next speaker lives adjacent to the property in question. He and his family are opposed to this due to the urbanization of this primarily rural neighborhood. With this development, we will lose the natural wildlife and there is a real potential for light pollution. There will be more 330 additional cars running along Alfalfa Drive. You will affect my property significantly and there will be more traffic at Prathersville

and Oakland without a doubt. It will also involve more crime. Convenience stores are prone to crime. Just this week there were three convenience store robberies. Stanton asked the speaker what he would do with this property, what would he do with it? He said he would keep it the way it is. Stanton said there is a lot of money on the table. The speaker thinks there are more cons than pros to development at this time.

The next speaker lives on Oakland Gravel Road near Bear Creek. He said that they attended a meeting on August 31. He thinks this is too unrestricted. He has worked on a property in Kansas City and he fears the commercial zoning and works with the regulatory agencies. Stakeholder meetings were held on that property in KC and they were able to take out things like junk yards, adult entertainment, etc. Those restrictive covenants are important and those aren't included in this. We want the flexibility to make sure that these restrictions are included to give them certainty over time.

A speaker who lives on Buffalo was concerned about all the stuff the other neighbor mentioned but he thinks there will be a whole mess of homes and what kinds of homes will go in here? Will they be cheap homes? Will there be minimums on lot sizes or square footage? If you cram together too many people, it's too many and too much traffic. This reminds me of Gordon Burnam's earlier project. We need to have curbs and gutters and sidewalks, and I guess this project will have those, but that other project didn't. It had manufactured homes from Fuqua and others. If this connects to Buffalo it will add traffic that goes too fast through the neighborhood. If this is going to be annexed in, are the city police going to come all the way out here? We think the sheriff would be better. I moved here in 1989 and murders and shootings have increased. The Columbia cops can't handle what they already have, so how can we believe they can handle this. I don't think it will be safe or efficient. When 911 gets called, who will respond? These are postage stamp sized lots. Take every other one out and it would be better. The gas station doesn't sound too appealing either.

The next speaker lives on Buffalo Drive. He concurs with earlier speakers in their opposition. He wanted to note that they are not currently in the city and they don't want to be. If it gets annexed, all the zoning will be changed around us and that will affect us. Once it is rezoned, we have lost that surrounding use forever. I don't think the city can handle this. Now we will be living in the city and there will be more noise, traffic...thank you.

A speaker lives on Wagon Trail Drive. She opposes the entire project. This will result in an enormous diminution of quality of life. We are the 7th generation who has lived on this land. This will increase noise, light pollution, destruction of wildlife and habitat and that is an important part of our quality of life in this county. Almost everyone is opposed to this. To address Mr. Stanton's question, what would I do with this? Well, I would leave some green space. Make them give up some land like I had to do when they improved around us. Don't take it away from us. We planned to live in a rural area.

The next speaker pointed out that they rented a duplex in Gregory Heights in 1977 and then bought a permanent home in this area. Back then, there were Gravel Roads and we used to walk out there. Now it is paved. It makes us wonder how safe it will be to walk out here now. We used to see the rotating beacon from Cotton Woods Airport. Now we have ballfields out here and we get a lot of noise from the ball fields. We can hear all of that. My husband is deaf, but I can hear it. The constant whine from trucks on Highway 63 is the biggest problem. Now this will be even closer. That Highway was not there when we bought our house. The pond on this development may not be safe either. It may be for drainage, but it will be a breeding ground for insects. Also, that corner cannot handle a gas station there. The traffic study was done when school was not in session so we don't think this study is valid. Our daughter just

bought home in the south part of town. I don't see any of them that have a commercial property right in the middle. Why do we have to have that in north Columbia if they don't have that in the south part of town. You can still put crops on land you know.

The next speaker stated that he moved to Northwood Drive because of the peacefulness of the area. The problem with this proposal is not the development, it's the plan. It will create a serious imbalance in the use of the area. Putting this much population on an area of this size is not right. It seems that it will depreciate the value of the surrounding area because you are putting single family homes on 1/3 acre lots. We need balance and I hope you will look at that. Stanton asked if the developers had ever discussed the density with the neighbors. The speaker indicated that it was discussed, and the neighbors questioned it at the time, but it was discussed.

The owner of the property appeared and asked to discuss why they are here making this request. He stated that this has been in his family for more than 30 years. Many things have changed over time. The first was the construction of Highway 63. It took 20 acres from the original property. There was a slice that his father thought had been changed in reasonable use, so he donated it to the Masonic Lodge. Another structure had been vandalized, so it was torn down. He has kept it dormant for years, but he is about to retire and would like to utilize this property. Stanton asked if the owner knew his neighbors. He said he did not because he was in the military and has been gone for 26 years. He offered this to other investors, but he did not think they had the best interests of the community in mind, so he decided to develop it himself. Strodtman asked if any neighbors had ever offered to buy this property themselves and use it in a different way. He indicated that no one had.

The next speaker stated that he has a farm just over the hill from this property. He used to pick up hay on the property and thought it was a good hay property and could produce an income. They did purchase grazing rights from the previous owner for a period of time. If you allow this project, it will change the nature of this piece of property forever. He does not want to see this property taken out of production. He wishes that the applicant would have pursued an agricultural option rather than a development option. A commissioner asked if this speaker had ever made an offer on this property. He indicated that he did not.

The next speaker indicated that she is an active farmer. She wants to keep her land in active agriculture. She is 81. She thinks this property should not currently support commercial aspects. Maybe in 20 years – but not now. She thinks the density is too much. She thinks they should get rid of the commercial part.

Public comments were closed.

Russell stated that she lived in similar situation and that her personal situation was similar. She thought if you want to protect an area you really need to buy it to control it and that she favors this proposal.

Stanton wishes that the two sides could come to a better solution. He thinks he can see both sides, and the density is too much. However, he believes that there is an inherent right to do something with this property. We are too late to discuss changes. I hate it, I hate it, I hate it. But I think the applicant has the right to do something.

Burns said she has been in this situation as well and she understands the concerns. She mentioned that there is some additional land that could be negotiated in the future.

Toohey said that housing affordability has been an issue and that sometimes density achieves that goal, particularly for starter homes. Stanton asked that the affordability card not be played. This should be decided on its merit. Loe countered that she was in agreement with Toohey, but she did think that there is one part of this that is speculative in nature, and that is the MC portion.

MacMann asked Burns to expand on her remarks. She said she had stated her position but thought that the M-C portion could be discussed in the future. MacMann asked if she would change the proposal. Burns thought it could be discussed. MacMann asked staff if the proposal was changed to limit the M-C to M-N would that present challenges. Staff indicated that it would present challenges and that the same arguments would be presented in the future.

MacMann said he would agree to allow all of this to come in as R-1/ Toohey said if you eventually want to have some commercial, you should tell people what to expect now and don't make it subject to future debate. Burns asked what if some parts came in as Agricultural? Staff indicated that that would not be possible because it would not be of sufficient size. If the M-C parcel is the parcel in question, you could change that to M-N or give it a multi-family designation, an office designation or something else, but that if you gave it M-N, it could still be used as a convenience store or retail like a liquor store or smoke shop.

Russell asked if they could put in a convenience store without M-C zoning. Staff said you could, but if it included gas it would need to be M-C. If it did not include gas, you could put in retail. The real question is how intense this should be. As a professional planner, intensity is a question. This corner is not residential in nature due to external forces like light and noise. It should not be zoned residential and its best use seems to be more commercially oriented.

Another staff member indicated that the difference between M-C and M-n included a defined list and referred to many of those uses that were typically more intensive than typical retail. MacMann believed that M-OF was more restrictive in some regards and wondered if the commission zoned this M-N instead of M-C, couldn't that be sorted out at the council level? Staff was not sure how that might play out.

Strodtman thought that commercial development at this location was appropriate and that we are trying to get ahead of these discussion as we continue to expand. Let's deal with this now instead of in 20 years. Don't address this on today. Look into the future and decide what this should be in the future. I think this is appropriate at that corner.

Stanton is looking for a conditional use trigger. He wants the community to be able to come back in the future and say we are there now and now we can allow this to happen. Don't force it now. We don't want houses there. We want commercial along the transportation route. That is coming. I hate this, particularly the density. Some of the opponents should have bought part of this.

Russell made a motion to approve the requested R-1 and M-N Zoning and changing the M-C to M-N zoning. The motion passed 6 to 3 with Strodtman, Harder and Toohey voting no.

(Staff indicated that this will go to council under old business in the future. The final decision on this should be considered on December 3.)

Case # 18-167

A request by A Civil Group (agent) on behalf of Gary Ridenhour (owner) for approval of a 175-lot preliminary plat on R-1 (One-Family Dwelling) zoned land (173 lots), M-N (Mixed Use-Neighborhood) zoned land (1 lot), and M-C (Mixed Use-Corridor) zoned land (1 lot), to be known as Oakland Crossings Preliminary Plat #1, pending annexation and permanent zoning. The 68.98-acre subject site is generally located east of Masonic Drive, west of Alfalfa Drive & Oakland Gravel Road, and north of Prathersville Road.

(Action: The applicant is seeking approval of a 175-lot preliminary plat on approximately 69 acres pending annexation and permanent zoning per Case #18-166. The site is proposed to be zoned R-1 on 64.32 acres, M-N on 2.21 acres, and M-C on 2.64 acre. Lie asked if this request should be changed to making the 2.64 acres M-N since that was the result of the earlier vote. Staff said that would be allowable. The development includes 165 one-family lots, 8 common lots and 2 commercial lots. The common lots are depicted as being used for stormwater management and preservation purposes. Additional rights of way and utility easements are also depicted on the preliminary plat, to be dedicated at the time of final platting.

The site currently has frontage along several existing roadways, and also has roadway stubs that abut its north property line from neighboring development to the north. The proposed layout includes streets connecting with Oakland Gravel Road and Alfalfa Drive along the east property line, with a main entrance containing a median along the south side of the property that fronts Masonic Drive. Two existing street stubs, Buffalo Drive and Pitchfork Place, exist along the north property line where the proposed development will connect into Haystack Acres Addition which is an existing County subdivision. This connection allows for connectivity between the two developments and provides additional points of ingress/egress for both developments.

All surrounding roadways are currently unimproved and maintained by Boone County. All roadways are generally approximately 24 feet wide with little to no shoulder, with the exception of Prathersville Road, which is approximately 30 feet wide and includes some shoulder. On the CATSO Major Roadway Plan (MRP), both Oakland Gravel Road and Alfalfa Drive are identified as Neighborhood Collectors. Additional right of way will be dedicated at the time of final platting of this site to provide the required half-width. There is also a Minor Arterial (Prathersville) that runs along the south side of the site. Sidewalks are required to be constructed within the development as well as along all adjoining roadways.

Other noted aspects on the preliminary plat includes the lake in the center of the site which will accommodate stormwater requirements. While the majority of the lake frontage is platted with individual residential lots, the south portion of the lake is within a common lot, providing a unique site amenity that adds to the character of the development. This common lot provides pedestrian access by means of an access point between lots 117-118, and 144-145. Also worth noting, is the private landscaping buffer along the east side of the site that will buffer homes from Oakland Gravel Road and Alfalfa Drive. A unique entrance way is also proposed for the site's access along Masonic Drive, creating a distinction between the commercial and residential spaces.

The proposed preliminary plat has been reviewed by staff and meets all requirements of the Unified Development Code. Staff will also be recommending that the applicant and the City enter a development agreement prior to development of the site to address several infrastructure items. As mentioned in case #18-166, the City would provide sanitary sewer service to the site but would connect to the overall sewer system through a line controlled by Boone County Regional Sewer District (BCRSD).

In addition, the development agreement will require that a minimum level of grading be completed along each right of way that is adjacent to the site at the time that the adjacent lots are developed. This generally requires grading the entire right of way to prepare the roadway for additional widening in the future, and it is expected to decrease potential impacts to future residents should that occur. This requirement is considered to be a minimum level of contribution to offsite improvements to address the impacts that the development has on the overall roadway system, although some of the grading would potentially be completed regardless of the agreement at the time that sidewalks are constructed. The agreement also requires the applicant to remove the existing excess pavement from the cul-de-sacs at the terminus of Buffalo Drive and Pitchfork Place when the adjoining streets are constructed within Oakland Crossings, and to reconstruct the residents' driveways to connect back to the remaining pavement.

Stanton asked about road grading. Staff responded by saying that the grading takes care of the entire right-of-way space with preliminary preparation for more development in the future, and it is more efficient to do this now rather than later.

Russell asked if the reference to M-C in this proposal would now be changed to M-N. Staff said that would be noted in the report. MacMann asked who was responsible for the agreement with the sewer district. Staff indicated that BCRSD would be responsible.

Low asked about the small portion of climax forest, but she only saw three significant trees. Staff indicated that those are two separate issues. The climax forest may not meet the minimum threshold. On the significant tree issue, they will be required to save at least one of those trees.

Public comment was opened.

The first speaker was an engineer who appeared on behalf of the applicant. He did try to address some issues brought up earlier. He indicated that it was less dense than Gregory heights and they did that intentionally. He said they will protect significant trees and that the BCRSD has authorized the manager to work this out.

Russell asked if a sidewalk would be built along the entire Oakland Gravel frontage. The engineer indicated that was correct. MacMann asked how long it would take to get a final agreement with the sewer district. The engineer indicated that the existing line was too flat, so they are going to create a parallel line and that would need to be created before 80 lots can be developed. The engineer said many subdivisions build out at 30 lots per year.

Loe asked about density. The engineer said that these lots are 60 feet wide, but by doing that it preserves more green space and the density is less than some surrounding subdivisions. Strodman asked about the detention lake. The speaker said that this will be the primary detention area and that a previous speaker was incorrect when he stated that it drained in a different direction. He addressed street tree requirements and stated that this will require more than 1,000 trees to be planted.

The next speaker felt like she was a little out of her depth, but she would try. She owns a duplex on Elaine Drive. There is a big metal tube that carries a lot of water off of that piece of land and it runs into other people's land. How can they contain that runoff and will that change because there is a problem there? She also said that if you look at the views of this property there is one portion where the plan

was changed from 20 homes to 2 homes only on the south end. If that is true, we would support that change.

Another speaker renewed her objection to the plat. When she deeded land to her son, she had to give him 4.5 acres for one home under the old zoning. Don't change our way of life by increasing the density. A speaker said that since you are looking into the future, you have seen a lot of homes go up with vinyl siding. Vinyl siding has mold problems. You should address that. Loe said that is not within the purview of the commission. The speaker wanted that on record.

There were no further speakers appearing on this issue.

A motion to approve was made and seconded. It was accepted unanimously.

The commission took a five-minute break.

PUBLIC HEARINGS

Case # 18-180

A request by Crockett Engineering (agent), on behalf of the City of Columbia (owner), seeking rezoning and PD Plan approval for development of a 10-lot single-family subdivision to be known as "Cullimore Cottages". The subject 1.32-acre site is presently zoned R-MF and is located 350 feet south of the intersection of North Boulevard and 8th Street.

(Action: Stanton and Toohey both asked to recuse themselves from voting on this proposal due to conflicts. A report by staff followed.

The applicant (which is the city) is seeking to rezone their property to allow for the construction of 10 single-family homes, in a cottage-style arrangement. Each home will lie within a zero-lot line style property, with the remainder of the subject site to be commonly held and maintained by the Community Land Trust. The three existing lots will be combined, and the envelope lots depicted on the PD plan will be created via a separate platting action. In earlier meetings 31 neighbors were contacted. Two expressed concerns about traffic circulation caused by the new development. The city believes the plan mitigates those impacts.

The Community Land Trust is committed to providing affordable housing options for Columbians who wish to own their own home. Each proposed home is to be priced at roughly \$125,000. The homes will be owner-occupied and underlying land and common lot will be owned and maintained by the Land Trust. The use of a planned district is beneficial to the mission of the Land Trust, in that it allows a creative solution to limit the selling price of each home, by way of increased density and decreased infrastructure costs.

Five of the proposed homes will front 8th Street and the remaining five will front onto Rear Coats Street. Each home includes a garage and one additional driveway space to meet parking requirements. Additional parking spaces are available along 8th Street and are to be provided within an enlarged right of way along Rear Coats Street. The applicant will be dedicating 5 feet of additional right of way to enlarge Rear Coats Street with the future final plat. The existing sidewalk along Eighth Street will be replaced with a compliant 5-foot sidewalk. The required 15% site landscaping is provided, as are street trees along both Rear Coats and Eighth Street.

Rear Coats Street is a paved surface of roughly 12 feet in width. The right-of-way in along the proposed property is 15 feet wide. Neither width is not compliant with any existing street standard within Appendix A of the UDC and is not compliant with the minimum required 20-foot width for access per the Fire Code. To ensure that the home fronting onto Rear Coats Street have sufficient emergency and fire code required access, the development plan shows two emergency access drives between Buildings 6 and 7 and Buildings 9 and 10. These access drives permit any of the proposed 10 dwellings to be within 150 of emergency apparatus which is the Fire Code maximum permitted distance.

To further address the issue of emergency response, the addresses of the Rear Coats Street dwellings will actually be from 8th Street in an effort to better-inform emergency crews responding to the property. This address scheme has been approved by the Fire Department and GIS Addressing.

The proposal has been reviewed by staff and meets all applicable City zoning standards. Additionally, the proposed zoning change is not for speculative purposes, but rather to address an immediate plan for development by the City of Columbia and the Community Land Trust organization. Staff recommends approval.

Staff also pointed out that this is presently zoned R-MF so it does not really change allowable density. Loe and MacMann indicated that they had talked about this with staff and neighbor on stormwater and general plan options.

The hearing was opened.

A staff member from the city appeared on behalf of the project and said that this project helps leverage many resources including the Community Land Trust and private development. This will add to the existing tax base of the community. The Community Land Trust tries to maximize the use of the property that they use and protect the long-term viability of affordable housing. The project was named after Dan Cullimore who was a former member and driving force behind the creation of the Community Land Trust. Earlier planning was for fewer lots, but council approved the acquisition of additional lots and so you see this plan today. Crockett Engineering helped develop the site plan. The neighborhood really wanted energy efficiency and stormwater controls in this area. The homes will have a cottage feel, narrow windows and some trees. Rear loading garages were incorporated. This is a good collective view of what the neighbors wanted.

A representative of the North Central Neighborhood appeared to support this project. They were glad to have a seat at the table. They think there are still some issues relating to stormwater and traffic, but they are excited about the overall project. We are excited about bringing new neighbors. This will create a path to home ownership. This is a good tribute to Dan Cullimore. We support this project.

MacMann thanked the neighborhood for their long-term involvement in this project.

Another speaker said that she lives on Coats Street. She supports this, but she can see Rear Coats Street from her door. She proposes that Rear Coats Street should be one-way and be shut off on one end. No parking signs in this area have helped reduce night time activity in this area. She wants to close Rear Coats from being entered from North.

Loe asked about other possible modifications. Staff said that there will be some additional right of way on Rear Coats street, but that it is still indicated as a two-way street.

Another representative of the North Central neighborhood appeared and said they are concerned about traffic on North Boulevard now that it has been paved. It remains a part of their discussion.

Another speaker said he had helped with habitat for Humanity. He said that there is a Habitat for Humanity home with children across the street from this. Some people don't want homeless shelters, but we need to have places where families with and without children can live. Don't make everyone congregate in one spot. The goal is to result in less crime and violence. The speaker asked for a solid fence on one end instead of only a vegetative buffer. Maybe you should just cut off access to North Boulevard. MacMann explained that the south end of this project is at the place referred to as the Church.

No further public testimony was presented.

MacMann indicated that because the land trust owns the area, future questions may be able to be resolved through them.

A motion to approve the PD zoning and statement of intent was made.

The motion was approved unanimously, 6 to 0 with Toohey and Stanton abstaining and Rushing absent.)

Case # 18-185

A request by Allstate Consultants (agent), on behalf of Lake George Properties, LLC (owners), seeking a major amendment to the existing, "Lake George PD Plan." The property is located at 5000 Richland Road. The purpose of this major amendment is to add a 5-unit independent living facility on the north side of the existing side of the existing assisted living facility. The applicant is also seeking relief from the provisions of Section 29-4.6(c) of the UDC, which requires an entry door facing the street from which the property is addressed.

(Action: The applicant is seeking a major amendment to the existing Lake George PD Plan to allow construction of a 5-unit independent living facility on their property. The additional building will expand the operations of the Lake George Assisted Living to better serve potential clientele who do not require consistent assistance by a caregiver for essential activities of daily living, such as feeding, bathing, dressing, or mobility. The original statement of intent for this property did not include permissions for an independent living facility; therefore, a revised statement of intent has also been submitted.

The proposed building will be one story, and no greater than 30 feet in height, which is consistent with the original statement of intent for the property. Three additional parking spaces are proposed near the existing dumpster enclosure, including one handicapped stall, which will serve the proposed building. As a result of the plan changes, additional stormwater detention must be installed. The site currently utilizes a small rain garden south of the existing structure. A larger detention basin will be constructed to the east of the entry drive, near Richland Road to mitigate the stormwater impacts of the additional impervious area of the proposed building and parking area.

No sidewalks exist along the property's Richland Road frontage, which would typically be required upon construction of a primary building. However, a sidewalk variance was granted for the property in 2014 and remains in effect. The internal sidewalk network depicted on the plan is sufficient for the needs of onsite residents, and it is unlikely that visitors will access the site on foot due to the remote location of

the property. Richland Road is unimproved, therefore it is likely that the City would construct a sidewalk in this location in the event that Richland is widened or reconstructed at some point in the future.

In addition to the PD Plan and Statement of Intent changes, the application is seeking a design exception from Section 29-4.6(c)(1) of the UDC. This section requires that a principal building shall have one or more operating entry doors facing and visible from the adjacent public street. The Case # 18-185 Lake George PD Plan Major Amendment existing structure on the subject property was constructed with the primary entry door facing the street. However, the proposed building additional would face east; toward the parking area and entry drive instead of Richland Road. The applicant wishes to maintain this orientation due to the constraints of the long, narrow buildable portion of the property. While the entrance orientation is inconsistent with the strict application of the UDC's provisions, the entrance is nonetheless visible from Richland Road.

Additionally, the subject property lies in a largely undeveloped, nearly agrarian setting. The existing building is set back from the roadway approximately 350 feet, and the proposed building entrance will be set back close to 200 feet. Staff believes this section of the UDC was intended to apply in more urban settings, where pedestrian-orientation is advantageous. The benefit in this application is minimal; therefore, staff supports the requested variance. Staff supports approval of the plan change and the design exception.

Public comment period was opened.

An engineer appeared on behalf of the applicant and indicated that this was actually part of what they originally wanted to do but it could not be documented until it was time to actually construct the new building.

No further questions were forthcoming.

**A motion to approve was made and seconded.
Motion was approved by a unanimous vote of 8 – 0.)**

**PUBLIC COMMENTS
(None.)**

STAFF COMMENTS

Staff provided a report on upcoming business of the commission. The next meeting will be held on December 6. All business on the next agenda has been withdrawn, so the first meeting in November will be cancelled. There will, however, be a worksession on that date dealing with short term rentals. There will be no meeting on Thanksgiving, so the next regular meeting will occur in December.

In December we will see a new protocol for case numbering, so it will look a little different going forward. At the next meeting in December, we may see the following items:

Subdivisions

Jefferson Middle School Plat 1
Paris Road Park Plat 1

Public Hearing

University Subaru – This may or may not happen depending on the outcome of some litigation that is in the works. This item was tabled at the last meeting to accommodate that court hearing.

COMMISSIONER COMMENTS

Burns congratulated Loe and Toohey on their election to new leadership posts and thanked Strodman for his years of service as chair.

NEXT MEETING DATE – December 6, 2018 @ 7pm

**ADJOURNMENT
(Time: 10:26 PM)**

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