

**MINUTES
PLANNING AND ZONING COMMISSION MEETING**

JULY 10, 2014

COMMISSIONERS PRESENT

**Mr. Steve Reichlin
Mr. Rusty Strodtman
Ms. Sara Loe
Mr. Anthony Stanton
Ms. Lee Russell
Ms. Tootie Burns**

COMMISSIONERS ABSENT

**Dr. Ray Puri
Mr. Bill Tillotson
Mr. Andy Lee**

I) CALL TO ORDER

MR. REICHLIN: We'll call the January 10th --

MS. RUSSELL: July.

MR. REICHLIN: -- July 10th. Thank you very much.

MR. STRODTMAN: Wow.

MR. REICHLIN: Yeah. I'm just a little behind the times -- 2014 Planning and Zoning Commission meeting to order. Thank you everybody for coming. The first item we'd like to deal with is roll call. Please, Mr. Secretary?

II) APPROVAL OF AGENDA

MR. REICHLIN: At this time I would like to ask if there are any items worthy of note that we need to consider within terms of the change -- or approval of the agenda. Any Commissioners or Staff have anything to weigh in with regard to that? Seeing none, we'll go forward.

III) APPROVAL OF REGULAR MEETING MINUTES

• JUNE 19, 2014

MR. REICHLIN: Approval of the regular meeting minutes for June 19th, 2014. I'm under the assumption that we have all reviewed them, and if anybody has any corrections, now would be a good time to make mention. All in favor of approval of the minutes, respond by aye. All negative, same sign. Seeing none.

(Unanimous voice vote for approval)

MR. REICHLIN: The minutes are approval.

IV) SUBDIVISIONS

Case No. 14-105

A request by Pat Kelly (owner) for approval of one-lot final minor plat of R-2 and R-3 zoned land, to be known as "Kelly Highlands Phase II Plat 1." The 1.62-acre subject site is located on the south side of Broadway, west of Yorkshire Drive, and is addressed 3710 West Broadway.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department.

Staff recommends approval of the proposed plat.

MR. REICHLIN: Are there any questions of Staff? Seeing none. We don't usually have a public hearing with regard to subdivision items, but if there is anybody in the audience who cares to add anything worthy of note, we'll entertain your comments at this time. Seeing nobody, I will open this matter up for discussion by Commissioners. Seeing no --

MS. BURNS: It seems pretty straightforward to me. I don't have any questions. I plan on supporting this.

MR. REICHLIN: Okay. Would you --

MS. BURNS: I would like to move to approve the request by Pat Kelly for approval of a one-lot final -- may I go ahead and make this motion now, Mr. Reichlin?

MR. REICHLIN: Yes.

MS. BURNS: Okay. Request by Pat Kelly for the approval of a one-lot final minor plat of R-2 and R-3 zoned land to be known as "Kelly's Highlands Phase II Plat 1." The 1.6-acre subject site is located on the south side of Broadway west of Yorkshire Drive. This is Case No. 14-105.

MS. RUSSELL: I'll second that.

MR. REICHLIN: Second by Ms. Lee.

MS. RUSSELL: Ms. Russell.

MR. REICHLIN: Russell. Sorry. I'll get there.

MR. STRODTMAN: Ready for a roll call?

MR. REICHLIN: Ready for a roll call, yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carried 6-0.

MR. STRODTMAN: A recommendation for approval will be forwarded to City Council.

V) PUBLIC HEARINGS

MR. REICHLIN: Moving right along, we'll enter the public hearing portion of our meeting.

Case No. 14-106

A request by Tim Crockett (applicant) on behalf of Poonam, Inc. (owner) to rezone portions of a 4.01-acre property located at 2112 East Business Loop from R-1 (One-Family Dwelling District) and C-3 (General Business District) to C-P (Planned Business District), approve a C-P Development Plan and preliminary plat known as "Veterans Campus," and approve a variance to Section 25-43 relating to required street widths, on a site located on the south side of East Business Loop, 1,000 feet east of Old Highway 63.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. As to zoning, Staff recommends approval of the proposed rezoning to C-P and Statement of Intent. As to the Development Plan, Staff recommends approval of the C-P Development Plan for "Veterans Campus" with the condition that a note and graphic be added stating that landscaping shall be installed at the time of

residential development to the south on the R-1 zoned lands. As to the Preliminary Plat and Variance, Staff recommends approval of the preliminary plat with associated variance to Section 25-43.

MR. REICHLIN: Are there any questions of Staff? Yes, Ms. Loe?

MS. LOE: Your report identifies that the bicycle pedestrian plan identifies East Business Loop as a pedway.

MR. SMITH: Uh-huh.

MS. LOE: Can you just explain? The site plan appears to show a five-foot sidewalk.

MR. SMITH: Yes.

MS. LOE: Consistent with the pedway requirements?

MR. SMITH: The five-foot sidewalk is the requirement for the development of the property. The pedway is -- is the designation that the bike and ped -- bikeway and pedway plan give Business Loop, which I think -- or signifies that the street could be used as a bikeway at some point, I believe, so -- okay. So there could be potentially an eight-foot sidewalk on one side at some point, but it was not identified on this side for that type of bikeway.

MS. LOE: So you're explaining that the eight-foot sidewalk is going on the -- the north side of East Broadway -- or, I'm sorry -- East Business Loop?

MR. SMITH: That -- you know, the pedway is -- I'm not exactly sure exactly what that does signify. It's in the bike pedway plan, but I think that is -- from my understanding, I thought it was that the street would be considered -- at future development would be that a bike lane could be added, but maybe I might be misinterpreting that, so --

MS. LOE: Oh. Let me explain what -- the crux of my question is. I could not find the COMO Connect Route Map online, so I could not verify what the nearest bus stop was to this development. And I do feel that any homeless housing should be located near public transportation. The current dark green line, I believe, does run near this, but I would want to confirm where the bus stops are. There do not appear to be any sidewalks along the south side of Business Loop East, so I have some concerns about that, especially considering that the statement from the group indicates that there will be some disabled -- they anticipate some disabled tenants or clients at this location --

MR. SMITH: Uh-huh.

MS. LOE: -- as well. And I know that working with the VA, they're probably going to come under some accessibility guidelines, which really require an accessible route to the sidewalk, which it does appear they have, but also to a public transportation stop, which I'm not saying should be a burden on the proposed owner. But I'm concerned that we do make some accommodation or look at how that can happen.

MR. SMITH: Yeah. I would agree there is no sidewalk installation to the west here, so the -- the travel to the bus stop -- and I did identify the nearest bus lane would be to the west, the Old 63 intersection, which is about 1,000 feet. So it's not directly adjacent to the site, but that is within approximately less than a quarter of a mile, which is a walkable distance. I know if handicapped accessibility has issues -- and I think they may have some information as far as traveling or

accommodations made for individuals with that. But at this time there is no direct access as far as a sidewalk to -- to the nearest bus stop, I don't believe.

MR. ZENNER: Ms. Loe, I believe what -- you know, part of what the accessibility issue may also be able to be addressed with is our paratransit system that we have with our bus service. So if disabled tenants within this particular development are needing to be able to be brought to services that are not offered on site, paratransit may be available. There also may be private services that are offered within this particular environment and that is something that potentially the applicant can provide a little bit of an elaboration on. At this point, as you may or may not be aware of, the East Boulevard connection to Conley may result in improvements within this particular area to add additional connectivity to a sidewalk system that is not there today. We would have to go back and look within the Capital Improvement Program in a much broader radius to this project site to find out if there are sidewalk improvements along this portion of the Business Loop that we may not have captured within the staff report as well. So we could have some other public investments here, but at least right off the bat, you have our paratransit system which would provide access to other services that a disabled population may need and then you may have private carriage within the development to allow them to get in and about. As far as for the shelter, the typical -- the typical access to our shelters also is a combination of those opportunities -- people are either showing up on their own via the public transit system or even possibly them being picked up at more generalized locations. So that may be how that is also populated and handled in the absence of greater connectivity.

MS. LOE: All right. That's great. I just think as we add shelters -- I'm very supportive of this type of project. I think we do need to be looking at the infrastructure that it's tying into so that we are truly supporting the projects and making them work.

MR. SMITH: Thank you.

MR. REICHLIN: Are there any other questions of Staff? I just had one regarding the additional document from Crockett Engineering. Is this -- is there some procedural way we need to address that in our motions or two votes or anything like that?

MR. SMITH: We could -- I think we'll have it separated out. Generally, I think, unless there's objections, the -- the documents, more or less, are combined right now in the C-P Plan, so all the information on both those is one plan right now. So we would be just asking that the preliminary plat be approved, but all they're doing is separating them out into two separate documents, so --

MR. REICHLIN: Okay. Thank you. Seeing no other questions of Staff, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. REICHLIN: Just a small reminder that we would like to have your name and address upon approaching the podium. I'm not seeing what I would consider organized opposition or proponents. All comments will be limited to three minutes, and I've got my button at the ready.

MR. CROCKETT: I apologize, Mr. Chairman.

MR. REICHLIN: We won't start your time just yet.

MR. CROCKETT: Okay. Here, it kind of got turned off. I'm waiting to get a password here and we'll get logged on and get started. I'll go ahead -- go ahead and start from memory. My name is Tim Crockett, Crockett Engineering Consultants, offices at 2608 North Stadium. This -- this project is being referred to right now as Welcome Home, A Community for Veterans. And as -- there we go -- perfect. Thank you. Thank you. As staff has alluded, that this is a two-part project. This is both for apartments, as well as temporary shelter. More specifically, it's for veterans. It's for homeless and low-income veterans specifically. With me tonight is Phil Steinhaus with the Columbia Housing Authority who will talk about some aspects of the project as well. I think we've talked about the location map. I believe we know where the project is located on the Business Loop. The zoning, the Staff did a good job of identifying the split-zoned property between C-P and R-1. Of course, we are rezoning the property from C3 to C-P and remaining -- leaving the other portion as R-1. This must be a first time -- it's a first time for me. I cannot recall coming to the Planning and Zoning Commission and asking for an open C-3 to be zoned a C-P, but it's certainly what we're doing here because that's what allows the shelter to take place. Here's some existing photos of the existing site. It is the old Deluxe Inn Hotel. You can see the structures on the property and don't mind that chummy fellow; he's another consultant that gets in the way sometimes. But you can see the site is in disrepair. You can see the site is old. It's needing some updating in the -- in the worst way. We'll state on this site specifically, these buildings are going to remain in place. We've done a structural evaluation, and we can salvage these buildings, which I think is very important. We're not just tearing down a site and rebuilding it, we're utilizing what's there and building on to it, and I think that's -- that's very nice for the area. Of course, here's the C-P plan that we've discussed. I would like to talk a little bit about why we're expanding our C-P zone to the south. Why are we capturing some of the R-1 and bringing it to the south. The reason for that is, is the -- the long building on the west side -- and I apologize -- the pointer is not showing up on the screen -- there's an access point that goes around that building to get to the rear of the building. That access point kind of hooks down to the south. And so, in discussion with City staff, we thought that it would be best just to make sure that we cover all of the aspects of that building and the accessible routes to that building that we pull that portion down to make sure it's all captured in the -- in the commercial district, and that's the reason why we are asking for a little bit of additional property to be rezoned to C-P. Of course, here's the little zoomed-in section of it. Here's some architectural renderings of the site. You can see that the buildings that we had before are nothing like what we're going to propose. We're changing the aspects out here completely. We think that the site deserves that, the tenants that we're catering to deserve that, and it's going to be a nice -- nice redevelopment of the property. So you can see that we're not just taking an old hotel, putting a little paint on it, calling it good, and saying, hey, here we go. We're adding a roof line to it, giving it an architectural feel. We're adding planters out front and porches, adding security around the buildings, so it's not like a hotel where you have a balcony that you can run from end to end. They're going to be divided so that you can't -- can't go that route. Some of the highlights of this site, it's redevelopment of an existing site in need of repair, and it repurposes an out-of-date facility. It protects the neighbors with adequate screening, and it provides a much needed housing element within our community. And I can't -- I can't express that

enough. Until I started working on this project did I really understand how many homeless veterans we have in this community. And really that -- that -- that statistic is really quite shameful, and I'm, you know, glad to be working on this project because it's -- it's nice to see how we're transforming this -- taking an open tract of C-3 land out of disrepair and turn it into a C-P development that has controls of a planned district. We have met with the representatives of the neighborhood. We met with them numerous times, public meetings -- and I apologize Mr. Reichlin, I'll wrap up. We met with them numerous times. The Housing Authority has met with them individually in groups. We believe we have a -- have their support. They have some concerns -- traffic buffering, sanitary sewers. We've addressed all those. I'll be happy to go into any of those further. I know I'm out of time. I'll be happy to go into any of that should you have questions about that. And again, in conclusion, I think we've covered everything. So with that, I'll be happy to answer any questions and, if not, Mr. Steinhaus would be happy to discuss about more specifics of the project.

MR. REICHLIN: Are there any questions of this speaker?

MR. CROCKETT: Thank you.

MR. STEINHAUS: Good evening. I'm Phil Steinhaus, CEO of the Columbia Housing Authority, with offices at 201 Switzler Street. We appreciate the time you are spending looking at this. I think we have a great project here to help homeless veterans. It's actually a partnership between the Columbia Housing Authority, the Truman VA, and Welcome Home, Inc. Welcome Home is a -- is a shelter for veterans. Truman VA and Columbia Housing Authority partner together on the Veterans Affairs Supportive Housing Program, so we provide housing vouchers to homeless veterans and they get supportive services through the VA. So since the inception of this program, we currently have 85 housing vouchers -- VASH vouchers for these veterans, and since 2008, we've helped over 200 homeless veterans off the street. Many have moved on into independence or onto a regular Section 8 voucher without supportive services. So the really great thing about this project is it puts everything all in one place. I certainly appreciate your concerns about accessibility. It's difficult to find a location where we can have close proximity to jobs, to goods and services, to transportation, et cetera, and that also fits in with the community, it has neighborhood acceptance, and everything. You try to put all those pieces together, it's -- it's really tricky. So we certainly hope the City will invest in helping to connect our site to good transportation services, like sidewalks, et cetera. So we think it's in a pretty decent location considering some of the other places that we had to look at, so -- but one of the really exciting pieces about this project is we already have the operational costs in place, so we will have a permanent rent subsidy that's attached to the 25 apartments that we'll create. They'll be one-bedroom apartments, 85 persons -- 85 percent of the persons in our VASH program are single persons, so -- so they're eligible for a one-bedroom voucher, not a five-bedroom voucher. So we have a real shortage of one-bedroom apartments in this community due to the student housing demand, and so we just don't see local developers developing one-bedroom apartments that really meet our need. In fact, 90 percent of the people that are on our waiting list for public housing and Section 8 are waiting for one-bedroom apartments. But a really exciting part about the Welcome Home aspect of it is that they have a large grant through the VA to

provide health care for homeless veterans and counseling services, et cetera. So what we failed to mention is that -- that northern part of the Welcome Home site is actually going to be a supportive services center, so it'll have offices and it will have staff on place. They'll have rooms for counseling; they'll have a full kitchen and dining room. And the building will also be divided so that it can serve female veterans as well as male veterans and you can also have doorways between rooms so you can serve families. So someone can come right off the street and get shelter services and meals and be connected with what they need while they're then connecting them with the VA right there on the site and hopefully then transitioning directly into one of our VASH apartments on the other side, and they would continue to receive that support throughout the process. And once they are stable enough to make it on their own, then they will continue to receive housing assistance through the Housing Authority through a Section 8 voucher. I'd be happy to answer any questions you have.

MR. REICHLIN: Do you have any questions of this speaker? I have one. With regard to the VASH Program and Section 8, is there -- can you give us a demographic breakdown or percentages or what you foresee? Is it going to be solely for veterans and homeless, or will there be the potential for other clients?

MR. STEINHAUS: No. They have to be homeless veterans. They don't have to be homeless, but they have to be veterans on a VASH voucher.

MR. REICHLIN: Veterans. Okay. So it's specifically --

MR. STEINHAUS: And they have to be participating in services with the VA through the VASH program. So for every 25 units, they get one supportive services caseworker.

MR. REICHLIN: Right.

MR. STEINHAUS: So that's why we are adding the extra units out on the street. One, to change the face of it, but also to get us up to that 25 number so we can get the full-time supportive services worker. So neighbors have been very supportive, too. Note that we met with them on Tuesday again to review some of the sewer concerns that -- that the folks on Ammonette had, and City Staff showed up and showed that basically that sewer line had been recently lined, and so they're really -- allayed their fears about any kind of sewer backups that might occur associated with this use.

MR. REICHLIN: Thank you. Are there any other questions of this speaker? Seeing none, thank you very much.

MR. STEINHAUS: Thank you.

MR. REICHLIN: Anybody else wishing to speak in support of this proposal and/or opponents of this proposal, now would be the time. Seeing none.

PUBLIC HEARING CLOSED

MR. REICHLIN: And open it up to comments of Commissioners? Mr. Stanton?

MR. STANTON: Mr. Chair, this is a very unique and innovative project. I plan to support it.

MR. REICHLIN: Anybody else? I'd like to say that I also intend to support it. I'm glad to see that the cooperation between the two agencies are occurring to benefit a portion of our community that has served and sacrificed and it's just a small token to be able to engage in this kind of a project and have it

be supportive of their needs. So I, as well, intend to support it. Anybody care to shape a motion?

MS. LOE: Do we have to do a couple motions on this one?

MR. REICHLIN: I was asking about that. Yeah.

MS. LOE: Right. I saw the recommendations, but are those different motions?

MR. ZENNER: My suggestion would be that the motions be framed to break the project down in its component parts. You have a zoning and a C-P site plan, and that C-P site plan has a variance request with it, so your motion would need to include the variance for the screening as it relates to the C-P. And then you a preliminary plat with a variance related to the street-width standards, which is Section 25-43. So it would be two motions, one which includes both zoning and site plan with the variance, and then the preliminary plat with the variance for right-of-way. And if you would choose, you can do it in three and that would be to just separate the C-P and variance from the zoning action. It's entirely left up to you.

MS. LOE: I'll start with the first motion and we'll see how far -- if I get one or two pieces out of this. So move to approved the proposed rezoning of the C-P and Statement of Intent including -- let's try to get the second one in here -- including approval of the C-P Development Plan for Veterans Campus with the condition that a note and graphic be added stating that the landscaping shall be installed at the time of residential development to the south on the R-1 zoned lands.

MR. ZENNER: And variance.

MS. LOE: And approval of the variance.

MR. SMITH: I don't think that's included in -- in my statement there, but that would be the best way to phrase it would be the approval of the C-P plan with the requested variance to the screening with the condition that the --

MS. LOE: Got it.

MR. SMITH: -- the note be added to the C-P plan.

MS. LOE: Right. Right. The variance to the screening with the note added correctly; correct?

MS. BURNS: Second.

MR. REICHLIN: Ms. Burns. Thank you very much. Any discussion on this motion? Seeing none. May we have a roll call, please?

MR. STRODTMAN: Yes. On this first one for Item 14-106.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: The motion will be forwarded to City Council for a recommendation of approval.

MS. LOE: Okay. I'll do the second one, too.

MR. REICHLIN: You're brave.

MS. LOE: Motion to approve the preliminary plat associated with the variance to Section 25-43.

MR. SMITH: Yeah.

MS. LOE: Was that enough?

MR. SMITH: Uh-huh.

MR. STRODTMAN: And I second it.

MR. REICHLIN: Mr. Strodman, second. Seeing no need for discussion, we'll have a roll call, please.

MR. STRODTMAN: Okay. The same Item 14-106, but the second recommendation.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: A recommendation for approval will be forwarded to City Council.

MR. REICHLIN: Moving right along.

Case No. 14-107

A request by Tim Crockett (applicant) on behalf of JQB Construction, Inc. and Old Hawthorne Golf Properties, LLC (owners) to rezone 6,087 square feet from R-1 (One-Family Dwelling District) to PUD 4.2 (Planned Unit Development), and approve a major amendment to "The Vistas at Old Hawthorne" PUD Development Plan. The subject is a site located on the north side of Old Hawthorne Drive East, 600 feet east of Green Gate Lane.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. As to zoning, Staff recommends approval of the proposed rezoning to C-P and Statement of Intent. As to the Development Plan, Staff recommends approval of the major amendment to the Vistas at Old Hawthorne PUD plan which shall also serve as a revised preliminary plat.

MR. REICHLIN: Any questions of staff? Seeing none, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Tim Crockett, Crockett Engineering, offices at 2608 North Stadium. We concur with the staff report. We believe it's a fairly straightforward request. I would state that the portion of the R-1 that we're acquiring from the golf course, it's basically -- we're doing a land swap, if you will. There's going to be a portion that transfers to this developer, while a portion of it -- of the -- of the PUD portion reverts to them so that we kind equal out the green space so that we're not taking off anything away from the golf course necessarily. It is PUD 4.2. We certainly don't have any intention of developing anywhere near those -- that density. The reason for that is, is this was originally a PUD that did, as Mr. Smith indicated, started out being duplexes and condos along this portion, a much higher density for this whole area. However, the Old -- the Club at Old Hawthorne, we believe, has enough other areas to support that type of development. These are single-family detached units. We're looking for single-family homes in this area. And given that the R-1 to the north, we needed to zone it something compatible with what we have on our piece, it made sense to keep it all the same as 4.2. That's the reason for the 4.2, certainly not that we're going to come anywhere close to developing anywhere along those -- that line or that density. So with that, I would be happy to answer any questions.

MR. REICHLIN: Questions of this speaker?

MR. CROCKETT: Thank you.

MR. REICHLIN: Anybody else wishing to comment on this matter? Seeing no one, we'll close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners, please?

MR. STRODTMAN: A question to Staff.

MR. REICHLIN: Go right ahead, Mr. Strodtman.

MR. STRODTMAN: Is this a two-motion part, also?

MR. SMITH: Yeah. This would be two motions, yeah.

MR. STRODTMAN: Thank you.

MR. REICHLIN: Anybody else? Anyone want to make a motion?

MR. STRODTMAN: I'll -- I'll take a stab at it.

MR. REICHLIN: Okay.

MR. STRODTMAN: I'll take a -- I'll make a motion for Case 14-107, a request by Tim Crockett (applicant) on behalf of JQB Construction, Inc. and Old Hawthorne Golf Properties, LLC, to rezone 6,087 square feet from R-1 to PUD 4.2 and approve a major amendment to The Vistas at Old Hawthorne PUD Development Plan. Approval of the proposed rezoning to C-P and for -- also for the Statement of Intent.

MS. LOE: I'll second.

MR. REICHLIN: Ms. Loe, second.

MR. STRODTMAN: Okay.

MR. REICHLIN: Roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: The motion -- recommendation for approval will be forwarded to City Council on that one. And I guess while I'm at it, I'll go ahead and for Case 14-107, approval of the major amendment to The Vistas at Old Hawthorne PUD plan, which will also serve as a revised preliminary plat.

MS. LOE: Second.

MR. REICHLIN: Ms. Loe, second. May we have a roll call, please.

MR. STRODTMAN: Yes, sir.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: The motion for recommendation will be forwarded to City Council.

Case No. 14-108

A request by Tim Crockett (applicant) on behalf of Tori-ben Farms, LLC (Owner) for approval of an 87-lot PUD Development Plan and preliminary plat on PUD-4 (Planned Unit Development) zoned land, to be known as "Woods Edge," and an associated variance to Section 25-47(a) (Terminal Streets) relating to the street length of Harbor Town Drive. The 57.2-acre

subject property is located on the west side of South Rolling Hills Road, 1,700 feet south of East Richland Road.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. As to the Development Plan, Staff recommends approval of the proposed PUD Development Plan, subject to the condition that Harbor Town Drive complies with Section 25-47. As to the Variance, Staff recommends denial.

MR. REICHLIN: Are there any questions of Staff? Seeing none, we'll open up the public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Sorry, Mr. Reichlin. I apologize. Tim Crockett, Crockett Engineering, 2608 North Stadium. I'm here on behalf -- tonight on behalf of the developer as well as the current property owner for the subject property known as "Woods Edge." I think Mr. Smith gave the location map of the site, as well as the current zonings of the area. It is currently zoned PUD 4. We have other PUDs, higher density PUDs R-1s, and commercial zoned properties in the area. As you can see, here's a copy of the PUD plan. You've seen that before. I'd like to go run some of the highlights of this development. What we're proposing is a density -- a development density of about one and a half units per acre when the current zoning allows for four units per acre. What that allows us to do, it allows us to preserve additional green space, additional draws, additional climax forest. Right now, the PUD plan would preserve approximately 20 and a half acres or 35 percent of the entire site just in common space alone. And that doesn't include the climax forest that would be on -- on private lots or the open green space that's on private lots. The requirement is 25 percent for the entire piece of property. We hit 35 percent just in the common lots alone without even talking about what's going to be on the private property. The development has adequate infrastructure already in place. Rolling Hills Road is an improved roadway. All the utilities are either on or adjacent to the property, and can be extended relatively easy across the street, so this is a site that currently has all the infrastructure nearby. It would construct an east-west collector in the area. That's a major collector under the Major Roadway Plan that not only serves this development, but serves everything north of WW in that vicinity, and that's something that the City has been looking for for quite some time. It was mentioned back in 2010 on the rezoning of this property and currently this development would extend. It would be the first development in this area, kind of gets the ball rolling for that -- for that major collector in that area. We did perform a traffic study on the site, and it performed -- and it showed no adverse impacts on the surrounding area or the intersections, and we think that was -- that's very important to note and very important to look at was what's our traffic going to do in the area and how is it going to be addressed. I would like to hurry up and get to the variance. I know, Mr. Reichlin, I'm -- I'm short on time. But the variance request, we would respectfully disagree with Staff. We understand where they're coming from, and we respect the standards, but in this specific case, we feel that we would like -- we would like consideration for the variance for the cul-de-sac length. This is similar to other cul-de-sac variances we have received in the recent past, both in Old Hawthorne, Cascades, The

Gates, oh, Thornbrook. There's numerous instances where variances on cul-de-sac lengths just like this have been granted. A couple of items I would like to talk about. First of all, if this was a 750-foot length cul-de-sac with minimal sized lots, we're talking the same, if not fewer, lots on this development than would be shown on another development, so it's not a unit count number. Furthermore, we also have a cul-de-sac basically mid-block, and I'm sorry, the pointer doesn't show up, but we have another point mid-block that would provide adequate turn-around space for vehicles, trash collection, school buses, emergency vehicles, so we don't have to go the entire length. The real reason why we want this cul-de-sac variance is that we feel that long term, if that cul-de-sac bulb was punched out to the collector street that runs east and west through there, we foresee that the intersection of Rolling Hills Road and this new collector street being built through there, that intersection is going to be a major intersection in the future. The City Staff has already advised us that they think it will be, and they've already -- they're already looking for additional right-of-way from us so that they can build a larger intersection. We feel that that being punched out and having another access point on that major collector, we feel that we can alleviate all of that. Given the distance from that location to the intersection, we can alleviate that with a -- with a cul-de-sac variance. So we strongly ask that you consider that variance for this request, and I would be happy to answer any questions.

MR. REICHLIN: Any questions of this speaker? Seeing none. Thank you, Mr. Crockett. Are there any other -- anybody else who would like -- care to comment on this matter, either for or against? Seeing no one, we'll close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners? Mr. Strodman, you look like you're ready.

MR. STRODTMAN: I'll break the ice. It looks like somebody needs to. Yeah. I plan on supporting the project. I think it's a good project. It's a good use of the topography in the area that they're working with. You know, I kind of also will probably lean towards giving them the variance on the cul-de-sac for a couple of reasons. One, I live on a cul-de-sac and I love it, so I tend to like cul-de-sacs. Two, I kind of agree it seems like it's really close to the entrance, and if that continues -- this development continues to the west, you know, I think that intersection continues just to become that more traveled and busy, and having that roadway that close does seem to be awfully tight even though I know the City probably obviously looked at that, but that's probably a variance that I'll probably tend to support.

MR. REICHLIN: Anybody else care to comment? Ms. Loe?

MS. LOE: I just have a question for Staff about the situation that Mr. Crockett brought up. Do you have any comment on that?

MR. SMITH: Which situation -- I'm sorry? With the location of the street?

MS. LOE: Location of the intersection --

MR. SMITH: Okay.

MS. LOE: -- and if -- if the cul-de-sac gets brought through --

MR. SMITH: Uh-huh.

MS. LOE: -- that it is proximate to the intersection of the two -- of the collector?

MR. SMITH: And -- and I spoke with engineering or the traffic engineer on this and they thought there could be a location there that would -- could be brought into -- and I forget the name of the street now -- Spyglass Drive, and still have adequate distance there. I think maybe a better alternative actually would be -- if we can go back -- is to reduce the length of this and basically add a bulb off this way to access this property here. So you would reduce this street to -- to a compliant length, but then you would have basically -- similar to these cul-de-sacs off the side that would come this direction and then access this property, and so the -- it would still be accessible and developable at this point, but the -- the main cul-de-sac would be less than the 750-foot length. And generally you try to have a cul-de-sac length that complies to -- kind of reduce the impact of -- of so many units all coming into one location and each -- basically, at this -- in this situation, like we have over 30 units will be accessing this one street through one entrance, and the amount of traffic through this one street, it would be funneling basically everyone in there, so that's why you try to have a terminal length maximum and also it does have to do with emergency services, the distance they have to travel down a one-way street to access all the property. So we feel there is -- there is a way to comply with that terminal street length and still have adequate -- or make the area still accessible for development by the developer.

MS. LOE: How long is Brandon Dunes?

MR. SMITH: I don't know the exact length of that, but I do know it's -- it does -- it is less than 750 feet.

MS. LOE: And a cul-de-sac by definition is simply any road that terminates?

MR. SMITH: A terminal street is one that ends in a cul-de-sac, but then is basically -- some -- one that terminates at the edge of a property with future connection in mind wouldn't be considered to be a terminal street.

MR. REICHLIN: Ms. Russell?

MS. RUSSELL: I still think I'm going to support the variance. I think it's going to put undue work on the -- and cost on the developer to do this and -- which ultimately will make the property owner have to pay more. I don't feel comfortable that there are a lot of other options that the City is offering, and the topography issue. So I'm going to support the variance.

MR. REICHLIN: Ms. Burns?

MS. BURNS: I appreciate Staff's work on this and my thought is that the people that are driving down this cul-de-sac live there, so they're going to be respectful of the speeds in which they travel. They're traveling to their homes. I live on a street that ends in a cul-de-sac, and so I think by other alternatives, you might encourage people cutting through with increased traffic speeds. And so I think I would support the variance.

MR. REICHLIN: Ms. Loe?

MS. LOE: I have another question for Staff. And so you just mentioned that your concern for this length of cul-de-sacs was having 30 houses having to access from a single intersection. Is that the chief consideration? I mean -- or what is the chief reason for limiting cul-de-sacs to 750 feet?

MR. SMITH: It is the amount of impact you have on a single street and a single access point.

MR. ZENNER: Cumulative impact.

MR. SMITH: Sorry?

MR. ZENNER: Cumulative impact.

MR. SMITH: Yeah.

MR. ZENNER: And with a cumulative impact of the traffic actually loading to a single point, at least not being dispersed, which is why we suggest and we look at opportunities for connectivity back to our -- the transportation network for as many opportunities to ingress and egress lots, it is a public-safety related issue, as well as a public maintenance related issue. Cul-de-sacs are the last types of streets to be plowed in the winter. Therefore, as you load more lots onto cul-de-sacs that are of excessive length, you also inconvenience those residents in times of emergency and inclemency to where you are unable to reach them. It does create a public safety hazard. Prior to this past year when we readopted our building code, we had a maximum total number of units off of a single point of ingress and egress at 30. Unfortunately, that appendice was not adopted when we readopted the building code during our last adoption cycle. However, our fire service still has significant concern with the maximum number of units being accessed off of a single point. I think what Mr. Smith is pointing out is the opportunities that exist in which to comply with the code and not grant the variance and not ultimately inconvenience the public that may live here ultimately. Connection to the mainline road, Spyglass, may create problems. I don't think that we would dispute that. However, what our traffic engineers have said, based on the traffic study and the routing that we have asked the applicant to look at all the way back out to WW is that access point would not negatively impact the functionality of Spyglass. And that is hence a significant reason why we would not support granting the variance. The other is all of the peripheral reasons I provided you.

MS. LOE: Well, I have a feeling the motion is going to go through supporting the variance. And because of that, I'll probably vote no simply because I do think there are rules in place -- or if there are rules in place, there should be a solid reason for that rule being in place. And for a variance to go forward, there should be a really good reason for that -- there to be a variance. And I'm not sure I'm convinced yet that there is a really good reason, and that there aren't other options, because I can see the Spy -- no -- Harbor -- Harbor -- I can see the whole road being moved down potentially or other roads being planned. So I think personally I'm on the side with the City, but this is my one time to express that, so I just wanted to let you know why I'm going to vote no.

MR. REICHLIN: Thank you, Ms. Loe. Anybody else care to comment on this? Anyone else feeling brave, care to frame a motion?

MR. STRODTMAN: I'll -- I'll go. It seems like it's my night, huh -- me and Mr. Crockett. Case 14-108, a request by Tim Crockett (applicant) on behalf of Tori-ben Farms, LLC for approval of an 87-lot PUD Development Plan and preliminary plat on PUD-4 zoned land to be known as "Woods Edge," and associated variance to Section 25-47, relating to the street -- street length of Harbor Town Drive. The 57.2-acre subject property is located on the west side of South Rolling Hills. My motion is approval of the proposed PUD Development Plan subject to the condition that the Harbor Town Drive complies with Section 24-47 --

MR. REICHLIN: Twenty-five.

MR. STRODTMAN: Forty-five?

MR. REICHLIN: Twenty-five.

MR. STRODTMAN: Twenty-five. I'm sorry. Dash 47. No, I think that -- I think that was right. I think it's -- isn't there two different -- no. I guess there is only the 25-47.

MR. ZENNER: 25-47.

MR. STRODTMAN: So, yeah. So a variance to the Section 25-47. Sorry about that.

MR. REICHLIN: I'll second that.

MR. SMITH: Just to clarify, was that a recommendation to support the variance or to not support the variance?

MR. STRODTMAN: To support the variance.

MR. REICHLIN: Maybe I won't second it.

MR. STRODTMAN: No. Wait. Wait. I'm sorry. I said that wrong.

MR. ZENNER: To not support it.

MR. STRODTMAN: To not support it.

MR. SMITH: That's perfect. Just clarifying.

MR. REICHLIN: Okay. Then I will second.

MR. STRODTMAN: Yes. To not support.

MR. REICHLIN: May we have a roll call, please.

MS. RUSSELL: Wait a minute. Wait a minute.

MR. REICHLIN: Oh, wait a minute. Excuse me. Excuse me. Ms. Russell?

MS. RUSSELL: So are you supporting -- is the proposal to support the variance or to deny the variance according to the City recommendation?

MR. STRODTMAN: I am in support of the variance of --

MS. LOE: You're not supporting the City recommendation?

MR. STRODTMAN: Correct.

MS. RUSSELL: Thank you.

MR. REICHLIN: Then I'm not going to second this.

MS. RUSSELL: I'll second it.

MR. REICHLIN: Thank you. That was Ms. Russell.

MR. STRODTMAN: I changed the second to Ms. Russell; correct?

MR. REICHLIN: Correct.

MR. STRODTMAN: Okay.

MR. ZENNER: Excuse me. Why don't we clarify this motion?

MR. REICHLIN: Before we go forward and make some --

MR. ZENNER: Clarify the motion so we all know what we're voting on here. What I believe that Mr. Strodtman's motion is, is to support approval of an 87-lot PUD plan and preliminary plat, and not support or vote to approve the variance to Section 25-47(a) relating to terminal streets and allowing

Harbor Town Drive to exceed 750 feet.

MR. STRODTMAN: Correct.

MS. RUSSELL: Yeah.

MR. ZENNER: Thank you.

MR. REICHLIN: Okay. May we have a roll call, please.

MR. STRODTMAN: Let's try this again.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodman, Ms. Russell, Ms. Burns. Voting No: Ms. Loe, Mr. Reichlin, Mr. Stanton. Motion Split 3-3.

MR. REICHLIN: That means we'll send forward a recommendation of --

MR. CROCKETT: Could -- could we get a consensus, approval of the preliminary plat subject to the connection of Harbor Town Drive to -- (inaudible)

MR. REICHLIN: Yeah. Mr. Smith, do you care to weigh in on that?

MR. SMITH: There are options. Planning and Zoning could recommend approval of maybe another alternative. Currently, staff's recommendation is just that Harbor Town Drive complies, but you could put a condition on it that, you know, one of those alternatives be sought or leave it up to Staff to review whatever alternative is proposed by the applicant at that point.

MR. REICHLIN: So at this point, we need to amend our motion or --

MR. SMITH: You can. We can leave it as it is. You can --

MR. REICHLIN: Or should we just start over? Which would -- which do you think would be more appropriate?

MR. SMITH: Well, I --

MR. CROCKETT: Mr. Chairman, if I may? We have a unique situation here, and I apologize for that. Given a split vote, I think that the -- I think the consensus of the Commission is split on the variance itself and not necessarily the plan. I really would like for it to go to Council with a better consensus of the PUD plan and not so much the variance. And if the variance isn't going to support, I think that will show that the Commission was split vote on that. If we could send a motion to Council of some degree that would say we support the plan that would be in conformance with all the subdivision regulations of the City of Columbia, that would give ourselves, as well as Staff, the option to reconfigure that area that would be in conformance with the regulations to the Staff's liking, if that would -- if that would suffice.

MR. REICHLIN: From where I sit, that -- that -- that kind of what recommendation number one is, that it complies with Section 25-47.

MR. CROCKETT: Okay. There we go.

MR. REICHLIN: If that could be -- if that could be the motion --

MR. CROCKETT: As is.

MR. REICHLIN: As -- as -- as it's written.

MR. CROCKETT: That would be -- that would be acceptable, if we could do that.

MR. REICHLIN: Okay.

MR. CROCKETT: I -- I would just like a better than a 3-3 vote going to Council, just a

recommendation that it's not the plan, it's the variance that -- that the Commission has an issue with.

MR. REICHLIN: Sure.

MR. CROCKETT: I would appreciate that.

MR. SMITH: I just want to point out, the Planning and Zoning Commission can move forward with a split vote. That is fine, if they would like. And they could frame a new motion that would state the support of the plan, given the condition that it does comply and that Staff approves the configuration, something in the future.

MR. REICHLIN: But do we need to -- we do need to -- the variance? Mechanically, we send the vote we've taken already or do we just enter a new motion and go forward?

MR. SMITH: No. I think that was one motion and it ended in a tie. I think if you -- somebody wanted to frame a second motion, you could do that.

MR. ZENNER: Once again, this is a unique situation in which you're dealing actually with zoning; you're dealing with a subdivision action. Ultimately, it will be Council's conclusion as it relates to the approval of the variance, which they have the final authority. This is a PUD plan, and as part of the PUD provisions for a PUD plan, which acts as the preliminary plat, an applicant must ask for all variances to the subdivision regulations, which is what they have done. So as the motion is written or as the recommendation is written in your staff report and as is on the screen, a second motion could be taken for approval of the PUD plan since it is compliant with the subdivision standards except Section 25-47, and that the motion for the variance is what you are recommending denial on. And at that point, it's compliant with the exception of the variance or the noncompliance with the cul-de-sac length, and then you could take a motion on the variance which, in essence, is what your first vote really did.

MR. REICHLIN: Okay. So then in the matter of 14-108, a request by Tim Crockett, I move that we approve PUD Development Plan as presented.

MR. STANTON: Second.

MR. SMITH: That would be -- that would be a motion to approve the variance, which --

MR. REICHLIN: That -- that would never be a motion to not approve the variance, but it would be just a motion to approve the plan?

MR. SMITH: I think what you're going for is what Staff's recommendation is here, would be basically to approve it on the condition that they change the plan to make it compliant.

MR. REICHLIN: Okay. So it should compliant with 25-47. So it can --

MR. SMITH: Yes.

MR. REICHLIN: Okay. All right. So then we will -- we will move that we approve the PUD Development Plan subject to the condition that Harbor Town Drive complies to Section 25-47. Okay. May I have a -- may I have second?

MR. STANTON: Second.

MR. REICHLIN: Mr. Stanton. May I have a roll call, please?

MR. STRODTMAN: Okay.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin,

Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: The motion for approval will be forwarded to City Council.

MR. REICHLIN: Okay. Additionally, I'd like to move that we approve a denial of the variance to Section 25-47. Is that appropriate?

MS. RUSSELL: We don't need to do that.

MR. REICHLIN: We don't need to do that now?

(Multiple people talking.)

MR. REICHLIN: Then we've got it -- then we've got it all --

MR. SMITH: They've got to comply.

MS. RUSSELL: He said they have to comply.

MR. REICHLIN: Okay. All right. Moving right along.

Case No. 14-109 and 14-110

A request by GED Investments, LLC (Owner) to rezone 15.7 acres of land from PUD (Planned Unit Development District) to O-P (Planned Office District) and for approval of a 9.97-acre O-P (Planned Office District) development plan to be known as "Americare at Heritage Village." The subject site is located on the east side of Sinclair Road, approximately 150 feet north of Muirfield Drive, and extends eastward to the western terminus of Southampton Drive.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. As to Zoning, Staff recommends approval of the proposed rezoning from PUD to O-P, including the associated Statement of Intent. As to the Development Plan, Staff recommends approval of the proposed O-P Development Plan and associated Design Parameters, subject to approval of the pending request for O-P Zoning.

MR. REICHLIN: Any questions of Staff?

MS. RUSSELL: I have one.

MR. REICHLIN: Yes, Ms. Russell.

MS. RUSSELL: When you are talking about the extension of Southampton when this -- is it going to connect to Sinclair?

MR. MACINTYRE: Yes. And that would be a part of this particular development.

MS. RUSSELL: Okay.

MR. MACINTYRE: So if the plan is approved, that comes along with it. The access -- I failed to mention, but the access -- sole access to the proposed development plan is off of -- would rely on the new extension of Southampton there.

MS. RUSSELL: Okay. Thank you.

MR. REICHLIN: Just for the sake of restating the -- what appears to be obvious to me, the parcel north of Southampton will remain PUD?

MR. MACINTYRE: No. Actually, that would be upgraded to the O-P designation; however, it

would still be limited to only residential uses with the exception of the residential-care facility use.

MR. REICHLIN: The whole parcel is going O-P?

MR. MACINTYRE: That's correct. That's correct.

MR. REICHLIN: I wanted to clarify. Oh, I'm sorry. Ms. Burns? I apologize.

MS. BURNS: Thank you. Are there any improvements planned to Sinclair Road in conjunction with this?

MR. MACINTYRE: Not in conjunction with this request. However, there was a traffic impact study that was submitted concurrently with this request, and city traffic engineers reviewed it, found it to be -- well, found that there aren't any associated improvements necessary at this time with the exception of just building the road through. However, in the future, at an undisclosed or uncertain time at some point down the road, there may need to be an upgrade at the intersection with Sinclair Road, perhaps in the form of a roundabout. The applicant has had some preliminary discussions and agreed to reserve some area there for future right-of-way to help accommodate that improvement. However, nothing in the CID at this time.

MS. BURNS: So no signalized intersection? It'll be a stop sign, I guess?

MR. MACINTYRE: At this time, yes. Yeah. Mr. Zenner was just pointing out that there may be some improvements up the road at Vawter School and Sinclair, which, you know, could certainly tie into this in terms of how traffic in the area overall flows.

MS. BURNS: Thank you.

MR. MACINTYRE: You're welcome.

MR. REICHLIN: Any other questions of Staff? Seeing none, I'll open the public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Commission, Tim Crockett, Crockett Engineer, 2608 North Stadium. Mr. Reichlin, given that this is the last item on the agenda and it is a two part, I would like to request some additional time. There are some statements in here that I would like to make on behalf -- not on behalf of the neighbors, but I told the neighbors I would make statements for clarification purposes and I just want to make sure I get those included in my proposal.

MR. REICHLIN: I don't have a problem.

MR. CROCKETT: I'm here tonight with Neil Slattery; he's a PE with Americare. He's a representative -- a staff engineer for those folks, as well as Rafe Parsons, who is the seller of the property and he will retain ownership of the north piece, north of Southampton. This slide here shows the entire piece of property in question. Both green and the orange is what is being rezoned to O-P. The green is the only piece of property that's on -- that's going to be developed on the Americare project. Of course, we've talked about the location map a little bit, the zoning in the surrounding area. This is PUD piece of property. It was -- it was zoned PUD quite a few years ago. It was recently redone to PUD about two years ago when that portion that Mr. MacIntyre included to the south, we just basically flip-flopped some areas in -- in this area, if you recall. The current PUD allows for a maximum of 146 total residential units. That's what we're approved for right now -- 146 total units, no access from this development to Muirfield Drive, which is important, 40 percent minimum landscaping, and it requires the extension of Southampton.

So when we develop any portion of this site, either side, we have to extend Southampton from its current terminus all the way out to Sinclair Road, so that will be required by the developer for this development. What are we proposing? We're asking for O-P zoning for the entire piece of property with the exact same uses with the exception of the residential care facility. We're not asking for office uses, we're not asking for a bank, we're not asking for professional offices. The only allowed additional use that we're asking for is that of residential-care facility. Neighborhood associations involved in this area, we have four of them. We have Heritage Village, Heritage Meadows, Heritage Woods, and Heritage Estates. Well, we've had meetings with those folks. We've had public meetings, we've had e-mails, we've had personal meetings. Some of the folks have actually gone out and toured one of the facilities, another Americare facility here in town. So again here is the O-P plan. It's broken into three basic components. We have independent-living units, we have assisted-living units, and we have a memory-care facility. All three of those units compiled on this site, but we do not have skilled nursing. This is not a nursing home; this is not skilled nursing. It's assisted living. These individuals still get up, they still carry on their day, they just need some additional assistance from time to time on various tasks. This is the landscaping plan that the City talked about. This is an extensive landscaping plan. Typically, you see landscape plans on planned districts that meet the City's requirement and not much more. This one far exceeds the City's requirement -- far exceeds, and you can see that from this drawing here. It's -- it's something that not only does Americare do on all their projects, but it's something that they told the neighbors that they would do. They would put in a large amount of landscaping buffer between this development and, of course, the development to the south. Now, keep in mind the development immediately to our south and immediately to the east is Heritage Village that's under construction. We have support from the owner of those lots. The other developments and the neighbors are even further away than that, but we wanted to -- we told the neighbors we would put additional landscaping in and we've done that. Highlights of this plan, again maximum of 66 total living units. Those are broke down into 30 assisted-living units, 16 memory-care units, and 20 independent-living units. We have adequate parking to accommodate the residents, the employees, and the visitors on this site. The development provides for the extension of Southampton Drive, which we've already talked about. It will go all the way to Sinclair Road. And then, of course, the O-P plan has an extensive landscape plan that we've talked about. Public involvement, again we've talked about that briefly. I won't -- I won't hit on that now. Some of the issues and concerns from the neighbors. First of all, they had concerns of traffic, and that was -- really stems two years ago on the rezoning. They asked us to look at this development. They were concerned with the PUD on traffic and the number of school children that may attend an overcrowded elementary school. The owner went out on this property and said what can we put on this property that doesn't -- doesn't generate traffic and doesn't have a lot of small children that go to elementary school. This Americare facility is it. The traffic impact on this site -- on the Americare site equates to about six and a half to seven single-family houses. That's pretty good given that we're eight-plus acres on this -- on this site. It's not very much traffic at all. It's very low impact. And, of course, it certainly doesn't have any school children on the site. Buffer and landscaping, we talked about that. And the building height, we want to talk about that a little bit. R-1, R-2,

R-3, even the commercial districts, the maximum building height is 35 feet. The neighbors to the south, their maximum building height is 35 feet. They've asked us to look at this development. We've committed to building a single-story development on the Americare property and the 24-foot building height will go with the -- with the O-P development plan. It doesn't go with the zoning, it goes with the O-P development plan and it's included on the plan and in the design parameters. So this site -- the O-P -- excuse me -- the Americare site will limit themselves to single-story buildings with a maximum height of 24 feet, and we think that's very important. The neighbors have asked for that and we've -- we've accommodated that request. We can talk about staffing if there's any concerns with the Commission about that, how many staff members we feel we're going to have on this site, their hours, and -- and all of that. Site lighting was another concern of the neighbors. Originally, we had, I believe it was 25-foot-tall poles. We've since reduced that down to 12-foot-tall poles with a maximum height with the fixture, the base, the pole, everything, at 15 feet. We have basically a working model on another property here in town. We showed the folks that this is the light standard -- the same exact light standard we're going to use and I believe they looked at that and said, hey, we like that, that's fine -- that's fine with us. We want to make that commitment that that's exactly what we're doing here. Twelve-foot-tall pole, same -- same fixtures that we had on the other property. Signage, we want to be very clear on our signage. It's always -- always questionable what -- what kind of sign, how big a sign. We put it on our plan. This is the exact same signage that we're going to put on our plan, verbatim on the plan. Neighborhood support, we talked about the four HOAs in the area. We have a letter from three of the HOAs showing support, and the fourth I have from their -- from their -- their management company stating that the board has voted to have no opposition to this development. So with that, I want to make -- one of the things I wanted to talk with -- wanted to make a statement on for the neighbors' behalf is that while we are rezoning the entire piece of property to O-P, the only allowed use on any of the property, the Americare site, as well as the undeveloped portion to the north, will -- allowed uses will be the PUD that we have today along with residential-care facilities. No additional uses. No banks, no professional office, nothing along those lines. Simply the addition of the residential-care facility. We want to make that very clear. The reason why we're rezoning the entire piece of property, it preserves the number of units that we are already approved on this piece of property. We talked to City Staff early on about that. That was critical for the two parties to come together to negotiate the deal for this piece of property. We must preserve that 146 total number of units. To do that, we need to rezone the whole piece of property. Staff -- we discussed it with them early on and we feel that this is the appropriate way to go, so that's the reason for that. We've talked about the landscaping. We've talked about the zoning being consistent. We talked about the extension of Southampton Drive. Here's a few pictures of some existing facilities that Americare has. I will tell you Americare has about 100 facilities throughout the Midwest, so there's certainly -- this is not their first rodeo. They build a quality development throughout so, like I say, some of the residents actually toured another one of their facilities, so there's just a few photos. And I would be happy to go back, slow down, discuss it further, but with that, I'd be happy to answer any questions.

MR. REICHLIN: Any questions of this speaker? Ms. Burns?

MS. BURNS: I had one question about the homeowners' association that was just to the east. I thought you said that was being developed, but there are currently residents?

MR. CROCKETT: No. There's no residents there, but the homeowners' association has been established. So there's no residents there, but the HOA has been set up and it's -- it's just for that portion through there. I mean, they're the ones that will enforce the covenants and restrictions for that -- for that area.

MS. BURNS: Okay. But there is no one currently living there that would be impacted?

MR. CROCKETT: No one currently, but it's under construction. That's correct.

MS. BURNS: Okay.

MR. CROCKETT: But we have been in contact with the builder who is building those units, who has to sell houses backing up to this development. You know, that's his concern is I'm going to build houses backing up to PUD. What am I going to do? Am I going to have three-story apartment buildings? Am I going to have, you know, college students? In this case here, now he knows I can sell houses. I feel comfortable building backing up to single-story, highly landscaped, residential-care facility.

MS. BURNS: Thank you.

MR. REICHLIN: Any other questions? Ms. Loe?

MS. LOE: On that side, it looks like they're actually higher -- a little bit higher. I was just -- the retaining wall, is it a short retaining wall or --

MR. CROCKETT: It is a short retaining wall.

MS. LOE: Okay.

MR. CROCKETT: But the retaining wall, the building sits down --

MS. LOE: Right.

MR. CROCKETT: -- and the -- and the retaining wall comes up, and the landscaping is on top of the retaining wall.

MS. LOE: Right. The houses are higher than Americare?

MR. CROCKETT: They are. That is correct. I mean, let me go back to that. Yes. Yes. The houses will be higher than Americare, so they're not going to look up at it, they'll basically look over it, and they will have architectural roofs, architectural shingles. It will all look very, you know, fine with a residential development.

MR. REICHLIN: Any other questions? I just wanted to, for the record, I'm getting what you haven't said that the 24-foot maximum height is not going to extend to the parcel north of --

MR. CROCKETT: That is correct. That is correct.

MR. REICHLIN: All right.

MR. CROCKETT: We don't know -- we don't have a plan for that piece of property at this time. We don't know. We would love for it to be 24-foot maximum height as a residential-care facility. We don't have a buyer for that piece of property at this time. We want to maintain the exact current uses that we have on that property right now, so that's what we're -- that's what we're asking for, to maintain those exact same uses.

MR. REICHLIN: Thank you. Are there any other questions? Seeing none --

MR. CROCKETT: Excuse me. With the exception of the residential-care facility.

MR. REICHLIN: All right. Anybody else wishing to speak on this matter? Thank you. Feel free.

MR. HERSHBARGER: I'm Robert Hershberger, and I live at 1908 Muirfield Drive, which is right across the street from all this development, and they have four houses now under construction, so we'll soon have some new neighbors. Our association said that we have no objections to this development, and our initial objections were the height of the buildings, the height of the light poles. We didn't want the lights shining out, and we wanted that berm between the assisted-living facilities and the residences along Muirfield Drive and so -- yeah. And I can never remember the name -- Kenilworth Drive. So the only thing that we wanted to be sure of, other than those four things -- and Mr. Parson and Mr. Crockett assured us that those would be taken care of by tonight, and they were. And from my understanding, I think the other main concern that Heritage Meadows had was what was going to happen to that section of land up above or north of the new Southampton Road. And we were concerned that it would be restricted to residential use, even though it had an apartment -- or had an office designation, that it should have office designation -- assisted living or office designation apartments. What we didn't want along that street, although we're somewhat removed, was real estate offices, the insurance offices, dental offices, or those types of things. We wanted it to maintain our residential environment. And my -- am I correct that this is what will only be allowed in there unless it is brought back for some rezoning which would be appropriate? Is this correct?

MR. MACINTYRE: Yes. That's correct.

MR. HIRSHBEIN: All right. That -- that puts us in good -- good position. We're happy with that. And we have one other little issue, which is -- doesn't really have anything to do with the discussion tonight, but it's appropriate for the discussion. I -- I don't know if you can see on the map where Kenilworth comes down, comes around, and comes into Muirfield. Can you show that? Okay. Now, people coming down that or that other little street -- could you put the arrow on up to Kia -- okay. People coming down from Southampton to Kenilworth, they come down to South -- come that -- come on down with the arrow down to Muirfield. There. Bang. If you look at that intersection, the curve part -- portion of that coming up to where the arrow is is coming uphill. And as soon as they get up the hill, they come right up on Kenilworth. I have a mental block against that name for some reason. Anyway, there's a very short site there, and we would appreciate if the City, to make it a safe environment around this whole new addition, would install a stop sign there because we've had -- I've had three mailboxes taken down and our house sets right just about next to the end of that. The people come up that on an icy day, come around the curve, lose control, and bang. They -- and in the winter, if there's a lot of traffic -- because the other subdivisions, if you remember, around that, all of the kids go to Mill Creek School, and they do drive up Northfield to get there. So with that comment, we no longer have any objections to -- to the development and we'd be pleased to have them as neighbors.

MR. REICHLIN: Thank you very much. Any questions of this speaker? Seeing none, thank you. Anybody else wishing to speak on this matter? Seeing no one, we'll close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners?

MS. RUSSELL: I think to be clear, we need to make this two separate motions, so we don't --

MR. REICHLIN: I think we're -- yeah. We'll try and catch that at the --

MS. RUSSELL: Okay.

MR. REICHLIN: -- end. Yeah. You're not doing --

MS. RUSSELL: I'll do it.

MR. REICHLIN: Okay. Well, are we ready to do -- is there anybody -- a need for discussion?

Anybody have anything worthy -- any concerns?

MS. RUSSELL: Okay. Regarding Case 14-109, I move to approve the proposed rezoning of 15.7 acres of land from PUD to O-P.

MR. REICHLIN: Including the --

MS. RUSSELL: Including the associated Statement of Intent.

MR. STRODTMAN: I'll second it.

MR. REICHLIN: Second by Mr. Strodtman. Roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: Motion for approval will be forwarded to City Council.

MR. REICHLIN: Okay. So Ms. Russell, did you want to wrap us up?

MS. RUSSELL: Oh, sure. Regarding Case 14-110, I move to approve the proposed O-P Development Plan and associated Design Parameters subject to the -- no. Just the Design Parameters.

MR. REICHLIN: I'll second that one. Okay. Roll call, please?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: Motion for approval will be forwarded to City Council.

MR. REICHLIN: Okay. That concludes our public hearings.

VI) COMMENTS OF PUBLIC

MR. REICHLIN: We'll entertain comments of the public at this time. Seeing none.

VII) COMMENTS OF STAFF

MR. ZENNER: It's not often that you don't get to hear me speak more this evening, but I'm trying to spread the wealth. Obviously, Mr. Crockett took up all of your time tonight.

MR. REICHLIN: And he was -- he was riveting.

MR. ZENNER: I can imagine.

MR. REICHLIN: Yeah.

MR. ZENNER: Your next meeting will be July 24th, and it will be another barn burner for you, so fasten your seatbelts and have your cappuccinos and Starbuck's before you come. We will be meeting regular time, regular place, 7:00 p.m. for our regular public hearing, and then our work session at 5:30.

Your agenda items for the 24th consist of a total of five again. The Worley Street Subdivision is a final plat and a variance. This is located across from the CPS Asland headquarters offices and immediately to the east of the Machens Ford dealership. You have three items on your agenda for the 24th that deal with Discovery Park, and this is a project that we are seeming to go through an incarnation after incarnation. Hopefully, though, this is the last time we will be replatting the property. So you have a subdivision plat and that incorporates a redesign of a whole series of easements and everything else, which are being processed through our City Council as a separate action. You have then a C-P Development Plan for the first C-P lot out here, and this is being -- it's part of the replat as well. It was originally a single 6.15-acre lot. It is now being proposed as four lots for four office buildings. It's no longer one six-story office building as it was originally proposed when it was approved earlier -- late last year. And then finally the last item that is with Discovery Park is an entire reworking of the southern portion of the original subdivision plat and a rezoning. That original area included PUD-4 off of a cul-de-sac, included O-P and C-P planned land area. We are now having this property rezoned and it is two lots, not an original 15 or so, into all C-P. There will be a small portion of PUD-4 land that will be included in the rezoning action, but it does not have a development plan on it. So we're going to cover these as you see them on the agenda. Each of the items is going to be separate and they are unique, so it'll be a little bit simpler than this evening, that we're not going to be asking for multiple recommendations as related to parallel projects. And finally the last item on the agenda -- and can I have a drum roll, please -- we will be talking about the C-2 revisions, so for those in TV land, we do have the ordinance as amended in its final state, as you have discussed at a work session prior. It has been out for roughly two and a half weeks. We have noticed all of our C-2 property owners, and it is available on our City's website under the Planning and Zoning Commission agenda at this time for the May 24th meeting. This is a continuance of the public hearing from May 22nd and April 24th. We also, to ensure that the public was aware of it, we did replace the advertisement for this public hearing. It ran this past Tuesday. So we have attempted to make sure that everybody is aware that we are amending C-2. And Mr. Teddy will be gracing the presence of the Planning Commission in the presentation, not I. Your maps, to just give you an idea of where we're going to be traveling at the next meeting, the Worley Street project, Machens Ford immediately there to the west, and then the Asland Center with west middle to your south. The C-2 or the C-P plan parcel for Discovery Park, and that will be basically the C-2 -- C-P -- or block two C-P plan. Your areas then, as we deal with as we move forward and the map that is from 120 covers the much broader area of the rezoning and the development plan for the bulk of the Discovery Park property that we have previously platted. It will also be platted again into a different lot configuration. You'll notice in the background of this graphic, there are several roads that are in dashed lines behind the hatch work that you may or may not be able to make it and you'll see some lots that are at the very southwest corner, all of that is being eliminated. It's being vacated through separate vacation action for the roads and then through the platting action, all of the existing lots will be vacated. There has been nothing constructed out there at this point. Therefore, basically, we're basically wiping the chalkboard clean, starting again with a development plan that will hopefully be able to be followed. Developer is still trying to nail down all of the development pattern out

there as it relates to the market demands. This development plan hopefully will eliminate the need for a future change. Those are your five items for the agenda. It will be lengthy. And as I said, make sure you have your Starbuck's and get your go-go juice, because we may be here a while. There was a question that came up during our work session as it related to the published calendar for our first meeting in September. It does show up on September 4th. That is the Thursday following the Labor Day holiday. Our meetings do occur after the first and third Mondays of every month, and they follow Council. Council's meeting would have fallen on Labor Day, which is September 1st this year. It will be pushed to September 2nd. Therefore, the date that is on the calendar for September 4th is your first Planning Commission meeting in the month of September. So just to make that clear so we know, yes, it is startling, but we will be having a meeting. So with that, I appreciate your attention for tonight.

VIII) COMMENTS OF COMMISSIONERS

MR. REICHLIN: Well, obviously, you would have to wonder if there would be any comments from Commissioners after that rendition, but I do -- anybody? No.

IX) ADJOURNMENT

MR. REICHLIN: And I'll entertain a motion for adjournment.

MS. LOE: Adjourn.

MS. BURNS: Second.

MR. REICHLIN: Adjourned. Thumbs up. Let's go.

(The meeting adjourned at 9:00 p.m.)