

Council Bill: B 162-13

MOTION TO AMEND:

MADE BY: _____

SECONDED BY: _____

MOTION: I move that Council Bill B 162-13 be amended as set forth on this amendment sheet.

=====

Material deleted from the original bill is shown in ~~strikeout~~;
material added to original bill shown underlined.

The title is amended as follows:

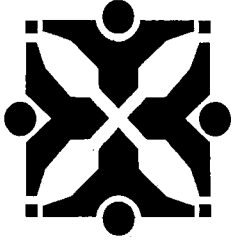
rezoning property located on the south side of Conley Avenue, between Fourth Street and Fifth Street, from R-3 to PUD-90; approving The Residences at Fifth and Conley PUD Site Plan and setting forth ~~a condition~~ conditions for approval; approving the statement of intent; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

Section 2 is amended as follows:

SECTION 2. The City Council hereby approves the PUD Site Plan of The Residences at Fifth and Conley, dated June 10, 2013, for the property referenced in Section 1 above, subject to the following conditions: ~~that the issuance of building permits for the property shall be withheld until an additional pedestrian impact analysis has been provided to the City's traffic engineer. The developer shall comply with the recommendations of the pedestrian impact analysis or obtain a waiver from the City Council prior to the issuance of a certificate of occupancy.~~

1. The developer shall enter into a parking space agreement with the City of Columbia securing 50 additional spaces in the Fifth Street and Walnut Street parking garage so that no less than 165 parking spaces shall be provided by a combination of on-site and off-site spaces.
2. Perimeter setbacks shall be as follows:

- a. Zero-foot front yard setback along the Conley Avenue frontage;
 - b. One-foot side yard setback along the Fourth Street frontage;
 - c. Four-foot side yard setback along the Fifth Street frontage; and
 - d. Five-foot rear yard setback.
3. The issuance of building permits for the property shall be withheld until an additional pedestrian impact analysis has been provided to the City's traffic engineer. The developer shall comply with the recommendations of the pedestrian impact analysis or obtain a waiver from the City Council prior to the issuance of a certificate of occupancy.



Source: Community Development - Planning ^{TK}

Agenda Item No: Supplemental
Information
B 162-13

To: City Council
From: City Manager and Staff ^{MM}

Council Meeting Date: Jul 1, 2013

Re: Collegiate Housing Partners, LLC request for rezoning from R-3 (Medium Density Dwelling District) to PUD 90 (Planned Development 90 units/acre) (**Case # 13-79**) - **Supplemental Information**

EXECUTIVE SUMMARY:

An amendment sheet has been prepared that enables Council to approve the above-noted zoning and development plan with a modification as recommended by the Planning and Zoning Commission, should Council so desire. The amendment sheet also incorporates two agreed-upon conditions of approval, a parking space agreement and pedestrian impact analysis.

DISCUSSION:

The original staff report to Council indicates there is one condition of approval recommended by the Planning & Zoning Commission (and the staff) with which the applicant does not agree. That condition reads as follows:

2. **Approval** of a variance to the 25-foot perimeter setback, based on infrastructure upgrades, provided that setbacks be as follows:

- a. 0-foot front (along Conley)
- b. 1-foot side (on 4th Street)
- c. 4-foot (on 5th Street)
- d. 5-foot rear (south property line)

(The applicant **does not agree** with this condition and seeks 0-foot front and side setbacks and 4-foot rear setback. If Council desires to apply setbacks as shown above, an amendment sheet will be necessary).

It should be emphasized that the development plan as currently proposed **does comply** with the recommended setbacks; the "statement of intent," which describes the zoning rules applicable to the property, does not. The property owner could make modifications to the plan that do not comply with the recommended setbacks and instead would have zero setback on the Fourth Street (west), Conley Road (north), and Fifth Street (east) sides of the property, and a four foot minimum setback along the south property line.

The amendment sheet also adds the condition that the developer enter a parking space agreement with the City to secure 50 additional parking spaces for the development in the Fifth & Walnut Street parking garage (this is included on Council's agenda as a separate bill); and the condition that the developer submit additional pedestrian impact analysis to the City Traffic Engineer.

FISCAL IMPACT:

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

Council should approve the requested PUD 90 zoning classification and accompanying development plan with modifications to the ordinance to include the minimum setbacks as recommended by the Planning &

Zoning Commission; the parking space agreement; and the requirement that additional pedestrian impact analysis be provided as conditions of approval.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

Council Bill: B 162-13

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Section 2 is amended as follows:

SECTION 2. The City Council hereby approves the PUD Site Plan of The Residences at Fifth and Conley, dated June 10, 2013, for the property referenced in Section 1 above, subject to the condition that the issuance of building permits for the property shall be withheld until an additional pedestrian impact analysis has been provided to the City's traffic engineer. The developer shall comply with the recommendations of the pedestrian impact analysis or obtain a waiver from the City Council prior to the issuance of a certificate of occupancy.

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 162-13

AN ORDINANCE

rezoning property located on the south side of Conley Avenue, between Fourth Street and Fifth Street, from R-3 to PUD-90; approving The Residences at Fifth and Conley PUD Site Plan and setting forth a condition for approval; approving the statement of intent; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 3831, PAGE 110, BOOK 2800, PAGE 99, BOOK 1071, PAGE 640, AND THE TRUSTEE'S DEEDS RECORDED IN BOOK 2683, PAGE 160, AND BOOK 3508, PAGE 40, AND BEING ALL OF LOTS 1, 2, 3, 4, 5, & 6 OF BROADHEAD PLACE RECORDED IN PLAT BOOK 2, PAGE 45 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SURVEY RECORDED IN BOOK 316, PAGE 547, AND WITH THE NORTH LINE THEREOF, N 81°28'55"W, 380.14 FEET TO THE NORTHWEST CORNER OF SAID SURVEY AND THE EAST RIGHT-OF-WAY LINE OF FOURTH STREET; THENCE LEAVING THE LINES OF SAID SURVEY AND WITH SAID EAST RIGHT-OF-WAY LINE, N 5°47'00"E, 120.66 FEET; THENCE 22.99 FEET ALONG A 15.00 FOOT-RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 49°41'05"E, 20.80 FEET; THENCE S 86°24'50"E, 86.94 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CONLEY AVENUE; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE OF FOURTH STREET AND WITH SAID SOUTH RIGHT-OF-WAY LINE, S

81°18'05"E, 286.16 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIFTH STREET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE OF CONLEY AVENUE AND WITH SAID WEST RIGHT-OF-WAY LINE, S 0°39'45"E, 9.10 FEET; THENCE S °23'00"W, 133.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.25 ACRES.

will be rezoned and become a part of District PUD-90 (Planned Unit Development) with a development density not exceeding 90 dwelling units per acre and taken away from District R-3 (Medium Density Multiple-Family Dwelling District). Hereafter the property may be used for all permitted uses in District PUD.

SECTION 2. The City Council hereby approves the PUD Site Plan of The Residences at Fifth and Conley, dated June 10, 2013, for the property referenced in Section 1 above, subject to the condition that the issuance of building permits for the property shall be withheld until an additional pedestrian impact analysis has been provided to the City's traffic engineer. The developer shall comply with the recommendations of the pedestrian impact analysis or obtain a waiver from the City Council prior to the issuance of a certificate of occupancy.

SECTION 3. The City Council hereby approves the terms and conditions contained in the statement of intent dated June 10, 2013, attached hereto as Exhibit A and made a part of this ordinance. The statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

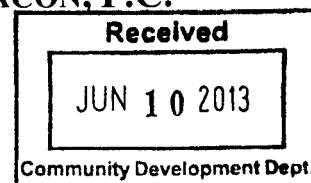
City Counselor

VAN MATRE, HARRISON, HOLLIS, TAYLOR, AND BACON, P.C.

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
1103 EAST BROADWAY
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EVERETT S. VAN MATRE
(1922-1998)
* ADMITTED IN MISSOURI AND ILLINOIS

June 10, 2013

Tim Teddy, Director
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201
Via Hand Delivery

Pat Zenner
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201
Via Hand Delivery

RE: Statement of Intent / Application for Permanent Rezoning and Planned Unit
Development Plan / Collegiate Housing Partners, LLC (the "Applicant")

Dear Mssrs. Teddy and Zenner,

The following is intended to satisfy the requirements of Section 29-10(e)(2) of the City's
Zoning Ordinances:

- a. The uses proposed for the site are all uses permitted in Section 29-10 of the City's zoning ordinances, which specifically includes, without limiting the foregoing, a sales and leasing office.
- b. The types of dwelling units shall be: Multiple-Family, including, without limiting the foregoing, 1, 2, 3, and/or 4 bedroom units.
- c. The maximum number of dwelling units shall be 103 units and maximum density shall be 90 units per acre.
- d. The maximum building height proposed for the Property is 80 feet measured from the highest curb elevation adjacent to the Property.
- e. The total number of parking spaces proposed is 165 and the proposed parking ratio per dwelling unit is 1.6 (165/103); however, the actual number of parking spaces and parking ratio shall be determined by an approved PUD plan for the Property and the documentation referenced in paragraph i. below.

REVISED
6/10/13

f. The minimum percentage of the site to be maintained in open space shall be 9% in landscaping and 0% left in existing vegetation.

g. A swimming pool is proposed as an amenity.

h. The PUD Plan is generally described as a plan containing Multiple-Family 1, 2, 3, and 4 bedroom units and any combination of same. There shall be no minimum lot size. Units may be contained on a single zero lot line lot, a single family lot, or on a large lot containing several units. There shall not be any minimum front or side yard setback requirements; however, there shall be a minimum setback from the south property line of 4 feet. There shall be no minimum setbacks from perimeter or interior streets or between buildings.

i. The Applicant shall lease up to 50 spaces from the City in such downtown parking garages for use by residents of the Property. The Applicant shall be charged by the City for such spaces no more than the average monthly rate of the then current rates charged by the City for corresponding parking spaces within the parking garages owned by the City and within the downtown area of the City. Such spaces shall be reserved by the City for the exclusive use of same by the residents of the Property. The City and the Applicant shall memorialize any such arrangement by executing an agreement substantially in the form as the agreement approved by the Applicant and approved by City Council on the same date as the accompanying rezoning and PUD plan.

j. Following the completion of construction of the project and students taking residence on the Property, the Applicant shall purchase a minimum of 100 FastCat transit system bus passes, at a price of \$62.50 per pass, for each fall and spring semester session of the University of Missouri. The Applicant shall continue to purchase FastCat bus passes, so long as the FastCat system is providing transit services that are reasonably useful to the residents of the Property at a commercially reasonable price.

k. The Applicant shall make available to the residents of the Property at least one shared car for the residents to use for transportation purposes (e.g., WeCar offered through an arrangement with Enterprise Car Rental).

Thank you for your attention to this matter.

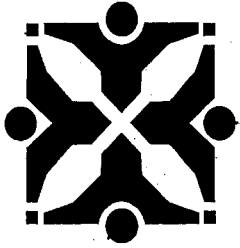
Sincerely,

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.

By:


Robert N. Hollis

RNH/jac



Source: Community Development - Planning

PEZ for SS
Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Jun 17, 2013

Re: Collegiate Housing Partners, LLC request for rezoning from R-3 (Medium Density Dwelling District) to PUD 90 (Planned Development 90 units/acre) (**Case # 13-79**)

EXECUTIVE SUMMARY:

A request by Collegiate Housing Partners, LLC to rezone approximately 1.25 acres from R-3 (Medium Density Multiple Family Dwelling) to PUD-90 (Planned Residential Development maximum 90 units per acre), to approve a PUD Development Plan to be known as "The Residences at 5th and Conley", and to grant variances to maximum building height, minimum perimeter setbacks, minimum landscaping/open space, and required parking. The subject site is located on the northern half of the block bounded by Conley Avenue, 5th Street, Turner Avenue, and 4th Street. (Case#13-79)

DISCUSSION:

This is a request to permit the construction of a six-story, 103-unit (351 bed) student housing development on 1.25 acres. The proposed development density will be a maximum of 90 units per acre and is identified as lying in "City Center" district of the Metro 2020 plan.

The subject site is located within a block of one and two family rental residential structures. The site is located adjacent the University of Missouri's Lewis and Clark (south) and Mark Twain (north) Halls as well as surface parking (east) and the Conley Street Parking Garage (northeast). The first floor of the proposed development will be a parking garage with capacity to accommodate a minimum of 115 vehicle parking spaces and 90 bike parking spaces. Access to the garage will be from 5th Street.

The applicant is seeking variances to the height of the building, the perimeter setbacks, landscaping and open space, and required on-site parking. The requested variances are sought so that its more urban design and density may be possible within the PUD zoning district. If the proposed construction were within a C-district (traditionally where the proposed density is found) the requested variances would not be required.

Of the variances sought, setbacks and parking were seen as the most significant issues. The applicant desires to have zero setbacks along all street frontages and a minimum 4-foot setback on the rear of the property. The applicant also has requested that a 134 space parking variance be approved. The submitted development plan, to be approved with this request, shows a building footprint with setbacks from the proposed property lines greater than the requested variances. The plan also indicates that 124 parking spaces would be provided accommodating approximately 50% of the required parking per code.

The applicant has agreed to enter into a parking agreement with the City for an additional 50 parking spaces off-site within the 5th and Walnut parking garage. The addition of these parking spaces would increase the parking availability to approximately 70% of that required by code. Additionally, the development plan shows right-of-way upgrades along all of the adjacent streets. Paving improvements along Conley Avenue and 4th Street will permit approximately 18 additional on street parking spaces to be provided. This parking has not been added to the applicant's parking space inventory since it is not designated solely for their use.

The Planning and Zoning Commission, at its June 6, 2013 meeting, voted 7-2 to approve the rezoning request and requested variances **subject to staff's recommendations** as outlined in the attached staff report and below. During its discussion, the Commission noted that the project was a right fit for the area. Commissioners felt the use of a PUD was appropriate and that the density, height, landscaping/open space were appropriate given the the context of the site. Commissioners did indicate that granting the variances as requested would establish, in essence the development of regulations of a C-2 zone, which was not

appropriate and could establish a precedent. Concern expressed by the dissenting votes focused on the possible issues with parking and deviation in the design of the building from what was proposed.

The applicant and its agents spoke regarding the project. Their comments focused on the parking alternatives being proposed with the development (i.e. FastCat bus passes, bike-share, WeCar program, parking agreement with City), consistency with the City's Metro 2020 Plan designation, and location adjacent to the University's campus. The applicant **did not** agree with the Commission's recommendation regarding proposed setbacks.

Two citizens spoke in favor of the project. They indicated their support of the project was based on the transportation alternatives proposed as well as the project's "ideal" location. No one spoke in opposition to the development.

A copy of the staff report including locator maps, PUD development plan, SOI, applicant response comments, traffic study, and correspondence as well as meeting excerpts are attached for review.

FISCAL IMPACT:

Approval of this request will result in the following on and off-site improvements being provided: 1) right-of-way and paving improvements to Conley Avenue and 4th Street, 2) sidewalk installation along 5th Street and upgrades to 4th Street and Conley Avenue, 3) extension of city sanitary service to the site, and 4) underground installation of all overhead utilities. All improvement to be installed at the applicant's cost as part of development approval.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

This request supports Goal 5.3 and specifically Strategy 5.3.1 of the Vision Report. The development will provide opportunity to construct residential dwellings within walking distance of amenities such as schools, places of worship, shopping and recreation facilities; and that are supported by citywide bicycle, pedestrian, and transit systems.

SUGGESTED COUNCIL ACTIONS:

Approval of the requested rezoning and development plan, subject to the following, which were recommended by the Planning and Zoning Commission and accepted by the applicant except as otherwise noted:

1. **Approval** of a variance in the required number of on-site vehicle parking spaces provided that:

a. A parking space agreement be executed securing 50 additional parking spaces and the SOI be modified to specify that **no less than 165 spaces** will be provided in a combination of on-site and off-site spaces. Such agreement to run with the land and to be finalized prior to 2nd reading at Council. **{Item is being drafted by Legal Department and will be presented concurrently with this request.}**

2. **Approval** of a variance to the 25-foot perimeter setback, based on infrastructure upgrades, provided that setbacks be as follows:

- a. 0-foot front (along Conley)
- b. 1-foot side (on 4th Street)
- c. 4-foot (on 5th Street)
- d. 5-foot rear (south property line)

(The applicant **does not agree** with this condition and seeks 0-foot front and side setbacks and 4-foot rear setback. If Council desires to apply setbacks as shown above, an amendment sheet will be necessary).

3. **Approval** of a variance in the amount of required landscaping and open-space.

4. **Approval** of a variance in structure height.

5. Modification of the Statement of Intent (SOI) to correct the maximum number of units based on the revised "net" acreage after right-of-way dedication. **{Correction has been made to the attached SOI}**

6. Building permits be withheld until additional pedestrian impact analysis has been provided to the City Traffic Engineer's. **{Applicant agreed to condition}**

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	5.3
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	5.3.1
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 6, 2013**

SUMMARY

A request by Collegiate Housing Partners, LLC to rezone approximately 1.25 acres from R-3 (Medium Density Multiple Family Dwelling) to PUD-90 (Planned Residential Development maximum 90 units per acre), to approve a PUD Development Plan to be known as "The Residences at 5th and Conley", and to grant variances to maximum building height, minimum perimeter setbacks, minimum landscaping/open space, required parking, and required public right-of-way width on adjoining public streets. The subject site is located on the northern half of the block bounded by Conley Avenue, 5th Street, Turner Avenue, and 4th Street. (Case# 13-79)

DISCUSSION

Request Overview -

The applicant is seeking approval to rezone 1.25 acres from R-3 to PUD 90 to permit construction of a 6-story, 103-unit (maximum) student housing development. The ground floor of the proposed construction would incorporate a parking structure capable of accommodating a minimum of 115 vehicle parking spaces and 90 bike parking spaces. The proposed construction would have an on-site leasing office at the corner of 5th Street and Conley Avenue. An on-site (rooftop) pool and student study deck are proposed as amenities for the development.

The following variances are being sought in connection with this project:

1. **A 35-foot variance in structure height.** Applicant desires to construct a maximum 80-foot tall structure.
2. **A variance to the 25-foot perimeter setback.** Applicant requests 0-foot front and side setbacks and 4-foot rear setback (south property line).
3. **A 6% variance in the amount of required landscaping and open-space.** Applicant proposes to provide 9% landscaping/open space verses required 15%.
4. **A 134 space on-site parking variance.** Applicant proposes minimum of 115 on-site vehicle parking spaces. 249 spaces are required (this includes 15-space bike parking credit).
5. **A variance to the required half-width road right-of-way upgrades.** Applicant requests waiver of half-width right-of-way upgrades to all adjacent street. **(Eliminated through plan revisions)**

Site Context –

- Urban and located on the southern edge of the Central City district
- Improved with sidewalks (5-feet at back of curb) on 5th Street and Conley Avenue – no sidewalk on 4th street. 10-foot sidewalk (at back of curb) on 5th Street adjacent to Mark Twain Hall
- On-street parking available on the west side of 4th Street only
- Surrounded by mix of residential uses:

North	Mark Twain Hall and parking facilities
Northeast	Conley Avenue parking garage (4-stories)
East	University surface parking lot
South	Two and three story multi-family residential, Lewis & Clark Hall (8 stories) & parking facilities (south of Turner Avenue)
West	Single-family residential

- The streets surrounding the development site are substandard.

The applicant prepared a traffic impact study that has been reviewed by the City's Traffic Engineers. Based on staff review, the site plan has been modified from its original submission to:

- a) Provide required half-width upgrades on all adjacent streets
- b) Show an increase in the pavement width (to 28 total feet) on 4th Street and Conley Avenue which will ensure compliance with the "residential" street standards and offer the opportunity for potential on-street parking.
- c) Provide a 10-foot sidewalk along 5th Street and 6-foot sidewalks along 4th and Conley Streets. The sidewalk width on 4th Street and Conley Avenue, while smaller than requested by staff, is the maximum possible based on upgraded right-of-way and additional pavement width. Sidewalks will be located along the back of the curb which is typical in the C-2 District.

There are additional traffic study comments that have not been addressed through the revised site plan which require additional analysis by the Traffic Consultant. The staff's traffic study comments and the study itself attached. The outstanding comments can be addressed prior to the final plat approval or issuance of building permits.

Site Plan -

The attached site plan illustrates the construction of an "urban" style building that:

- Is located within the required 25-foot perimeter setback (**variance requested**)
- Provides less landscaping/open space than required (**variance requested**)
- Is 6-stories tall (maximum 80-feet) (**variance requested**)
- Provides fewer parking spaces than required (**variance requested**)
- Provides 75 more bike parking spaces than required
- Will include a combination of 10 & 6-foot sidewalks on all frontages (adjacent to back of curb)
- Provides required half-width upgrade on all adjacent streets and increased pavement width on 4th Street and Conley Avenue. (**Original variance no longer necessary**)

Variance to required 25-foot perimeter setback -

The applicant is seeking no setbacks along the front and side property lines and a four-foot setback on the rear property line. The establishment of the proposed setbacks would permit this site to develop in a similar fashion to other urban lots within the C-2 district. The purpose of the perimeter setback for a PUD is to provide landscaping and buffering from less intense development similar to that surrounding the subject site.

Given the desire to construct an urban-style development the requested reductions are understood; however, are inconsistent with the adjacent development. Many of the surrounding structures are not compliant with the current zoning setbacks; however, are considered legal non-conformities. Additionally, while taller and more significant buildings (i.e. Lewis and Clark Hall, Mark Twain Hall, and Conley Avenue Parking Garage) are near the proposed development site they are also setback from the adjacent property lines.

Considering the applicant has upgraded all the adjacent roadway half-widths and will improve the pavement width on 4th Street and Conley Avenue to meet the "residential" street standards, it is not possible to obtain the required 25-foot perimeter setback. Staff finds that the provided upgrades and future urban frontage that will be created are not undesirable in this location. The development plan clearly identifies a building envelope which, by default, creates setbacks.

Variance to required landscaping/open space -

The requested reduction in the amount of landscaping/open space is influenced by two factors – the building design, and the increase in adjacent right-of-way and pavement sections. As a result of these factors, the applicant's ability to meet the 15% landscaping and open space standards has been diminished and necessitated the requested variance.

Given the fact that urban-style C-2 development does not have a landscaping requirement and that the proposed construction desires to emulate that pattern, the reduction of the required landscaping and open space by 6% is not objectionable. Development within the same block is significantly impervious. Most of the adjacent lots, due to their multi-family nature, are paved over. Development on these sites occurred prior to the adoption of the existing landscaping regulations.

Concern exists; however, that the existing tree canopy along the southern property line will be eliminated further increasing the impact on adjacent residential uses. Furthermore, the setback proposed along this property line is questionable in its width to permit the replacement landscaping. Landscaping along this property line should consist of materials that, upon planting, will assist in reducing the visual disparities between the existing and proposed development and will, within four growing seasons, provide substantially similar screening that exists today.

Variance to building height -

The applicant proposes to construct a 6-story, 80-foot maximum, tall building on the site. The proposed construction will be within 5.1 feet of the southeastern property line and will be approximately 12 feet from the closest adjacent structure. The PUD district allows construction of buildings up to 45-feet tall "by right" when complying with the setback requirements. For each additional foot of height above the permitted 45-feet one foot of additional setback shall be provided from all property lines. As noted above the applicant is seeking to eliminate front and side setbacks and reduce the rear setback.

The adjacent development within the immediate block consists of two and three-story structures on property sloping to the south and west. The proposed structure will be significantly greater in height than the immediately adjacent development; however, not greater than the height of similar adjacent buildings in the surrounding vicinity. The site's location between the taller Lewis and Clark Hall and Mark Twain Hall will allow the proposed structure to visually blend into the adjacent area.

The mass of the building and its placement on the site is of greater concern than its overall height. The taller structures surrounding the site will allow the proposed construction to blend more naturally into the neighborhood. If greater setbacks were provided the public realm surrounding the building could be established which, in staff's opinion, would better integrate the building into the neighborhood.

Variance in on-site parking -

The applicant is seeking approval of a **134 space parking variance** with this proposed development. The variance is based upon the ordinance requirement minus the SOI minimum parking to be provided.

The parking requirements of Section 29-30 shall apply to all PUD requests; however, Section 29-10(d)(10) allows the applicant to request or the Planning Commission to recommend and Council to approve a lesser requirement. The Commission's and Council's action to reduce parking shall consider "the availability of other parking in the area (including parking on public streets) and other relevant factors" in determining if a lesser requirement is appropriate.

In meeting the above stated evaluation criteria, the applicant has provided a letter (attached) giving justification for the proposed parking variance. If the variance is granted, the **minimum** parking to be

provided on-site would constitute 46% of that required by the code. The development plan; however, shows that approximately 50% of the required parking is being provided. The applicant has indicated that it desires to build a project that is more transit and multi-modal (i.e. bike or shared-car service) supported.

The attached letter shows the applicant's innovation and diligence in investigating options to support the reduction in parking. However, concern exists that several of the suggested reasons to support the variance are not based on directly applicable comparisons, binding agreements, or actual data that can be verified. Below are the staff's concerns with the justification that was provided.

- The development comparisons from other university towns does not take into account the nature of the metropolitan environments that those projects are located in nor the available transit services.
- There is no binding agreement between the City and the applicant related to the 50 additional parking spaces. Such agreement, at the time of report preparation, was being prepared by the City Law Department.
- Provision of only 100 bus passes for 354 potential residents appears to be leaving a gap in providing alternative transportation services. If 174 (124 on-site and 50 off-site) of those 354 residents brought and parked vehicles that would leave 80 residents with no public transit option. The applicant reserves the sole discretion to cease the purchase of bus passes.
- No evidence has been supplied support the effectiveness of "shared vehicle" services in markets similar to Columbia's or in developments similar to that proposed.
- The ability to obtain "economically feasible" parking off-site for students has not been supported by any documented evidence.

RECOMMENDATION

Considering the location of the proposed site and the desire to support increased density within the Central City district this proposal presents several challenging issues. As a location for student housing, this development is considered well-suited given its proximity to the University's campus and access to future services.

While redevelopment of this site has several attractive aspects, there are issues with a building as large as proposed. As discussed above, several variances will be needed to allow the proposed development to become a reality. Future redevelopment of the immediate block and similar environments will ultimately be effected by the outcome of this request. Considering this, caution must be exerted to ensure that the impacts the proposed development will likely create do not overwhelm the surrounding area.

The principal difference between development's within the downtown core and that proposed is location and adjacent zoning. Intense urban style development is seen as compatible within the downtown core; however, not within this particular location. As such, staff believes that the proposed PUD zoning and Statement of Intent restrictions combined with the recommended variance actions, shown below, will ensure that the proposed development can be successfully integrated into its proposed environment.

Staff recommends **APPROVAL** of the requested PUD 90 rezoning and PUD development plan, subject to their revisions as stated below as well as action on the five requested variances as stated below.

1. *Variance in the required number of on-site vehicle parking spaces.* **Denial.** However, if the Commission supports the request is it recommended that:
 - a. A parking space agreement be executed securing 50 additional parking spaces and the SOI be modified to specify that **no less than 165 spaces** will be provided in a

combination of on-site and off-site spaces. Such agreement to run with the land and to be finalized prior to 2nd reading at Council.

2. *Variance to the 25-foot perimeter setback.* **Denial.**
 - a. Staff would support, based on infrastructure upgrades:
 - i. 0- foot front (along Conley)
 - ii. 1-foot side (on 4th Street)
 - iii. 4-foot (on 5th Street)
 - iv. 5-foot rear (south property line)
3. *Variance in the amount of required landscaping and open-space.* **Approval**
4. *Variance in structure height.* **Approval**
5. Modification of the SOI to correct the maximum number of units based on the revised "net" acreage after right-of-way dedication.
6. Building permits be withheld until additional pedestrian impact analysis has been provided to the City Traffic Engineer's.

SUPPORTING DOCUMENTS (ATTACHED)

- Aerial/zoning maps
- Development plan
- Response to comments letter
- Statement of Intent
- City Traffic Engineer comments and Traffic Impact Study
- Correspondence

SITE CHARACTERISTICS

Area (acres)	1.25 acres
Topography	Sloping to the west with 16-feet of fall from 5 th Street
Vegetation/Landscaping	Mostly paved/impervious; some landscaping
Watershed/Drainage	Hinkson Creek
Existing structures	6 rental residential structures

HISTORY

Annexation date	1826 (part of the original town of Columbia)
Zoning District	R-3 (Medium Density Multi-family District)
Land Use Plan designation	City Center
Previous Subdivision/Legal Lot Status	Legally platted as Lots 1-6 of "A Plat of Broadhead Place"

UTILITIES & SERVICES

All City services are available to the site.

ACCESS

5th Street	
Location	East side of site
Major Roadway Plan	Local residential (improved & City-maintained), requiring 50 ft of ROW. 40 ft existing ROW. 5 ft additional half-width required
CIP projects	None

Conley Avenue	
Location	North side of site
Major Roadway Plan	Local Residential (improved & City-maintained), requiring 50 ft of ROW. 35 ft existing ROW. 7.5 ft additional ½ width ROW needed. 5 ft provided.
CIP projects	None

4th Street	
Location	West side of site
Major Roadway Plan	Local Residential (improved & City-maintained), requiring 50 ft of ROW. 40 ft existing ROW. 5 ft additional ½ width ROW needed.
CIP projects	None

PARKS & RECREATION

Neighborhood Parks	Flat Branch Park is north of site.
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	N/A

Parks and Recreation Commission discussed this project at their meeting of May 16, 2013 and concluded that the project would create no impact upon their services.

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on May 14, 2013.

Public information meeting recap	Number of attendees: 8 Comments/concerns: Public utility sufficiency, parking, multi-modal options
Notified neighborhood association(s)	None
Correspondence received	1 letter in support (attached)

Report prepared by: Patrick Zenner

Approved by Patrick Zenner



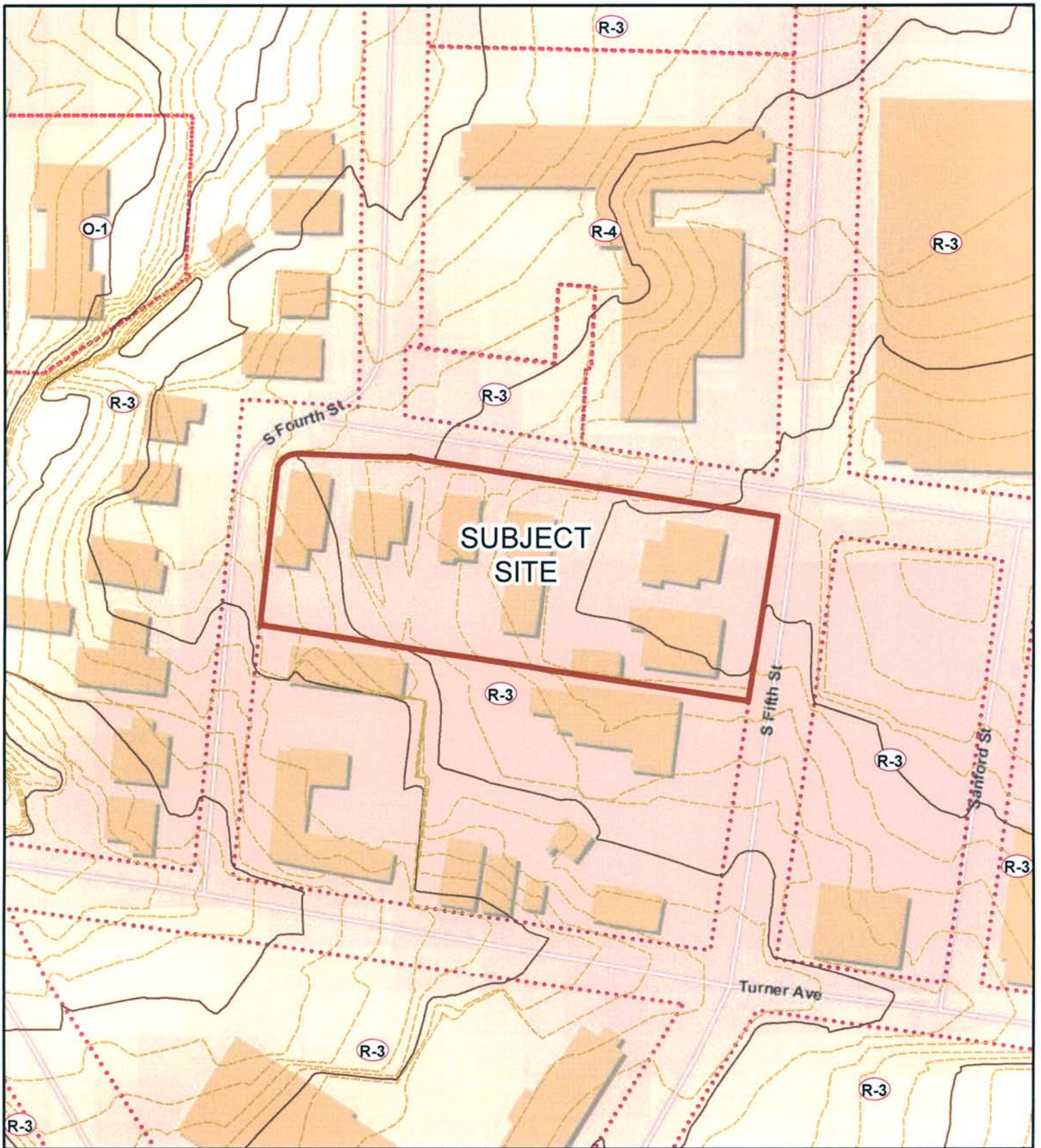
**Case 13-79: PUD Development Plan
Collegiate Housing Partners, LLC**



0 50 100 200
Feet

1 inch = 100 feet





Case 13-79: PUD Development Plan Collegiate Housing Partners, LLC



1 inch = 100 feet



PUD SITE PLAN FOR THE RESIDENCES AT FIFTH AND CONLEY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 48 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JUNE 2013

RECEIVED
JUN 10 2013
PLANNING DEPT.

THE PROPOSED DUMPSTER WILL BE LOCATED INSIDE OF THE PARKING STRUCTURE. COLLECTION ACCESS TO THIS DUMPSTER WILL BE VIA DRIVEWAY ACCESS FROM FOURTH STREET AS SHOWN. THIS DRIVEWAY WILL NOT BE AN ENTRANCE INTO THE PROPOSED PARKING STRUCTURE.

IT IS THE INTENT OF THIS DEVELOPMENT TO UNDERGROUND ALL OVERHEAD ELECTRIC LINES THAT ARE CURRENTLY OVERHEAD ON THIS PROPERTY.

PER THE CURRENT STORM WATER REGULATIONS, THIS SITE WILL BE CLASSIFIED AS REDEVELOPMENT. UNDER THOSE REQUIREMENTS, THIS SITE WILL NEED TO PROVIDE NO STORM WATER DETENTION. THE WATER QUALITY ASPECT WILL BE ADDRESSED VIA AN INLINE WATER QUALITY CHAMBER LOCATED ON-SITE BEFORE THE PRIVATE STORM SYSTEM LEAVES THE SUBJECT PROPERTY.

FOURTH STREET AND CONLEY AVENUE SHALL BE MODIFIED TO PROVIDE A 28-FOOT WIDE STREET ADJACENT TO THE SUBJECT PROPERTY AS SHOWN.

PERMETER SETBACKS SHALL BE AS FOLLOWS:
ADJACENT TO FOURTH STREET: 0 FEET
ADJACENT TO FIFTH STREET: 0 FEET
ADJACENT TO CONLEY AVE.: 0 FEET
ADJACENT TO SOUTH PROPERTY LINE: 4 FEET

UNIT CALCULATIONS:	
TOTAL NUMBER OF UNITS:	103
2 BEDROOM EACH UNIT:	29
4 BEDROOM EACH UNIT:	74

DENSITY CALCULATIONS:	
LOT AREA:	1.15 ACRES
PROPOSED NUMBER OF UNITS:	103
PROPOSED DENSITY:	89.6 UNITS / ACRE
EXISTING ZONING:	PUD-90

PARKING CALCULATIONS:	
PARKING REQUIRED:	
28 UNITS - 2 BEDROOM EACH UNIT:	2 SPACES / UNIT = 58 SPACES
74 UNITS - 4 BEDROOM EACH UNIT:	2.5 SPACES / UNIT = 185 SPACES
PLUS 1 SPACE / 5 UNITS:	= 21 SPACES
BICYCLE SPACES REQUIRED:	= 15 SPACES
BICYCLE SPACES PROVIDED:	= 90 SPACES
TOTAL SPACES REQUIRED (WITH REDUCTION OF BICYCLES):	= 249 SPACES
TOTAL SPACES PROVIDED:	= 124 SPACES

CALCULATIONS:	
AREA:	
TOTAL LOT AREA (NET) =	1.15 ACRES
BUILDING AREA =	1.03 ACRES
OTHER IMPERVIOUS AREA =	0.02 ACRES
TOTAL IMPERVIOUS AREA =	1.05 ACRES (91%)
TOTAL PERVIOUS AREA =	0.10 ACRES (9%)

LANDSCAPE COMPLIANCE:	
TOTAL PARKING LOT & DRIVE AREA =	45,125 SQ. FT.
TREES REQUIRED @ 1 TREE/4500 SQ. FT. =	11 TREES
TOTAL TREES REQUIRED =	11 TREES
MEDIUM TO LARGE TREES REQUIRED (30%) =	4 TREES
TOTAL TREES PROVIDED =	11 TREES

PRE/POST IMPERVIOUS CALCULATIONS:	
TOTAL LOT AREA =	1.15 ACRES
PRE-DEVELOPMENT IMPERVIOUS AREA =	0.78 ACRES
POST-DEVELOPMENT IMPERVIOUS AREA =	1.05 ACRES
INCREASE IN IMPERVIOUS AREA =	0.29 ACRES (12,630 SQ.FT.)

ACCEPTED BY THE PLANNING AND ZONING COMMISSION,
THIS _____ DAY OF _____, 2013.

DOUG WHEELER - CHAIRPERSON

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA,
MISSOURI, THIS _____ DAY OF _____, 2013.

ROBERT MCDAVID - MAYOR

SHEELA AMIN - CITY CLERK



SITE/CIVIL ENGINEER
CROCKETT
ENGINEERING CONSULTANTS
8408 North Station Boulevard
Columbia, Missouri 65204
(314) 441-0294
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#000015104

LEGEND:

---	EXISTING 1FT CONTOUR
---	EXISTING 5FT CONTOUR
---	CURB
---	EXISTING TREELINE
---	PROPOSED TREELINE
---	EXISTING SANITARY SEWER
---	PROPOSED SANITARY SEWER
---	MANHOLE/CLEANOUT
---	PROPOSED WATERLINE
---	PROPOSED FIRE HYDRANT
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	BUILDING LINE
---	EASEMENT
XX	LOT NUMBER
---	PROPOSED PARKING STRUCTURE (LOWER LEVEL)
---	PROPOSED RESIDENTIAL STRUCTURE (UPPER LEVELS)
---	EXISTING BUILDING
---	PROPOSED PAVEMENT

CONTRACT PURCHASER:
COLLEGIATE HOUSING PARTNERS, LLC
7711 BONHOMME, SUITE 350
ST. LOUIS, MO 63105

OWNER - LOTS 1 & 2:
KLIFTON R. ALTUS TRUST
2704 LACEWOOD DRIVE
COLUMBIA, MO 65201

OWNER - LOT 3:
MU CREW, LLC
802 SUNSTONE LANE
COLUMBIA, MO 65201

OWNER - LOTS 4-6:
HOMINY CREEK, LLC
3612 ARBOR COURT
COLUMBIA, MO 65201

NOTES:

THIS TRACT CONTAINS 1.25 ACRES (1.15 ACRES NET).

THIS TRACT IS CURRENTLY ZONED R-3 PENDING REZONING TO PUD-90.

THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 80', MEASURED FROM THE HIGHEST TOP OF CURB ELEVATION ADJACENT TO THE BUILDING.

THE INTENT FOR THIS DEVELOPMENT IS TO HAVE THE SITE DEVELOPED IN ONE PHASE.

NO PART OF THIS TRACT IS WITHIN THE FLOOD PLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN ON PANEL NUMBER 29019C 02800 DATED: MARCH 17, 2011.

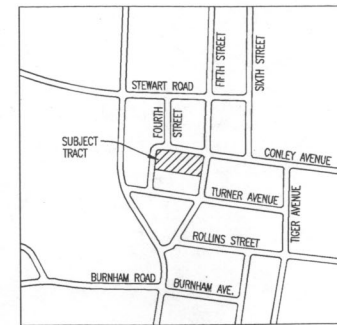
ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF THE FINAL DESIGN.

THE EXISTING STRUCTURES WITHIN THIS DEVELOPMENT ARE SERVED WITH PRIVATE SANITARY SEWERS. THIS DEVELOPMENT SHALL EXTEND A PUBLIC SANITARY SEWER TO THE SITE. THIS EXTENSION MAY BE ALONG 4TH STREET IN EITHER DIRECTION OR THROUGH THE PROPERTIES TO THE NORTHWEST. FINAL SANITARY SEWER ALIGNMENT WILL BE ADDRESSED AT THE TIME OF THE FINAL SITE DEVELOPMENT PLANS. SHEET 2 ILLUSTRATES THE LIKELY OFFSITE ROUTE FOR THIS DEVELOPMENT.

THERE IS NO STREAM BUFFER LOCATED ON THIS TRACT AS DESCRIBED BY THE REQUIREMENTS OF CHAPTER 26 OF THE ZONING REGULATIONS OF BOONE COUNTY, MISSOURI.

A PROPOSED 6' SIDEWALK SHALL BE PLACED AT THE BACK OF CURB ALONG FOURTH STREET AND CONLEY AVENUE. A 10' SIDEWALK SHALL BE PLACED AT THE BACK OF CURB ALONG 5TH STREET. ADEQUATE EASEMENTS SHALL BE GRANTED SHOULD PROPOSED SIDEWALK CROSS ANY RIGHT-OF-WAY LINES.

SITE LIGHTING SHALL CONSIST OF "PENCIL BEAM" LIGHTS MOUNTED AND DIRECTED TOWARDS THE BUILDING. THESE LIGHTS ARE TO HIGHLIGHT BUILDING FEATURES. DECORATIVE STREET LIGHTS SHALL BE INSTALLED ALONG THE PROPOSED STREETSCAPE. ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE CURRENT LIGHTING ORDINANCE OF THE CITY OF COLUMBIA.



LOCATION MAP

NOT TO SCALE



SCALE: 1"=20'
0 15 20 40

A&L INVESTMENTS, LLC
DEED RECORDED IN BOOK 2886, PAGE 45
ZONED R-3

A&L INVESTMENTS, LLC
DEED RECORDED IN BOOK 2886, PAGE 45
ZONED R-3

POSS & CRISTAL PETERSON
DEED RECORDED IN BOOK 2886, PAGE 45
ZONED R-3

WROD BRWIS TRUSTEE
DEED RECORDED IN BOOK 2886, PAGE 45
ZONED R-3

GINGER C, LLC
DEED RECORDED IN BOOK 2886, PAGE 45
ZONED R-3

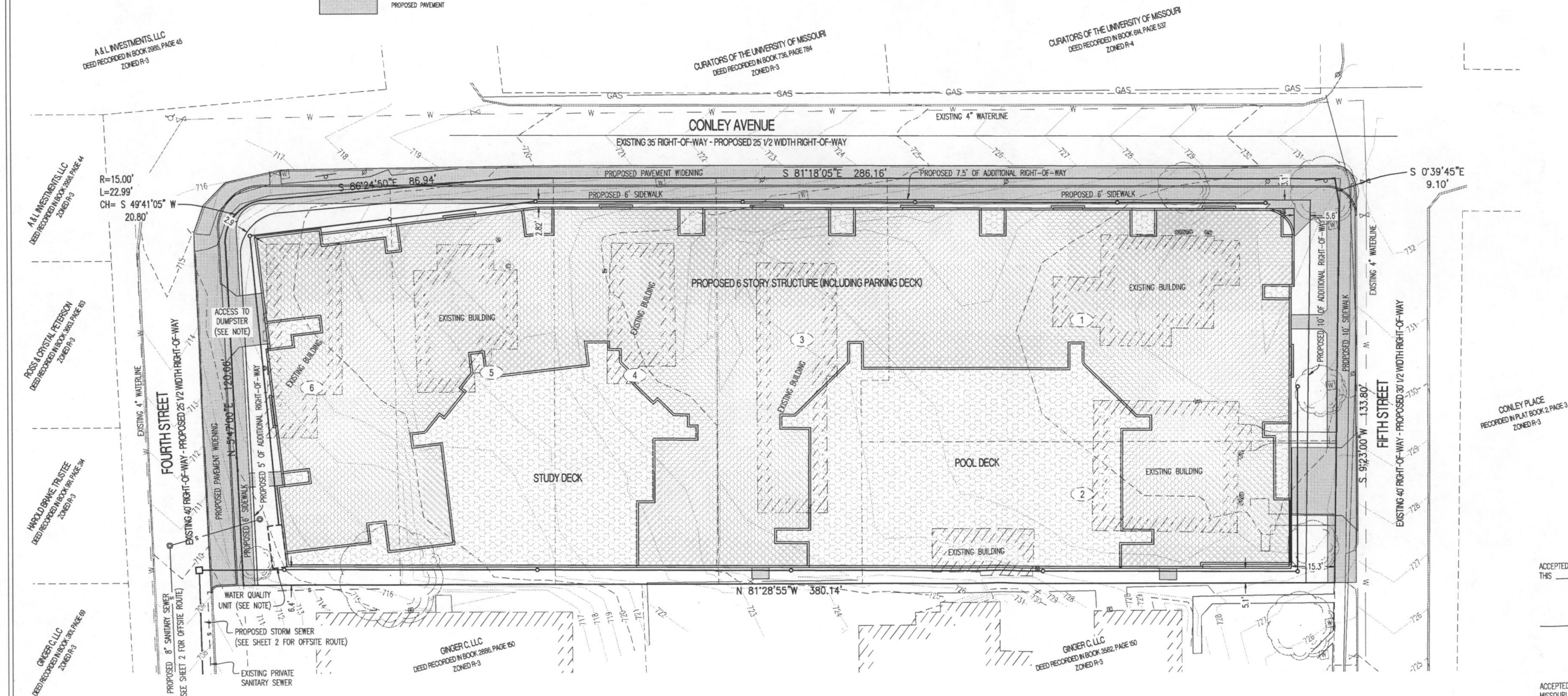
CURATORS OF THE UNIVERSITY OF MISSOURI
DEED RECORDED IN BOOK 738, PAGE 784
ZONED R-3

CURATORS OF THE UNIVERSITY OF MISSOURI
DEED RECORDED IN BOOK 618, PAGE 537
ZONED R-4

CONLEY PLACE
RECORDED IN PLAT BOOK 2, PAGE 3
ZONED R-3

GINGER C, LLC
DEED RECORDED IN BOOK 3562, PAGE 60
ZONED R-3

GINGER C, LLC
DEED RECORDED IN BOOK 2886, PAGE 45
ZONED R-3



RECEIVED
JUN 10 2013
PLANNING DEPT.

CONCEPTUAL LANDSCAPE PLAN AND OFFSITE UTILITIES FOR
THE RESIDENCES AT FIFTH AND CONLEY
LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 48 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JUNE 2013

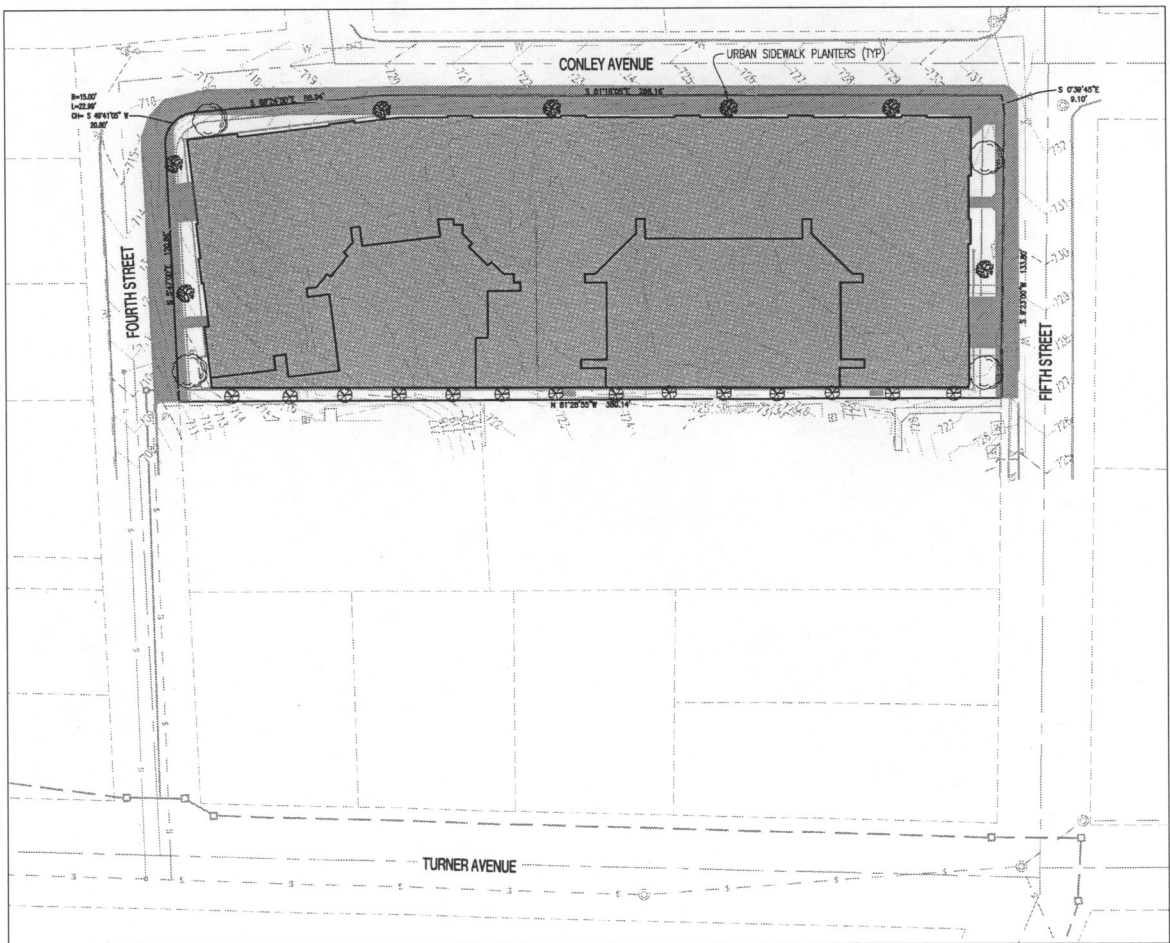
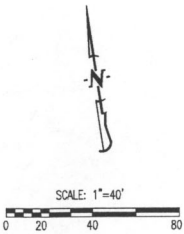


LOCATION MAP
NOT TO SCALE

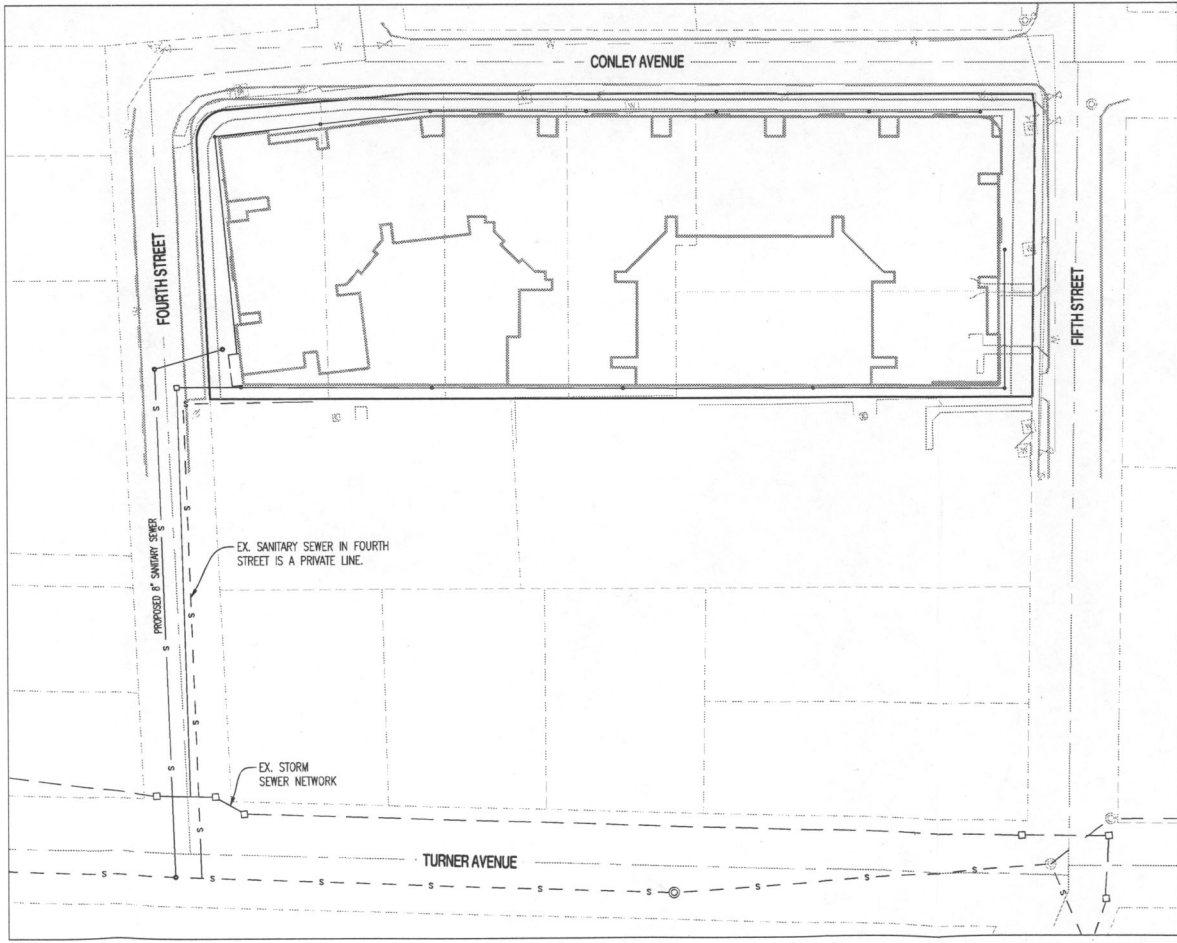
PLANTING NOTES:		
QUANTITY	PLANT SPECIES	
4	PIN OAK - QUERCUS PALUSTRIS (OR APPROVED EQUAL)	
7	SARGENT CRABAPPLE - MALUS SARGENTII (OR APPROVED EQUAL)	
14	COLUMNAR CRIMSON SPIRE OAK - QUERCUS ROBUR (OR APPROVED EQUAL)	

CALCULATIONS:	
AREA:	
TOTAL LOT AREA (NET) =	1.15 ACRES
BUILDING AREA =	1.03 ACRES
OTHER IMPERVIOUS AREA =	0.02 ACRES
TOTAL IMPERVIOUS AREA =	1.05 ACRES (91%)
TOTAL PERVIOUS AREA =	0.10 ACRES (9%)
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TOTAL TREES REQUIRED =	11 TREES
MEDIUM TO LARGE TREES REQUIRED (30%) =	4 TREES
TOTAL TREES PROVIDED =	11 TREES

- LEGEND:
- 8'18" --- EXISTING 21' CONTOUR
 - 8'20" --- EXISTING 10' CONTOUR
 - CURB
 - EXISTING TREELINE
 - PROPOSED TREELINE
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER
 - MANHOLE/CLEANOUT
 - PROPOSED WATERLINE
 - PROPOSED FIRE HYDRANT
 - EXISTING STORM SEWER
 - PROPOSED STORM SEWER
 - BUILDING LINE
 - EASEMENT



CONCEPTUAL LANDSCAPING PLAN



OFFSITE UTILITY LOCATION MAP

ACCEPTED BY THE PLANNING AND ZONING COMMISSION,
THIS _____ DAY OF _____, 2013.

DOUG WHEELER CHAIRPERSON

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA,
MISSOURI, THIS _____ DAY OF _____, 2013.

ROBERT MCDAVID - MAYOR

SHEELA AMIN - CITY CLERK

SITE/CIVIL ENGINEER:
CROCKETT
ENGINEERING CONSULTANTS
8408 North Stadium Boulevard
Columbia, Missouri 65208
(314) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#0000131204

VAN MATRE, HARRISON, HOLLIS, TAYLOR, AND BACON, P.C.

A PROFESSIONAL CORPORATION
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EVERETT S. VAN MATRE
(1922-1998)
*ADMITTED IN MISSOURI AND ILLINOIS

May 23, 2013

Patrick Zenner, Development Services Manager
Community Development Department
City of Columbia
701 East Broadway
Columbia, MO 65201
Via Hand Delivery and E-mail: przenner@gocolumbiamo.com

RE: Collegiate Housing Partners (the "Applicant") / Fifth and Conley / Rezoning /
PUD Plan Approval (Case No. 13-65)

Dear Mr. Zenner,

Please see the attached and revised PUD Site Plan for The Residences at Fifth and Conley (the "PUD Plan"), as well as a written explanation of changes to the PUD Plan from the Applicant's engineer, Crockett Engineering Consultants ("Crockett's Explanation"), a revised legal description, and a revised Statement of Intent. This letter, Crockett's Explanation, the changes shown on the PUD Plan, the revised legal description, and the revisions to the Statement of Intent are intended to respond to Staff's comments on the rezoning application and PUD Plan. Also, please see the attached letter of support from the owner of the property that is immediately south of the property within the PUD Plan.

With respect to certain of those comments made by the "Planning Department", please see the following:

1. Comment number 2 from the Planning Department suggests changes to the parking calculations submitted with the rezoning application and PUD plan. Accordingly, the number of total required spaces has been recalculated to 250 parking spaces. Crockett's Explanation and the revised PUD Plan show in detail how 250 was reached in the recalculation. In a manner related to comment number 2, the Applicant has increased the number of parking spaces it will provide. The revised PUD Plan now shows 124 spaces actually being provided, as opposed to 120 spaces previously shown.

2. With respect to comment number 5 from the Planning Department, although the Applicant believes it would be prudent to refer to conditional uses when Section 29-10 requires the ordinance approving the rezoning to "specify the uses allowed", the references to "conditional use" have been removed from the Statement of Intent.

3. With respect to comment number 6 from the Planning Department, the intent of the project is to create an urban development. The PUD Plan has been modified to remove front and side yard setbacks and the Statement of Intent has been clarified (see paragraph 4 below) regarding front and side yard setbacks; therefore, the “vision clearance” requirements of Section 29-10(d)(8) no longer apply. That Section only applies to corner lots where a front or side yard is required, which is not the case for the Property as proposed. Furthermore, even if the “vision clearance” requirements applied to the site, they would not be warranted and should be waived for a variety of reasons, to-wit: (i) there are no safety related reasons for such requirements to apply; (ii) the current structures on the property do not comply with those requirements and there are no apparent, negative effects (iii) there is ample vision clearance now and the proposed structure will be located in nearly the exact same location as the current structure on that part of the Property; (iv) the traffic at the intersection of Fourth Street and Conley Avenue (which basically functions as a two-way intersection) is and will be slow moving; (v) the proposed plan will be urban redevelopment to which such requirements are not intended to apply (there are no such requirements for property within the C-2 zoning district); and, (vi) the requirements would not permit development that is consistent with developments in the same vicinity (e.g., structures which are part of the University of Missouri campus are not required to comply with the “vision clearance” provisions).

4. As mentioned above in paragraph 3, the PUD Plan and the Statement of Intent have been modified to permit minimum front and side yard setbacks of zero feet, which is a decision left to the discretion of City Council by the Zoning Ordinances. A minimum of four feet was previously shown on the PUD Plan, but the Applicant is not aware of any legitimate reason why. In other words, four feet was shown because it was possible to show that amount of setback. Reducing that amount to zero feet changes nothing on the PUD Plan other than an arbitrary line is almost imperceptibly moved on the PUD Plan. No buildings or structures or any other proposed improvements will change. However, removing the requirement for front and side yard setbacks merely eliminates the applicability of the “vision clearance” requirements, which, as described above, serve no legitimate purpose and are not intended to apply to urban redevelopments such as what the Applicant has proposed.

5. With respect to comment number 9 from the Planning Department, it is the Applicant’s intent to provide additional information to help City Council determine that a lesser requirement for parking should be applicable to this site. While the Applicant does not agree that it has not provided information supporting a lesser parking requirement (e.g., Applicant’s statements regarding its intentions employ strategies fostering a pedestrian friendly development including, WeCar, FastCat, ample bicycle facilities, etc.), the Applicant appreciates the request for more information and a better explanation with regard to such information.

6. The Applicant's single largest contribution to supporting a pedestrian friendly development and lessening the need for parking spaces is the choice of location for a student housing development. The location is a factor sufficient enough on its own to support a lesser parking requirement. It is virtually located on the campus of the University of Missouri. The residents will be University of Missouri students who will not need an automobile to have convenient access to the University's facilities. Moreover, as residential development has continued around campus and in the downtown area, goods and services that the residents will consume are becoming more readily available without the need to have an automobile. In addition to the foregoing, the following are important factors that further justify a lower parking requirement:

a. Students do not need and are not willing to pay for parking spaces for this type of development. The Applicant has studied other student housing developments adjacent to campuses where similar ratios of parking spaces were provided. As examples, the Applicant is listing three of such developments: 8 ½ Canal in Richmond, VA, Stadium Village Flats in Minneapolis, MN, and University View in College Park, MD. Parking spaces per bed percentages provided at those developments are 52%, 32%, and 31% respectively. The Minneapolis, MN development (52%) has had to lease parking spaces to non-resident users because the demand by residents of the development for parking is significantly less than the number of on-site spaces provided. Obviously, the most important common factor among the three aforementioned developments and the proposed development is the close proximity of each of them to college campuses that their residents attend.

b. There is additional parking available close to the Property that the Applicant can access for its residents should the need arise. Although the Applicant does not foresee any need for additional parking, there are those that have shown concern about the matter, which is why the Applicant has endeavored to identify additional sources of parking spaces. The Applicant recently confirmed with the City Manager that there is capacity available within the downtown City parking garages that the Applicant can procure if necessary. In particular, the Applicant could lease up to 50 parking spaces for its students in the City's downtown garages, which would increase the percentage of parking spaces available for the site to approximately 70%. The Statement of Intent has been modified to refer to such an arrangement should it become necessary.

c. The Applicant will participate in the "FastCat" program. In addition to the benefits of utilizing FastCat in general, if downtown garage parking spaces become necessary, FastCat would be an ideal mode of transportation between the Property and the applicable garage. The Statement of Intent now includes a requirement that the Applicant utilize the FastCat program.

d. There will be at least one shared car available to the residents of the Property that they can reserve and use should they choose driving an automobile as their mode of transportation. The vehicle or vehicles will be obtained via an agreement between the Applicant and a third-party, such as the car rental company, Enterprise. A likely arrangement will be a program such as "WeCar" offered by Enterprise, which the Applicant has thoroughly investigated and confirmed that it can provide. This has been added to the Statement of Intent.

e. Also, in response to concerns that the Applicant has heard regarding parking, the Applicant has investigated the possibility of securing "long-term" parking spaces in locations where it would be economically feasible for students to store their vehicles should there be such a need. On the outside chance that there is a demand for any parking spaces beyond those being provided, it would be for "long-term" parking spaces for vehicles that students would only occasionally need to use. The Applicant is confident that it could secure such parking based on its investigation into the matter.

7. With respect to comment number 15 by the Planning Department, the Applicant has added two notes to the PUD Plan and requests that the rezoning ordinance include approvals of the subject matter of such notes. The first note refers to the variance to be granted by City Council with respect to the minimum 25 foot wide right-of-way half-width required by Section 25-43 for Conley Avenue. The variance will permit the Applicant to grant no more than 5 feet of additional right-of-way along Conley Avenue, resulting in a 20 ½ foot wide right-of-way half width. The second note refers to utility easements that must be shown on a final plat. In particular, the Applicant requests that the rezoning ordinance approve a variance permitting the Applicant to grant no more than 5 feet for a utility easement along Conley Avenue in conjunction with final plat approval for the Property. It is Applicant's intent that those two variances listed on the PUD Plan be approved as part of the rezoning ordinance, such that the PUD Plan notes can refer to said rezoning ordinance as approving the variances as suggested by City Staff in comment number 15.

8. With respect to the City Surveyor comments, please see the attached and revised legal description. An editable version has been or will be sent to you by e-mail.

Thank you for your attention to these matters and please let me know if you have any questions, comments, or suggestions.

Sincerely,

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.

By:


Robert N. Hollis

RNH/jae
Enclosures

CC: Timothy Teddy, Mike Matthes, Tim Crockett, and Brandt Stiles

INTER-OFFICE MEMO

TO: Patrick Zenner

FROM: Richard Stone *RS*

DATE: May 30, 2013

SUBJECT: Student Housing Development – Fifth Street and Conley Avenue
Traffic Study review and Traffic Engineering Unit comments

Discussion:

Following are Traffic Engineering comments:

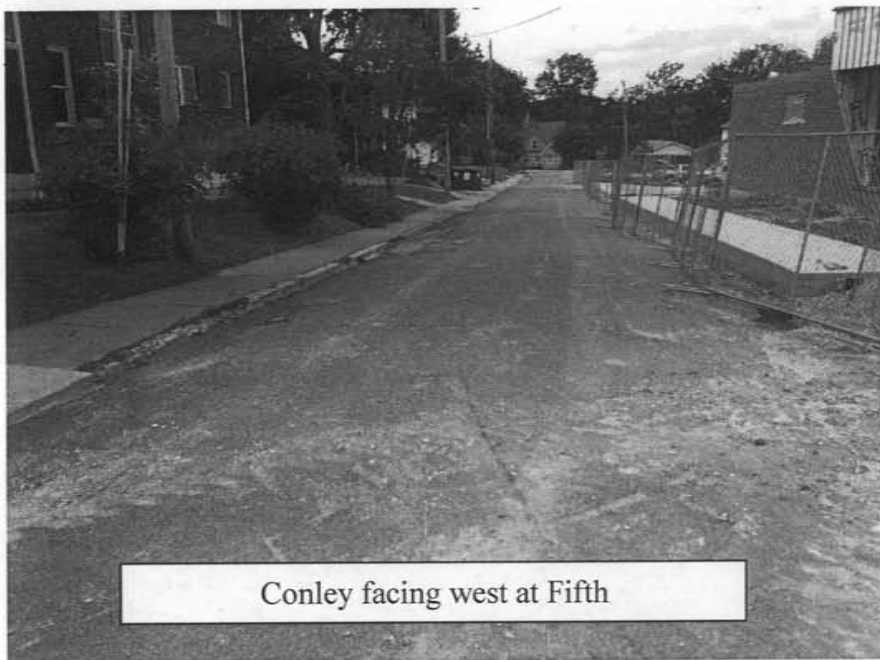
A traffic impact study has been provided. Generally the proposed volumes and scope of the study are consistent with what would be expected from an operational perspective for a development similar to the proposed. The consultant worked with City staff to address issues with construction near the site and to provide a reasonable assessment of traffic load for a development that does not fit neatly into an ITE Trip Generation classification.

Following are items needing further explanation or examination:

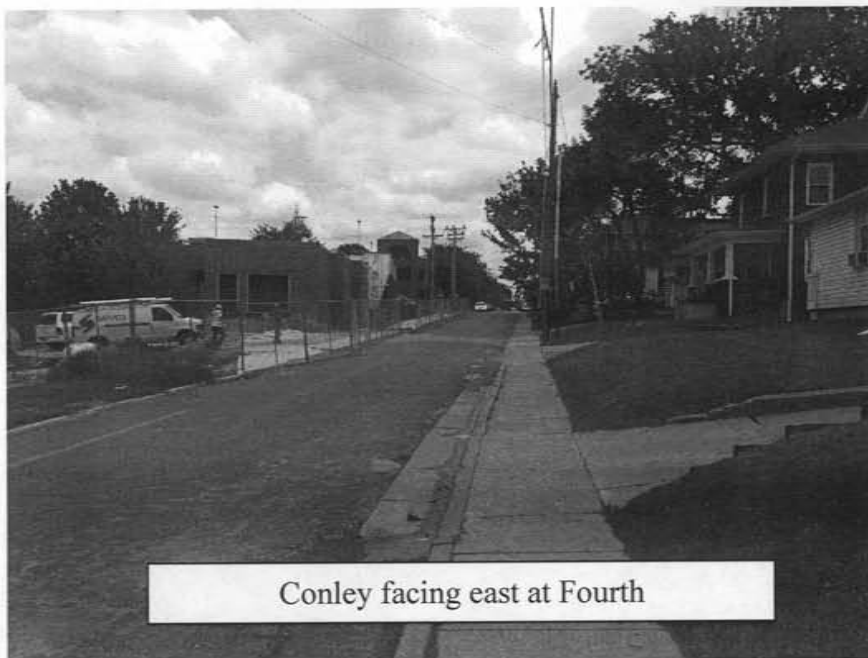
1. There is no analysis of the impact of pedestrians at the intersection(s), specifically at the Fifth & Conley intersection. There is reference to an anticipated reduced vehicular impact to the roadways due to a high pedestrian trip generation. City staff concurs that the vehicle trips during the peak hours will be lessened by additional pedestrian traffic. The consultant should reconcile how much of an impact pedestrians will have at the Fifth & Conley location.
2. The study indicates that the vehicular impact at Fifth & Conley is minor during the peak hour. While City staff tends to agree with this assessment, pedestrian impact will likely impair the operation of the intersection. It is likely that with pedestrians included, the LOS will be below the analysis. The development related pedestrian and vehicular traffic may not by itself necessitate an intersection modification, but it is likely to heavily contribute to the need for an improvement. Such improvement is likely to be a signal, roundabout or mini-roundabout. City staff believes that right of way or easement to accommodate a future improvement would be a reasonable stipulation.
3. One item of importance will be the desired travel paths of pedestrians and the discouragement of uncontrolled mid-block crossings along Fifth. Placement of doorways and design features to mitigate this will be important or there will need to be ways to address it. While these elements are typically outside of an operational traffic engineering study analysis, City staff thinks it appropriate to mention due to the nature of the development and the reliance on pedestrian traffic. There should be a clear understanding that this needs to be addressed as part of design. Sidewalks should be at the back of the curb and should be a minimum of 8' wide, with 10'-12' preferred.

4. The traffic study does not address available parking in the nearby vicinity (which is limited) or how parking will be accommodated for residents. The developer should provide an explanation as to how the development will accommodate vehicles for residents. It should be noted that existing on-street parking along Fourth creates some operational problems, which due to very low current volumes are tenable at present. There is not adequate space for two way traffic to pass when cars are parked along Fourth. This may need to be addressed in the future. Existing on-street parking along Turner Avenue could be impacted depending on Council action regarding the Providence Road improvements. For these and other reasons, on-street parking along the current sections of Conley, Fourth or Turner is not really a viable solution to consider for the development.
5. Fourth Street and Conley Avenue west of Fifth are relatively narrow streets with less than 20' of operable driving surface. The character of the streets is consistent with older neighborhood streets, originally constructed when there was less vehicular demand. The streets have been overlaid with asphalt, but the surface is deteriorating. The side yard drainage is not ideal. The study indicates the vehicular impact of this development along these streets should be minor due to the location of the driveway. However, the right of way and sidewalks should be positioned such that operational modifications are made to accommodate future needs in the area if they are needed. Development of the site should be designed so as to improve drainage along the streets.
6. A 50' right of way (25' half width) for Conley and Fourth should be provided and is consistent with residential street standards. A 60' right of way (30' half width) along Fifth Street should be provided and is consistent with a non-residential street standard.
7. An option City staff finds that could help both the operational characteristics of Conley and Fourth and that will help to address parking accommodations would be for construction of a 28' wide residential street section along Conley and along the development's Fourth Street property line. Parking would be allowed on one side along the length of the development frontage. This is a consistent width for a residential street. The standards indicate parking on both sides, but we would recommend parking only on one side in this particular area. An easement near the intersection of Fifth & Conley (80' to the south, 50' to the west) to accommodate future intersection improvements should also be provided.
8. At present, it is unknown how the development may influence potential modifications along Turner that could occur with the Providence Road improvement project. The consultant's explanation as to how the development fits in to the possible improvements is about as good as could be expected at this time given what is currently known. The timing of this study, City staff comments and the decisions regarding the Providence improvements (if any) will probably lead to additional questions once more is known about the selected alternative for Providence.

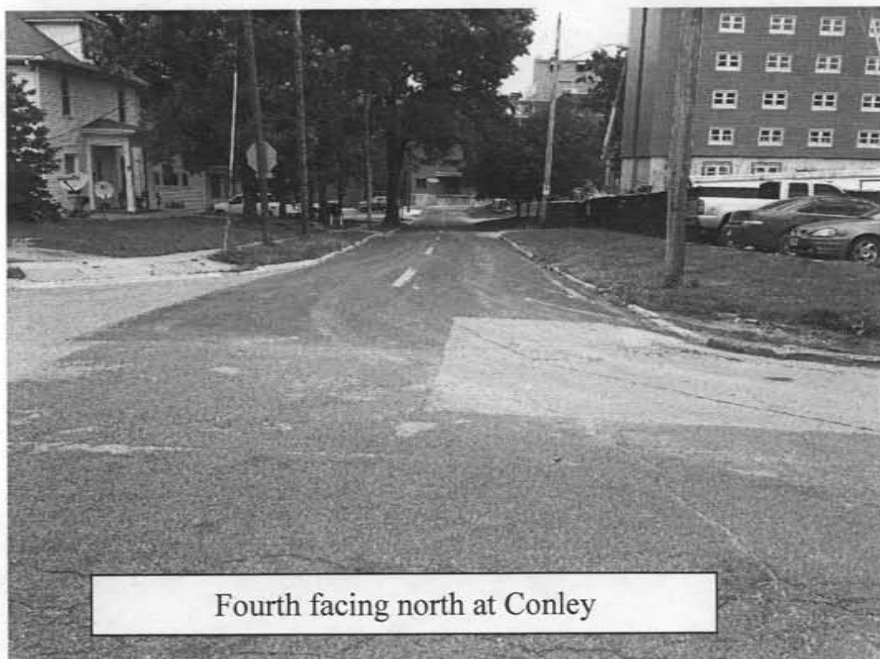
Photos of the nearby areas are provided for reference. For reference the residential and non-residential street standards are provided.



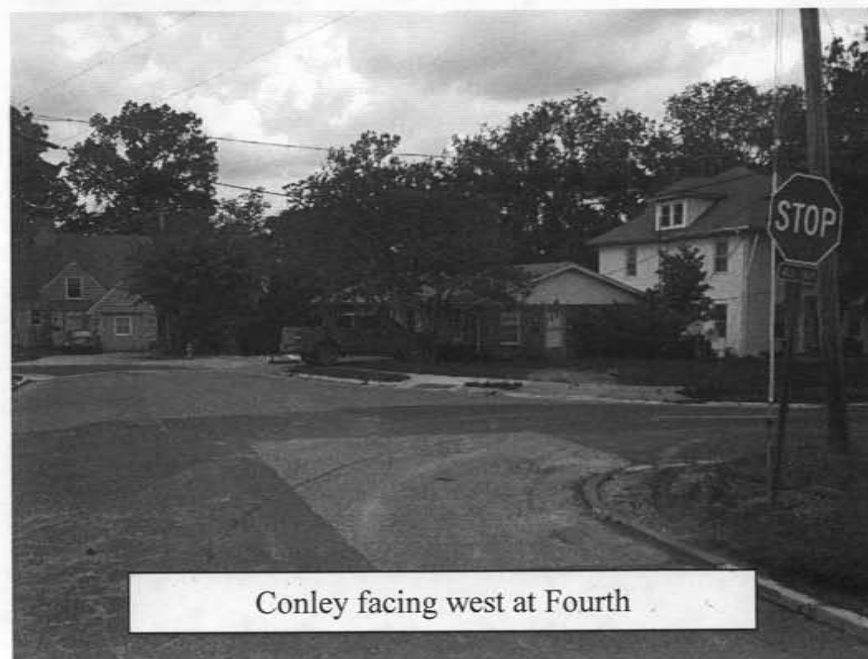
Conley facing west at Fifth



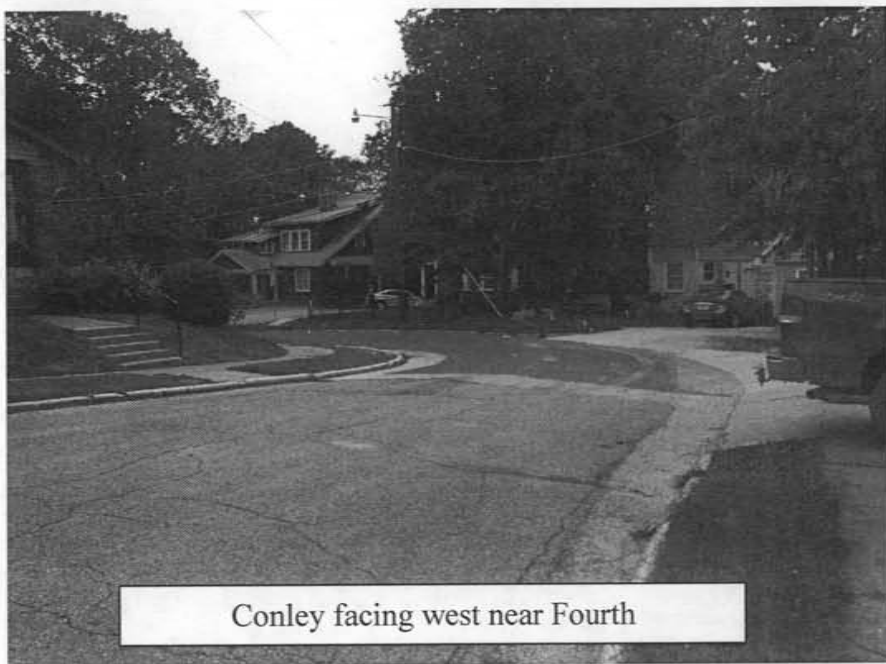
Conley facing east at Fourth



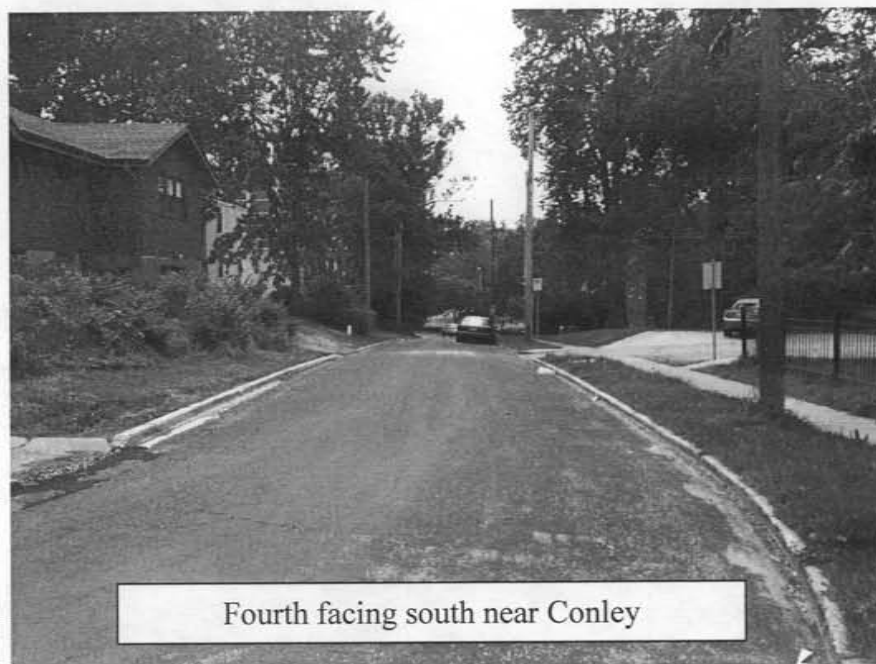
Fourth facing north at Conley



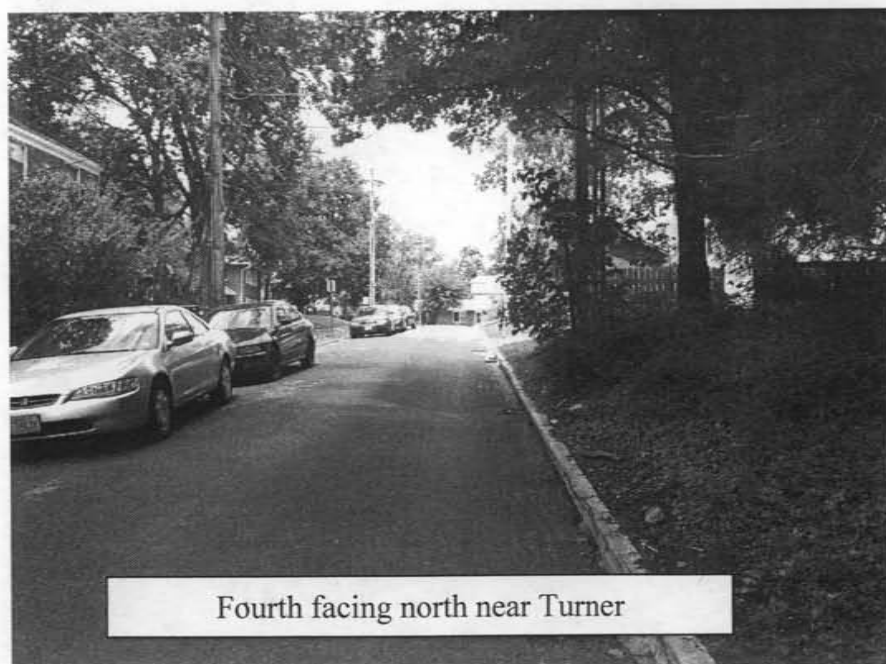
Conley facing west at Fourth



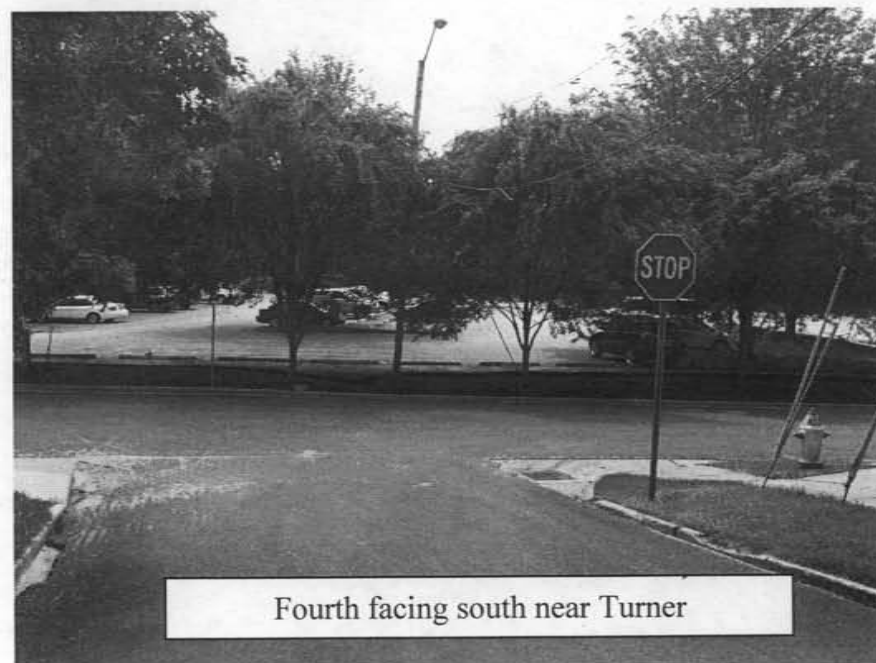
Conley facing west near Fourth



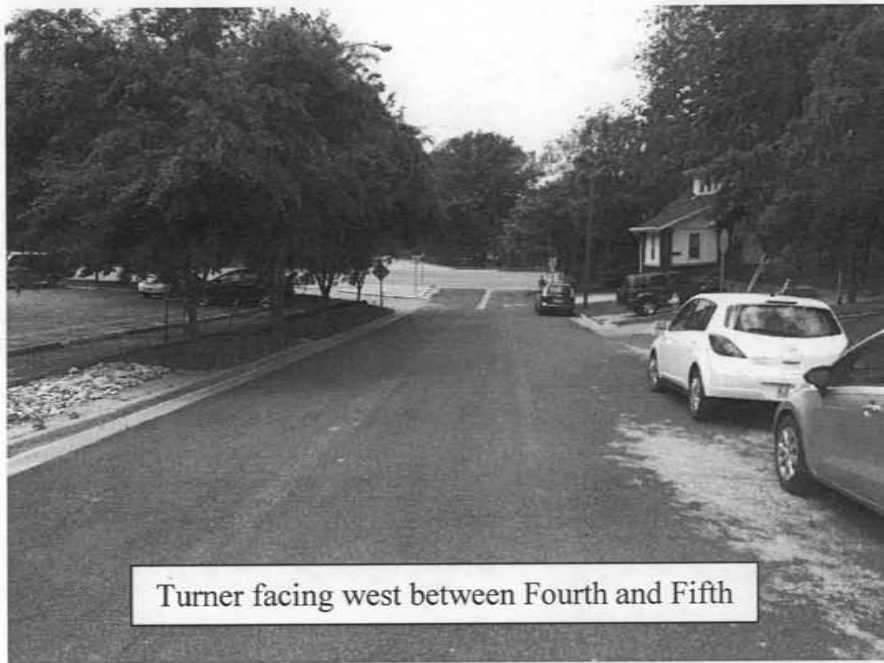
Fourth facing south near Conley



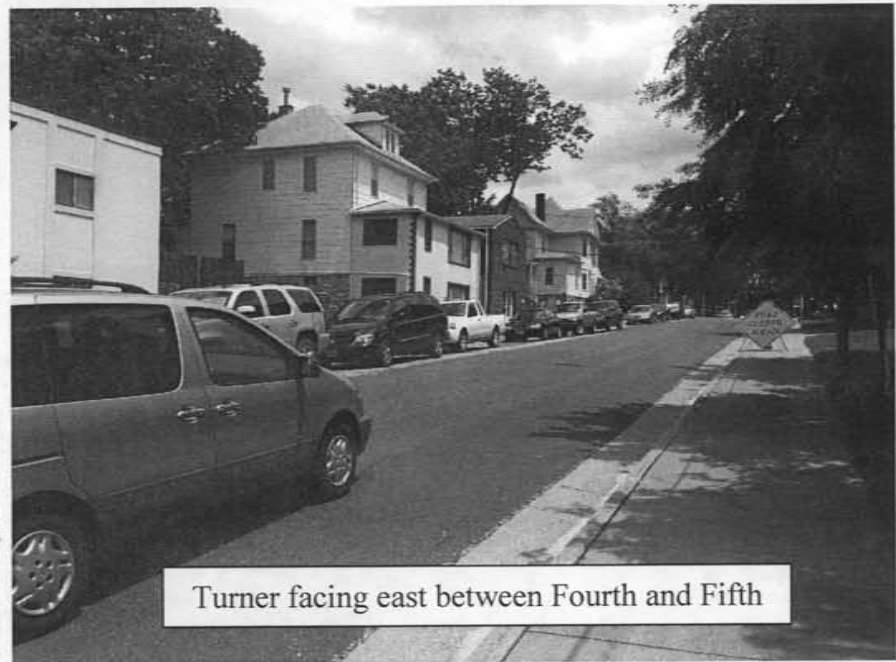
Fourth facing north near Turner



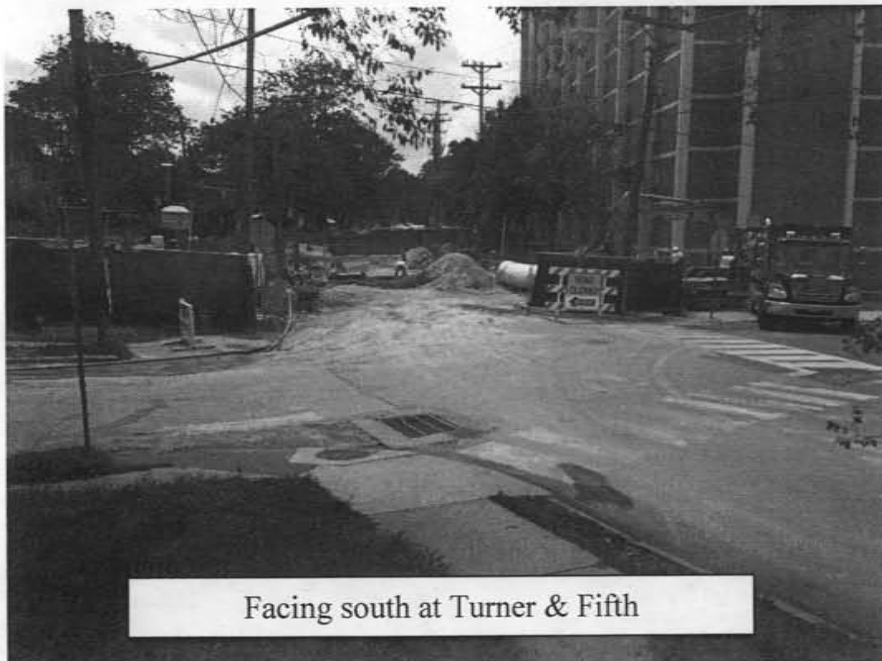
Fourth facing south near Turner



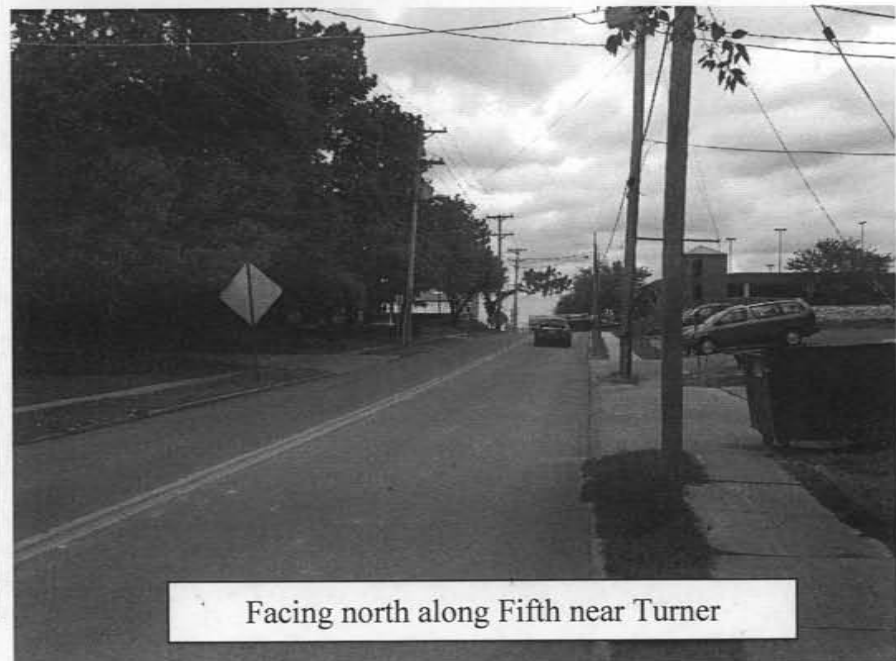
Turner facing west between Fourth and Fifth



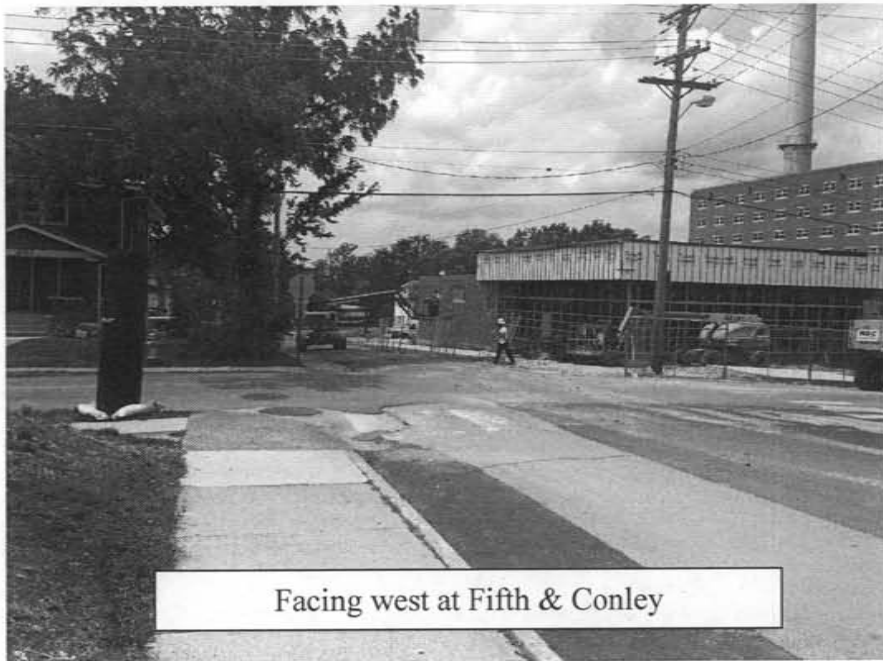
Turner facing east between Fourth and Fifth



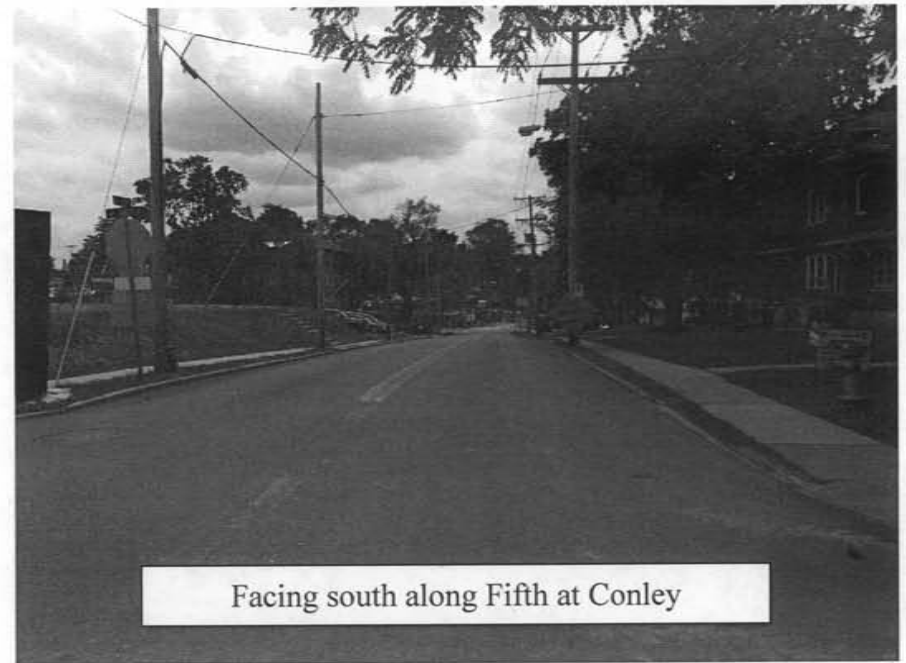
Facing south at Turner & Fifth



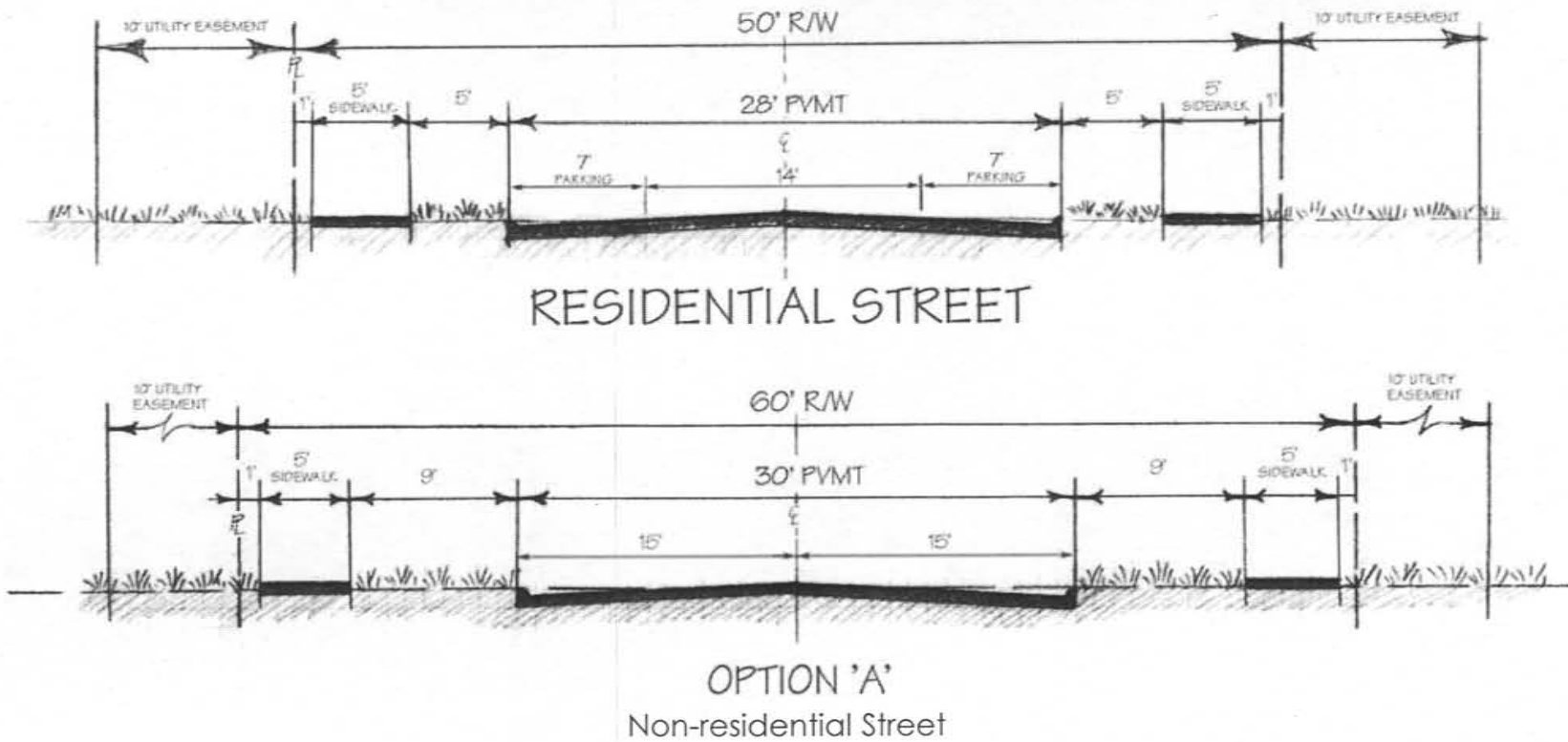
Facing north along Fifth near Turner



Facing west at Fifth & Conley



Facing south along Fifth at Conley



TECHNICAL REPORT

Date:	May 24, 2013
To:	Mr. Brandt Stiles, Collegiate Housing Partners Mr. Tim Crockett, Crockett Engineering Consultants
From:	Mr. Srinivasa R. Yanamanamanda, P.E., PTOE, PTP
CBB Job Number	2013-035
Project:	Student Housing Development – Fifth Street and Conley Avenue

As per your request, Crawford Bunte Brammeier (CBB) has completed an analysis of traffic operations for the proposed student housing development at Fifth Street and Conley Avenue by Collegiate Housing Partners in Columbia, Missouri. This study was prepared in accordance with parameters discussed with the City of Columbia staff at the commencement of the study. The proposed student housing development is located south of Conley Avenue between Fourth Street and Fifth Street. **Figure 1** identifies the general location of the proposed development site.

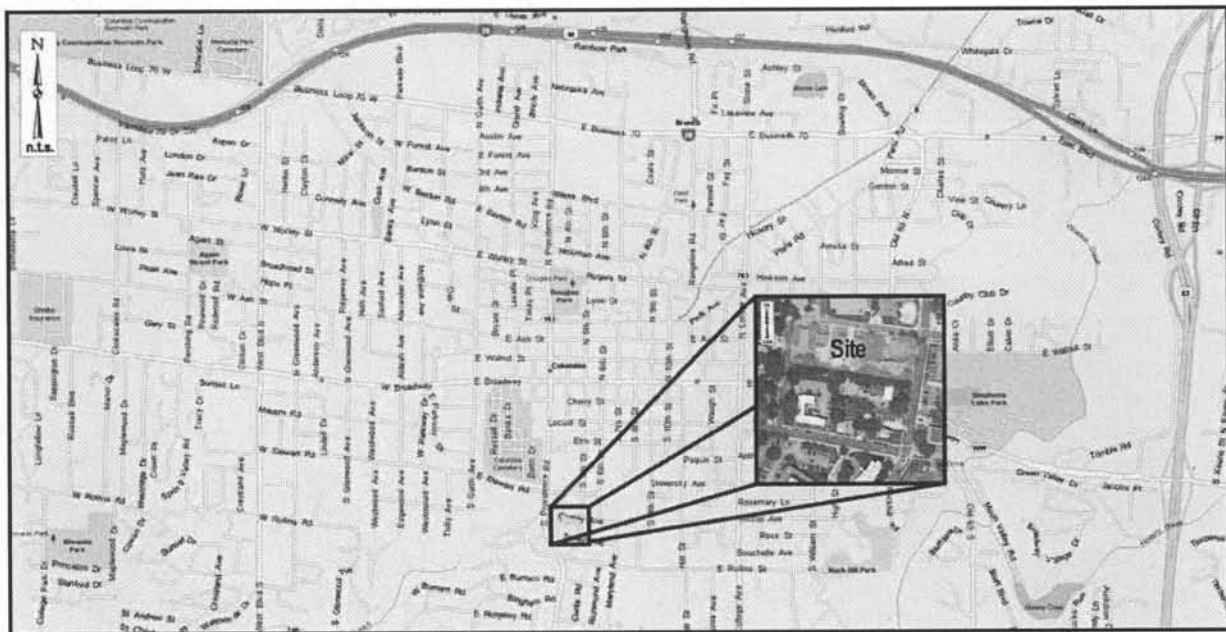


Figure 1: Project Location Map



The proposed student housing development would replace six existing properties currently being used for student housing. Based on the site plan provided by Collegiate Housing Partners, the proposed development would consist of approximately 106 units with a total of 351 beds. The proposed development would be served via one full access driveway onto Fifth Street. A schematic of the site plan provided is shown in **Exhibit 1**, attached to the end of this report.

The purpose of this study was to determine the number of additional trips that would be generated by the proposed student housing development, evaluate the impact on the traffic operating conditions for the adjacent roadways, determine the ability of motorists to safely enter and exit the site, and recommend roadway improvements (lane additions and/or traffic control modifications) as necessary to mitigate the impact of the development and to accommodate the additional traffic.

Based on our discussion with the City at the commencement of the study, the following intersections were included in the study:

- Fifth Street and Conley Avenue
- Fifth Street and Turner Avenue
- Fourth Street and Turner Avenue
- Fifth Street and the site driveway

This report presents the methodology and findings relative to the existing and forecasted (existing minus units to be removed plus site) conditions. The analysis focused on the weekday morning and evening peak periods since these times represent the most critical periods with respect to the combined adjacent roadway and site-generated traffic characteristics.

EXISTING CONDITIONS

Area Roadway System: Fifth Street is a two-lane local road maintained by the City of Columbia. On-street parking is restricted on Fifth Street adjacent to the proposed site. Sidewalks are provided along both sides of Fifth Street.

Turner Avenue is a two-lane local road maintained by the City of Columbia. On-street parking is allowed along the north side of Turner Avenue, between Fourth Street and Fifth Street. Sidewalks are provided along both sides of Turner Avenue.

Conley Avenue is a two-lane local road maintained by the City of Columbia. On-street parking is restricted on Conley Avenue adjacent to the proposed site. A sidewalk is provided along the south side of Conley Avenue.

Fourth Street is a two-lane local road maintained by the City of Columbia. On-street parking is allowed along the west side of Fourth Street adjacent to the proposed site. A sidewalk is provided along the west side of Fourth Street.

The intersections of Fifth Street with Conley Avenue and with Turner Avenue are All-Way STOP controlled (AWSC) intersections. The intersection of Turner Avenue and Fourth Street is side-street STOP controlled (TWSC) with stop control only for the Fourth Street approach. **Figure 2** provides an aerial view of the Fifth Street/Conley Avenue, Fifth Street/Turner Avenue and Fourth Street/Turner Avenue intersections.



Figure 2: Aerial of Study Intersections



Existing Traffic Volumes: In order to establish existing traffic conditions, manual peak period turning movement traffic counts were conducted at the study intersections. These counts were conducted from 7:30 to 9:30 a.m. and from 3:30 to 5:30 p.m. on a typical weekday during April 2013 during normal school operations.

It should be noted that our data collection coincided with the University's construction project and the associated closure on Turner Avenue. As such, in accordance with discussions with the City Staff, traffic data collected was adjusted to reflect base traffic conditions assuming all streets open to traffic.

Based on the traffic data collected, the a.m. peak hour occurred between 7:30 and 8:30 a.m. with the p.m. peak hour occurring between 4:30 and 5:30 p.m. Given the traffic characteristics in the area and the anticipated trip generation for the proposed development, the weekday commuter peak periods would represent a "worst-case scenario" with regards to the traffic impact. If traffic operations are acceptable during the weekday commuter peak hours, it can be reasoned that conditions would be acceptable throughout the remainder of the day.

The existing peak hour traffic volumes are summarized in **Exhibit 2**.

Forecasted Conditions

Proposed Land Use: Based upon the most recent site plan provided by Collegiate Housing Partners, the proposed student housing development would consist of approximately 106 apartment units with a total of 351 bedrooms. The units would consist of a mix of one, two and four bedroom units. As mentioned previously, the proposed student housing development would replace six existing properties currently being used for student housing. The existing properties contain 27 apartment units with a total of 49 bedrooms.

Site Access: Access to the student housing development is proposed via one full access driveway onto Fifth Street, south of Conley Avenue; in the southeast corner of the proposed development.

Trip Generation: The proposed student housing development is unique, in that, all of the residents would be students at the area universities, most likely, the University of Missouri (MU). As such, their trips would consist primarily of going to and from school. Given the close proximity of the development to the university, it is anticipated that most students would walk to and from class.

Given the unique characteristics of the proposed student housing development, traffic count data previously collected for The Cottages student housing development located off campus at Bearfield Drive and Nifong Boulevard was referenced to assist in determining the projected trip generation for the proposed student housing development. It is anticipated that the proposed student housing development would generate significantly fewer trips than The Cottages since it is right on campus versus The Cottages which is a little over three miles southeast of campus.

As such, a Trip Generation Study prepared by Spack Consulting of six student housing sites near the University of Minnesota was also referenced to assist in determining the projected trip generation for the proposed student housing development. This Trip Generation study is similar to the proposed student housing development, in that, all six of the study sites were within walking distance (less than a half a mile) of the campus.

The trip rates provided in the *Trip Generation Manual*, 8th Edition, published by the Institute of Transportation Engineers (ITE) were also evaluated to provide a basis of comparison. The following is a summary of the data collected for The Cottages student housing development, the Spack Consulting Trip Generation study and the land use rates from the *Trip Generation Manual* used for determining the trip generation characteristics of the proposed student housing development:

- The data collected for The Cottages student housing development consisted of driveway counts during the weekday a.m. and p.m. peak periods. The Cottages student housing development consists of 525 bedrooms. Based on the empirical data the average rates are as follows:
 - AM Peak Hour – 0.30 trips per bedroom (40% enter / 60% exit)
 - PM Peak Hour – 0.32 trips per bedroom (50% enter / 50% exit)

- The Trip Generation Study prepared by Spack Consulting was based on six student housing developments with an average size of 148 bedrooms. Based on the empirical data the average rates are as follows:
 - AM Peak Hour – 0.07 trips per unit (40% enter / 60% exit)
 - AM Peak Hour – 0.13 trips per unit (50% enter / 50% exit)
- Land Use Code 220 – *Apartment* was used for comparison

Table 1: Student Housing Trip Generation Estimate

Land Use	Units	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
Forecasted Trips Using Local Trip Rate for The Cottages							
Proposed Student Housing	351 beds	40	65	105	55	60	115
Existing Student Housing	49 beds	5	10	15	10	10	20
Net New Trips (Based on The Cottages)		35	55	90	45	50	95
Forecasted Trips Using Spack Trip Generation Study							
Proposed Student Housing	351 beds	10	15	25	25	25	50
Existing Student Housing	49 beds	1	2	3	3	3	6
Net New Trips (Based on Spack Study)		9	13	22	22	22	44
Forecasted Trips Using ITE Rate for Apartments							
Proposed Student Housing	106 units	10	45	55	50	25	75
Existing Student Housing	27 beds	5	15	20	20	10	30
Net New Trips (Based on ITE Data)		5	30	35	30	15	45
Proposed Student Housing Estimated Net New Trips		20	35	55	35	35	70

Using the traffic count data collected for The Cottages student housing development, the findings of the Trip Generation Study prepared by Spack Consulting and the rates provided in *ITE Trip Generation Manual* for apartments, the number of trips that would be generated by the proposed

student housing development were calculated, as shown in **Table 1**. The existing student housing (27 units/49 beds) to be removed in conjunction with the proposed development is reflected in the table to determine the net new trips for the proposed student housing development.

After discussion with representatives of the City of Columbia Public Works Department, it was agreed that the trips based upon the Cottages rate seemed high given the proximity of the proposed student housing to the MU campus. As shown in the table, the local trip data collected for The Cottages student housing development resulted in a net increase in trips of approximately 90 trips during the a.m. peak hour and 95 trips during the p.m. peak hour. However, this rate is based on a site over three miles from campus where walking to campus is not a feasible option.

Conversely, the trips based on the Space Consulting study appeared low and was based upon a limited number (six) of case studies, albeit comparable in location to the proposed project. However, it should be noted that given the location of the proposed development relative to the campus, these numbers are most likely realistic since most students would be expected to walk to campus.

Based on the above, and in an effort to be conservative, a hybrid trip generation rate was used that was between the two extremes. As such, it was assumed that the proposed student housing development would generate a total of 55 *new* trips during the a.m. peak hour and 70 *new* trips during the p.m. peak hour.

Trip Distribution: The anticipated site-generated traffic for the proposed student housing development was assigned to the adjoining roadway system based upon the estimated directional distribution summarized below:

- 30% to/from the South on 5th Street;
- 20% to/from the North on 5th Street;
- 20% to/from the west on Turner Avenue;
- 10% to/from the east on Conley Avenue;
- 10% to/from the east on Turner Avenue; and
- 10% to/from the north on 4th Street

The site-generated traffic volumes for the a.m. and p.m. peak hours are shown in **Exhibit 3**.

Forecasted (Existing plus Site) Traffic Volumes: The assigned traffic volumes resulting from the trip distribution for the proposed student housing development were then added to the existing traffic volumes to determine the total volumes in the forecasted scenario. The forecasted, or existing plus site-generated, traffic volumes for the a.m. and p.m. peak hours are shown in **Exhibit 4**.

TRAFFIC OPERATIONAL ANALYSIS

Study Procedures: The existing and forecasted operating conditions were analyzed using SYNCHRO, a macro-level analytical traffic flow model. SYNCHRO is based on study procedures outlined in the *Highway Capacity Manual (HCM)*, published by the Transportation Research Board. This manual, which is used universally by traffic engineers to measure roadway capacity, establishes six levels of traffic service: Level A ("Free Flow"), to Level F ("Fully Saturated"). Levels of service (LOS) are measures of traffic flow, which consider such factors as speed, delay, traffic interruptions, safety, driver comfort, and convenience. LOS C, which is normally used for highway design, represents a roadway with volumes ranging from 70% to 80% of its capacity. However, LOS D is generally considered acceptable for peak period conditions in urban and suburban areas.

The thresholds that define level of service at an intersection are based upon the type of control used (i.e., whether it is signalized or unsignalized) and the calculated delay. For signalized and all-way stop intersections, the average control delay per vehicle is estimated for each movement and aggregated for each approach and then the intersection as a whole. At intersections with partial (side-street) stop control, delay is calculated for the minor movements only since motorists on the major street are not required to stop.

Level of service is directly related to control delay. At signalized intersections, the level of service criteria differ from that at unsignalized intersections primarily because different transportation facilities create different driver expectations. The expectation is that a signalized intersection is designed to carry higher traffic volumes, and consequently may experience greater delay than an unsignalized intersection. **Table 2** summarizes the thresholds used in the analysis for signalized and unsignalized intersections.

Table 2: Level of Service (LOS) Thresholds

Level of Service (LOS)	Control Delay per Vehicle (sec/veh)	
	Signalized Intersections	Unsignalized Intersections
A	≤ 10	0-10
B	> 10-20	> 10-15
C	> 20-35	> 15-25
D	> 35-55	> 25-35
E	> 55-80	> 35-50
F	> 80	> 50

Intersection Level of Service Results: The study intersections were evaluated using the methodologies described above. **Table 3** summarizes the results of this analysis, which reflects the existing and forecasted operating conditions and average delays during the a.m. and p.m. peak hours.

Table 3: Capacity Analysis Summary
Comparison of Existing and Forecasted Operating Conditions

<i>Intersection/Movement</i>	<i>AM Peak Hour</i>		<i>PM Peak Hour</i>	
	<i>Existing Conditions</i>	<i>Forecasted Conditions</i>	<i>Existing Conditions</i>	<i>Forecasted Conditions</i>
<i>Fifth Street & Conley Avenue (All-Way Stop Control)</i>				
Eastbound Conley Avenue Approach	A (8.0)	A (8.1)	A (8.1)	A (8.0)
Westbound Conley Avenue Approach	A (7.9)	A (8.0)	A (10.0)	A (10.1)
Northbound Fifth Street Approach	A (7.8)	A (8.0)	A (9.1)	A (9.2)
Southbound Fifth Street Approach	A (8.9)	A (9.0)	A (8.8)	A (8.9)
<i>Overall</i>	<i>A (8.3)</i>	<i>A (8.4)</i>	<i>A (9.4)</i>	<i>A (9.5)</i>
<i>Fifth Street & Turner Avenue (All-Way Stop Control)</i>				
Eastbound Turner Avenue Approach	B (11.3)	B (11.7)	B (10.4)	B (10.8)
Westbound Turner Avenue Approach	A (8.3)	A (8.4)	B (10.2)	B (10.5)
Northbound Fifth Street Approach	A (8.1)	A (8.3)	A (9.0)	A (9.3)
Southbound Fifth Street Approach	A (9.1)	A (9.4)	B (10.6)	B (11.2)
<i>Overall</i>	<i>B (10.4)</i>	<i>B (10.7)</i>	<i>B (10.3)</i>	<i>B (10.7)</i>
<i>Fourth Street & Turner Avenue (Side-Street Stop Control)</i>				
Eastbound Turner Avenue Approach	A (0.5)	A (0.5)	A (0.5)	A (0.5)
Southbound Fourth Street Approach	B (10.6)	B (10.7)	B (10.3)	B (10.4)
<i>Fifth Street & Site Entrance (Side-Street Stop Control)</i>				
Eastbound Site Driveway Approach		A (9.9)		B (10.8)
Northbound 5 th Street Approach		A (0.6)		A (1.0)

X (XX.X) - Level of Service (Vehicular delay in seconds per vehicle)

As can be seen in Table 3, the proposed student housing development would not have a significant impact on the overall traffic conditions at the study intersections. In fact, the traffic operations at the study area intersections with the addition of the proposed student housing development are anticipated to be similar to those under existing conditions. The overall delay for the study intersections would increase by approximately 0.4 seconds or less on average during the peak

hours. Even the increase in any one approach is 0.6 seconds or less. Additionally, the proposed site access drive on Fifth Street is expected to operate at highly desirable levels of service during both peak hours.

Left-Turn Lane Warrants: The need for a separate northbound left-turn lane on Fifth Street at the proposed site entrance was compared to criteria set forth in the AASHTO Green Book. This guideline considers auxiliary lanes an asset in promoting safety and improved traffic flow at relatively high conflict locations. Separate turn lanes are intended to remove turning vehicles from the through lanes to reduce the potential number of rear-end collisions at intersections.

The AASHTO method provides volume guidelines in Exhibit 9-75 for the consideration of separate left-turn lanes. This exhibit compares the total advancing volume (which includes all turning traffic) to the total opposing volume during the design hour with respect to the number of left-turns for a given design speed.

Figure 3 graphically illustrates the AASHTO Green Book evaluation assuming the Forecasted Build Traffic Volumes during the a.m. and p.m. peak hours. The line(s) shown on the graph are the delineation line for the percent left-turns assuming a 40 mph design speed (lowest operating speed provided which in reality is over the actual posted limit) in addition to the opposing volume and advancing volumes. As can be seen, *the Forecasted Build traffic does not warrant a separate northbound left-turn lane on Fifth Street at the proposed student housing development site entrance.*

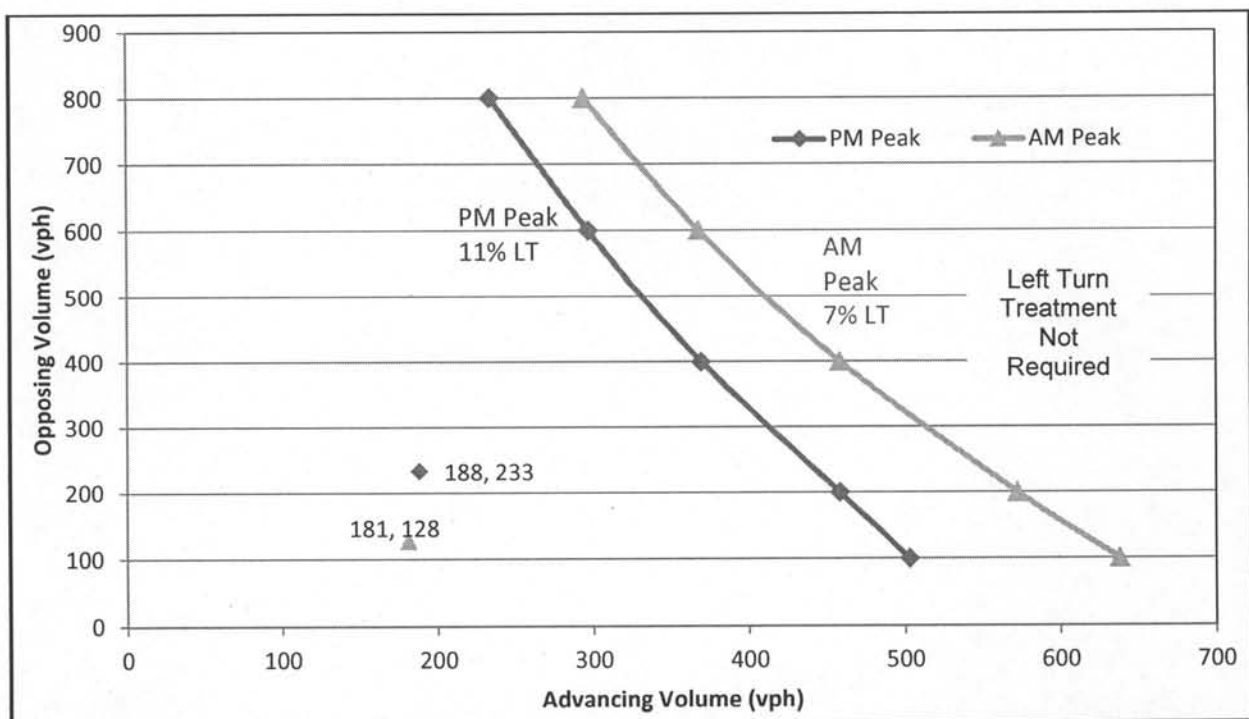


Figure 3: Northbound Left-Turn Lane Warrants Analysis



Providence Avenue Improvement Project: It should be noted that the City is currently investigating alternatives to improve traffic flow along Providence Avenue in the vicinity of the proposed development. Although the nature of the proposed improvements is uncertain at this time; one of the possible improvement alternatives that could be selected for construction includes installation of a traffic signal at the intersection of Turner Avenue and Providence Avenue, while removing the existing traffic signal at Rollins Street intersection on Providence Avenue.

Since our study considered all new trips that would be generated by the proposed student housing development, it is anticipated that the forecasted traffic operations presented here would essentially be similar to those that would be anticipated with any possible improvements associated with the Providence Avenue Project.

It is also important to note that in conjunction with the Providence Avenue Improvement Project, as part of an independent study for the University of Missouri, we have recommended capacity enhancements at the intersection of Fifth Street and Turner Avenue; including the addition of a southbound right-turn lane and an eastbound left-turn lane at this intersection. Although not necessitated by the proposed student housing development, it is essential that the proposed development would not hinder the ability to construct the above improvements. Crockett Engineering has verified that the proposed development would not affect the ability to construct the proposed capacity enhancements at this intersection. Based on preliminary information available at this time, the proposed capacity enhancements along Fifth Street are anticipated to fit within the existing Right-of-Way (ROW); and as such, it is anticipated that this proposed student housing development would not infringe upon the proposed widening along Fifth Street.



SUMMARY AND CONCLUSIONS

CBB has completed the preceding study to address the traffic impacts associated with the proposed student housing development at Fifth Street and Conley Avenue, in Columbia, Missouri. The development site is located near the southwest quadrant of the intersection of Fifth Street and Conley Avenue.

The proposed student housing development would replace six existing properties currently being used for student housing which contains 27 apartment units with a total of 49 bedrooms. Based on the development plan, the proposed student housing development would consist of approximately 106 units with a total of 351 beds. The proposed development would be served via one driveway onto Fifth Street, south of Conley Avenue.

As discussed in the preceding sections of this report, the proposed development would generate 55 trips during the weekday morning peak hour and 70 trips during weekday evening peak hour. The forecasted traffic conditions were evaluated to determine the anticipated operating conditions and to identify any roadway improvements that may be needed to mitigate the impacts of the proposed development.

The proposed student housing development would not have a significant impact on the overall or approach conditions at the study intersections. The forecasted traffic volumes will not exceed minimum requirements to warrant a separate northbound left-turn lane on Fifth Street at the proposed Site Entrance.

As such, based on a traffic operations standpoint, it is our conclusion that the proposed student housing development could be reasonably accommodated by the existing roadway system in the vicinity of the site. Furthermore, the proposed development would not hinder the Providence Avenue Project or the associated improvements at Fifth Street and Turner Avenue intersection.

We trust that this traffic study adequately describes the forecasted traffic conditions that should be expected in the vicinity of the proposed student housing development. Should there be any questions or comments regarding this technical memorandum, please contact our office.

COLLEGIATE HOUSING PARTNERS										JULIAN 4011	
UNIT NAME	UNIT TYPE	NET BALCONY	UNIT COUNT	PERCENTAGE	TOTAL AREA	% BALCONY					
B1	10	453	5	1.77%	2,261	4.7%					
B2	20	854	25	8.18%	21,350	4.7%					
B3	30	1,255	15	4.59%	34,275	4.6%					
B4	40	1,656	10	3.18%	26,247	4.6%					
B5	50	2,057	5	1.57%	17,344	4.6%					
B6	60	2,458	5	1.57%	17,344	4.6%					
B7	70	2,859	5	1.57%	17,344	4.6%					
B8	80	3,260	5	1.57%	17,344	4.6%					
B9	90	3,661	5	1.57%	17,344	4.6%					
B10	100	4,062	5	1.57%	17,344	4.6%					
B11	110	4,463	5	1.57%	17,344	4.6%					
B12	120	4,864	5	1.57%	17,344	4.6%					
B13	130	5,265	5	1.57%	17,344	4.6%					
B14	140	5,666	5	1.57%	17,344	4.6%					
B15	150	6,067	5	1.57%	17,344	4.6%					
B16	160	6,468	5	1.57%	17,344	4.6%					
B17	170	6,869	5	1.57%	17,344	4.6%					
B18	180	7,270	5	1.57%	17,344	4.6%					
B19	190	7,671	5	1.57%	17,344	4.6%					
B20	200	8,072	5	1.57%	17,344	4.6%					
B21	210	8,473	5	1.57%	17,344	4.6%					
B22	220	8,874	5	1.57%	17,344	4.6%					
B23	230	9,275	5	1.57%	17,344	4.6%					
B24	240	9,676	5	1.57%	17,344	4.6%					
B25	250	10,077	5	1.57%	17,344	4.6%					
B26	260	10,478	5	1.57%	17,344	4.6%					
B27	270	10,879	5	1.57%	17,344	4.6%					
B28	280	11,280	5	1.57%	17,344	4.6%					
B29	290	11,681	5	1.57%	17,344	4.6%					
B30	300	12,082	5	1.57%	17,344	4.6%					
B31	310	12,483	5	1.57%	17,344	4.6%					
B32	320	12,884	5	1.57%	17,344	4.6%					
B33	330	13,285	5	1.57%	17,344	4.6%					
B34	340	13,686	5	1.57%	17,344	4.6%					
B35	350	14,087	5	1.57%	17,344	4.6%					
B36	360	14,488	5	1.57%	17,344	4.6%					
B37	370	14,889	5	1.57%	17,344	4.6%					
B38	380	15,290	5	1.57%	17,344	4.6%					
B39	390	15,691	5	1.57%	17,344	4.6%					
B40	400	16,092	5	1.57%	17,344	4.6%					
B41	410	16,493	5	1.57%	17,344	4.6%					
B42	420	16,894	5	1.57%	17,344	4.6%					
B43	430	17,295	5	1.57%	17,344	4.6%					
B44	440	17,696	5	1.57%	17,344	4.6%					
B45	450	18,097	5	1.57%	17,344	4.6%					
B46	460	18,498	5	1.57%	17,344	4.6%					
B47	470	18,899	5	1.57%	17,344	4.6%					
B48	480	19,300	5	1.57%	17,344	4.6%					
B49	490	19,701	5	1.57%	17,344	4.6%					
B50	500	20,102	5	1.57%	17,344	4.6%					
B51	510	20,503	5	1.57%	17,344	4.6%					
B52	520	20,904	5	1.57%	17,344	4.6%					
B53	530	21,305	5	1.57%	17,344	4.6%					
B54	540	21,706	5	1.57%	17,344	4.6%					
B55	550	22,107	5	1.57%	17,344	4.6%					
B56	560	22,508	5	1.57%	17,344	4.6%					
B57	570	22,909	5	1.57%	17,344	4.6%					
B58	580	23,310	5	1.57%	17,344	4.6%					
B59	590	23,711	5	1.57%	17,344	4.6%					
B60	600	24,112	5	1.57%	17,344	4.6%					
B61	610	24,513	5	1.57%	17,344	4.6%					
B62	620	24,914	5	1.57%	17,344	4.6%					
B63	630	25,315	5	1.57%	17,344	4.6%					
B64	640	25,716	5	1.57%	17,344	4.6%					
B65	650	26,117	5	1.57%	17,344	4.6%					
B66	660	26,518	5	1.57%	17,344	4.6%					
B67	670	26,919	5	1.57%	17,344	4.6%					
B68	680	27,320	5	1.57%	17,344	4.6%					
B69	690	27,721	5	1.57%	17,344	4.6%					
B70	700	28,122	5	1.57%	17,344	4.6%					
B71	710	28,523	5	1.57%	17,344	4.6%					
B72	720	28,924	5	1.57%	17,344	4.6%					
B73	730	29,325	5	1.57%	17,344	4.6%					
B74	740	29,726	5	1.57%	17,344	4.6%					
B75	750	30,127	5	1.57%	17,344	4.6%					
B76	760	30,528	5	1.57%	17,344	4.6%					
B77	770	30,929	5	1.57%	17,344	4.6%					
B78	780	31,330	5	1.57%	17,344	4.6%					
B79	790	31,731	5	1.57%	17,344	4.6%					
B80	800	32,132	5	1.57%	17,344	4.6%					
B81	810	32,533	5	1.57%	17,344	4.6%					
B82	820	32,934	5	1.57%	17,344	4.6%					
B83	830	33,335	5	1.57%	17,344	4.6%					
B84	840	33,736	5	1.57%	17,344	4.6%					
B85	850	34,137	5	1.57%	17,344	4.6%					
B86	860	34,538	5	1.57%	17,344	4.6%					
B87	870	34,939	5	1.57%	17,344	4.6%					
B88	880	35,340	5	1.57%	17,344	4.6%					
B89	890	35,741	5	1.57%	17,344	4.6%					
B90	900	36,142	5	1.57%	17,344	4.6%					
B91	910	36,543	5	1.57%	17,344	4.6%					
B92	920	36,944	5	1.57%	17,344	4.6%					
B93	930	37,345	5	1.57%	17,344	4.6%					
B94	940	37,746	5	1.57%	17,344	4.6%					
B95	950	38,147	5	1.57%	17,344	4.6%					
B96	960	38,548	5	1.57%	17,344	4.6%					
B97	970	38,949	5	1.57%	17,344	4.6%					
B98	980	39,350	5	1.57%	17,344	4.6%					
B99	990	39,751	5	1.57%	17,344	4.6%					
B100	1000	40,152	5	1.57%	17,344	4.6%					
B101	1010	40,553	5	1.57%	17,344	4.6%					
B102	1020	40,954	5	1.57%	17,344	4.6%					
B103	1030	41,355	5	1.57%	17,344	4.6%					
B104	1040	41,756	5	1.57%	17,344	4.6%					
B105	1050	42,157	5	1.57%	17,344	4.6%					
B106	1060	42,558	5	1.57%	17,344	4.6%					
B107	1070	42,959	5	1.57%	17,344	4.6%					
B108	1080	43,360	5	1.57%	17,344	4.6%					
B109	1090	43,761	5	1.57%	17,344	4.6%					
B110	1100	44,162	5	1.57%	17,344	4.6%					
B111	1110	44,563	5	1.57%	17,344	4.6%					
B112	1120	44,964	5	1.57%	17,344	4.6%					
B113	1130	45,365	5	1.57%	17,344	4.6%					
B114	1140	45,766	5	1.57%	17,344	4.6%					
B115	1150	46,167	5	1.57%	17,344	4.6%					
B116	1160	46,568	5	1.57%	17,344	4.6%					
B117	1170	46,969	5	1.57%	17,344	4.6%					
B118	1180	47,370	5	1.57%	17,344	4.6%					
B119	1190	47,771	5	1.57%	17,344	4.6%					
B120	1200	48,172	5	1.57%	17,344	4.6%					
B121	1210	48,573	5	1.57%	17,344	4.6%					
B122	1220	48,974	5	1.57%	17,344	4.6%					
B123	1230	49,375	5	1.57%	17,344	4.6%					
B124	1240	49,776	5	1.57%	17,344	4.6%					
B125	1250	50,177	5	1.57%	17,344	4.6%					
B126	1260	50,578	5	1.57%	17,344	4.6%					
B127	1270	50,979	5	1.57%	17,344	4.6%					
B128	1280	51,380	5	1.57%	17,344	4.6%					
B129	1290	51,781	5	1.57%	17,344	4.6%					
B130	1300	52,182	5	1.57%	17,344	4.6%					
B131	1310	52,583	5	1.57%	17,344	4.6%					
B132	1320	52,984	5	1.57%	17,344	4.6%					
B133	1330	53,385	5	1.57%	17,344	4.6%					
B134	1340	53,786	5	1.57%	17,344	4.6%					
B135	1350	54,187	5	1.57%	17,344	4.6%					
B136	1360	54,588	5	1.57%	17,344	4.6%					
B137	1370	54,989	5	1.57%	17,344	4.6%					
B138	1380	55,390	5	1.57%	17,344	4.6%					
B139	1390	55,791	5	1.57%	17,344	4.6%					
B140	1400	56,192	5	1.57%	17,344	4.6%					
B141	1410	56,593	5	1.57%	17,344	4.6%					
B142	1420	56,994	5	1.57%	17,344	4.6%					
B143	1430	57,395	5	1.57%	17,344	4.6%					
B144	1440	57,796	5	1.57%	17,344	4.6%					
B145	1450	58,197	5	1.57%	17,344	4.6%					
B146	1460	58,598	5	1.57%	17,344	4.6%					
B147	1470	58,999	5	1.57%	17,344	4.6%					
B148	1480	59,400	5	1.57%	17,344	4.6%					
B149	1490	59,801	5	1.57%	17,344	4.6%					
B150	1500	60,202	5	1.57%	17,344	4.6%					
B151	1510	60,603	5	1.57%	17,344	4.6%					
B152	1520	61,004	5	1.57%	17,344	4.6%					
B153	1530	61,405	5	1.57%	17,344	4.6%					
B154	1540	61,806	5	1.57%	17,344	4.6%					
B155	1550	62,207	5	1.57%	17,344	4.6%					
B156	1560	62,608	5	1.57%	17,344	4.6%					
B157	1570	63,009	5								

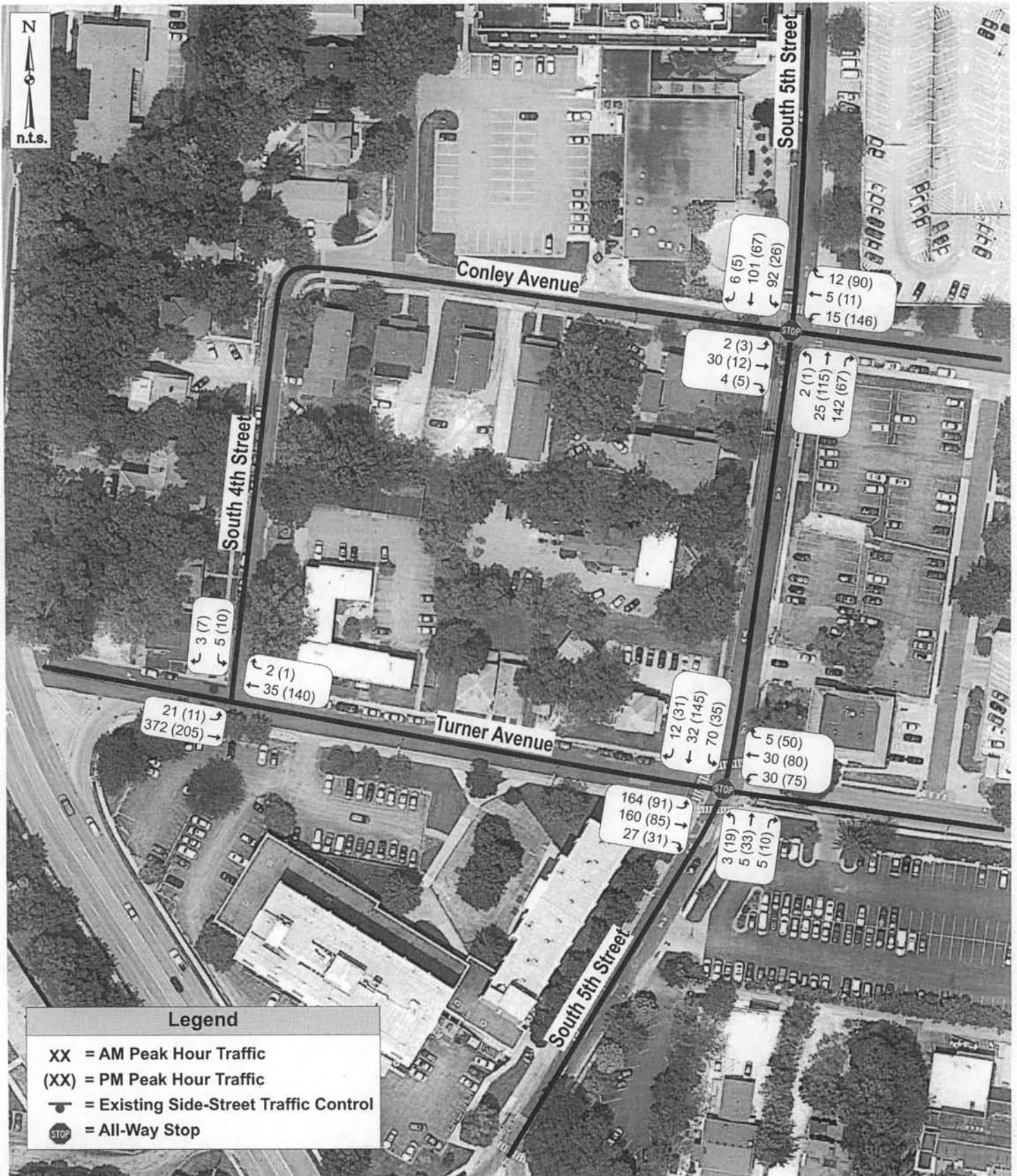


Exhibit 2: Base Traffic Volumes (2013)

Job# 035-13
05/24/13

CBB

Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

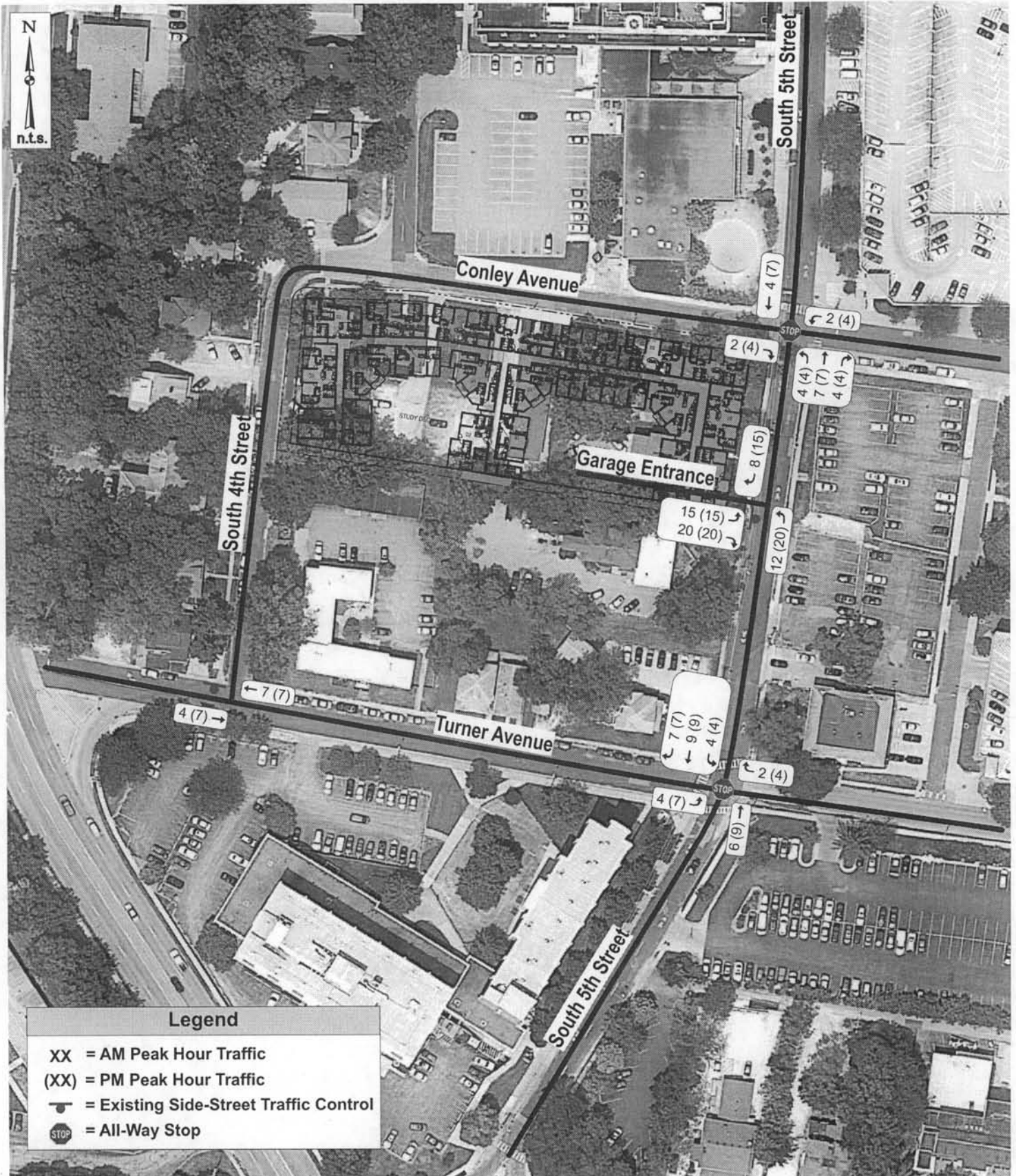


Exhibit 3: Site-Generated Trips

Job# 035-13
05/24/13

CBB

Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

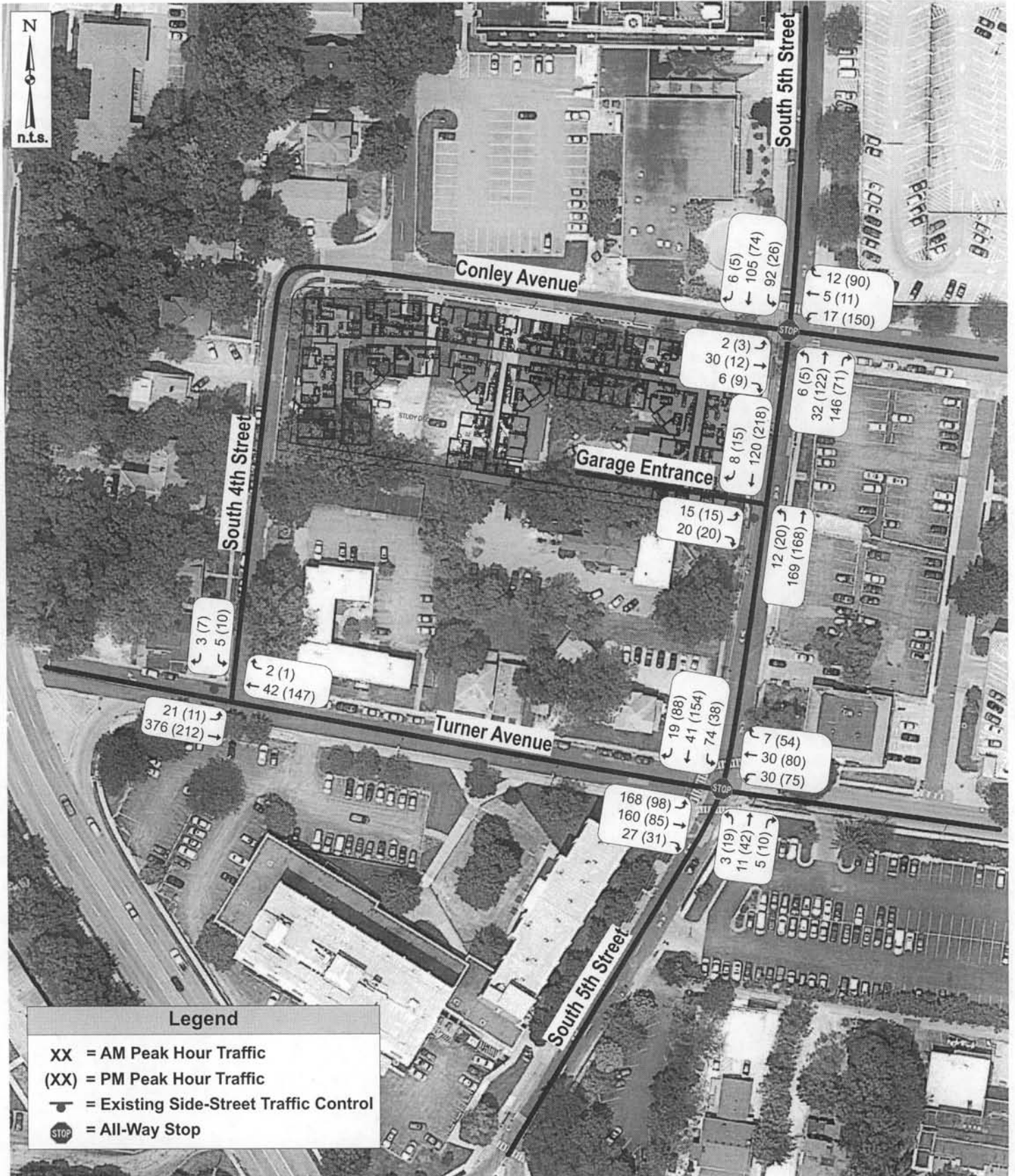


Exhibit 4: Forecasted Build Traffic Volumes

Job# 035-13
05/24/13

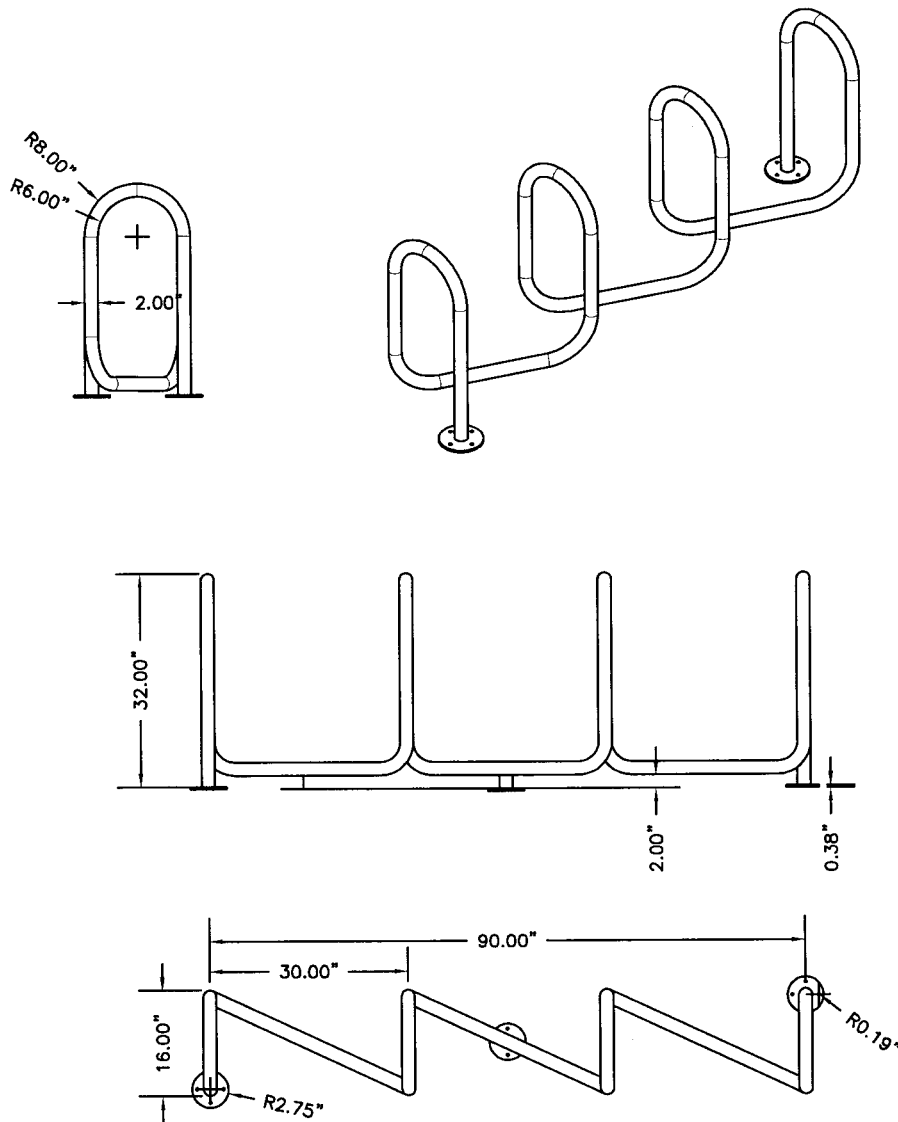
CBB

Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

90" Flow Rack

Galvanized steel, Powder Coat
paint

Stainless steel mounting
hardware to be included



DEPARTMENT OF
PUBLIC WORKS

Bike Parking
Flow Rack Details

T.R.W. 08-07-2012

RECEIVED

MAY 23 2013

PLANNING DEPT.

26 April 2013

TO WHOM IT MAY CONCERN:

I am writing this letter in support of the student housing project on West campus that is proposed by Collegiate Housing Partners (CHP). I have owned properties on this side of campus for over eight years and I am quite familiar with its particular features.

Eight years ago, the neighborhood that lies between Providence, Turner, Sanford, and Conley, and the campus of the University of Missouri was a quiet neighborhood, known to fewer students. Altogether this neighborhood provided housing for no more than 150 students (in my best estimate). Typically West campus attracted more mature students from the very competitive health science programs at Lewis and Clark Hall, Engineering School, and Business and Finance Schools. All of these programs are located in buildings that border West campus. In recent years, the demand for housing in this neighborhood skyrocketed due to the increase in student population and, in particular, the increase in the student population of the neighboring professional programs. In a typical year, say for housing starting in August 2013, leases are signed by November 2012, and from December 2012 until July 2013, hundreds of requests for housing are simply turned down.

West campus is in an ideal location to develop student housing. It is closer to the heart of campus than most dormitory buildings on campus. The site is ideal for a pedestrian campus housing project, because it is not separated from the heart of the campus by any major street (such as College or Providence). The addition of new units in this area will provide much needed space for students who wish to live at an easy walking distance to major departments on campus.

The advantage of such a project is clear to anyone who has dealt with student housing on West campus. In my opinion, there is also an equally important benefit to the housing situation in Columbia, in general. In recent years, because we are not able to accommodate the housing requests for hundreds of students who come to us inquiring about campus housing, we have been directing this traffic to houses that are centrally located in Columbia, that are also at a walking or biking distance from campus or downtown. It is now clear that students are occupying many if not most of the houses in the Benton-Stevens area and, more recently, the area west of Providence, by West Ash, N. Garth, and Worley. Houses in these areas provide affordable housing for low income families. Their location at proximity to schools, the public library, and hospitals, make them ideally suitable for families, especially low income families. Many of these houses are now occupied by students who are willing to pay rents that a typical low income family cannot afford. This is creating a housing crisis and a shortage of affordable housing that is getting worse by the day.

Unlike other recent student housing projects, the development of West campus will not take away a single unit from the housing market for the general public, because West campus is only known to students. Quite the contrary, by developing West campus, we may be able to attract students back to campus and away from areas that are more suitable for family housing.

On the architectural side, CHP shared details of their site plan with some property owners on West campus. As one of the property owners who reviewed the plan, I found it to be very suitable and fitting for the neighborhood. In particular, the height of the buildings and the setbacks seemed very appropriate. In fact, the project offers a nice transition from the tall dormitory buildings on Conley and the rest of the campus, starting with the old Chancellor's mansion to the East on Sanford.

As a 25 year (daytime) resident of Columbia, I support the students' projects near campus for the support the project.) In addition, I recently had the chance to work with Collegiate Housing on the purchase of the Niedermeyer Building in downtown Columbia. I was impressed by the priority that CHP placed on doing what is right for Columbia and the residents of Columbia. I have every reason to believe that CHP will do what is ultimately in the best interest of the City and the students.

Respectfully,

A handwritten signature in black ink, appearing to read 'N. Asmar', followed by a long, horizontal, wavy line that extends to the right.

Nakhle Asmar
709 Sherwood Drive
Jefferson City, Missouri 65109
Cellphone: 573-673-0567
Email: nakhle5@mchsi.com

EXCERPTS
PLANNING AND ZONING COMMISSION
JUNE 6, 2013

V.) PUBLIC HEARINGS

13-79 A request by Collegiate Housing Partners, LLC to rezone approximately 1.25 acres from R-3 (Medium Density Multiple Family Dwelling) to PUD-90 (Planned Residential Development maximum 90 units per acre), to approve a PUD Development Plan to be known as “The Residences at Fifth and Conley”, and to grant variances to maximum building height, minimum perimeter setbacks, minimum landscaping/open space, required parking, and required public right-of-way width on adjoining public streets. The subject site is located on the northern half of the block bounded by Conley Avenue, Fifth Street, Turner Avenue, and Fourth Street.

MR. WHEELER: May we have a Staff report, please.

Staff report was given by Mr. Patrick Zenner of the Planning and Development Department. Staff recommends **APPROVAL** of the requested PUD 90 rezoning request and PUD development plan, subject to their revisions as stated below, as well as action on the five requested variances as stated below.

1. Variance in the required number of onsite vehicle parking spaces. **Denial.** However, if the Commission supports the request, it is recommended that:

a. A parking space agreement be executed securing 50 additional parking spaces and the SOI be modified to specify that **no less than 165 spaces** will be provided in a combination of onsite and offsite spaces. Such agreement is to run with the land and to be finalized prior to second reading at Council.

2. Variance to the 25-foot perimeter setback. **Denial.**

a. Staff would support, based on the infrastructure upgrades:

i. 0-foot front (along Conley)

ii. 1-foot side (on Fifth Street)

iii. 4-foot (on Fifth Street)

iv. 5-foot rear (south property line)

3. Variance in the amount of required landscaping and open-space. **Approval.**

4. Variance in structure height. **Approval.**

5. Modification of the SOI to correct the maximum number of units based on the revised “net” acreage after right-of-way dedication.

6. Building permits be withheld until additional pedestrian impact analysis has been provided to the City Traffic Engineers.

MR. WHEELER: Are there questions of Staff? Ms. Peters?

MS. PETERS: Can Staff tell me what the University has for parking, whether or not they have available parking in the evenings, on weekends?

MR. ZENNER: That I cannot, Ms. Peters.

MS. PETERS: Thank you.

MR. WHEELER: Mr. Strodtman?

MR. STRODTMAN: I have a similar follow-up question. Do we know how many parking stalls are provided for the Mark Twain dorm that's next door to the --

MR. ZENNER: That is actually surface parking, and there is surface parking to the north and the west of the building, but I do not know the total number and I don't know the total number for Lewis and Clark either. They definitely are not enough to support their resident populations.

MR. STRODTMAN: So we don't know if they have a 70 percent ratio or any logical approach to that?

MR. ZENNER: To the University, no. I think what I understand at least peripherally is if you're a student, you may be given a parking pass, possibly as part of your activity fees to either the football stadium, to the Hearnes Center, or somewhere else where you are during season, if I am correct, required to remove your vehicle from those parking facilities in order to be able to leave space for the visiting alum and folks that are coming for sporting events. The Conley parking garage, I'm not sure what the capacity is left within it either, but I can tell you some of the other University structures that we typically would see folks going to we have been told are full. Now, they're probably not much different than the City, that we overbook parking facilities, because not everybody drives every day. Therefore if you oversell the facility, unless you're all going to descend on campus at the same time for the same parking space, you're likely always going to have some parking space available.

MR. STRODTMAN: Thank you.

MR. WHEELER: Additional questions? Mr. Vander Tuig?

MR. VANDER TUIG: Was it City's recommendation to implement the mini roundabout or was that out of the traffic study?

MR. ZENNER: That was actually something, if I am correct, that came out of -- I believe it came from the City because I think the traffic study referred to -- and I didn't review the traffic study personally. I think the traffic study referred to the fact that there may have been needed a signal. The volumes associated with it from a traffic perspective were considered low. Due to a death within CBB, who was the traffic engineer contracted for the study, there was a shift in the responsible engineer for the traffic report that was actually produced. And the discussion that occurred prior to that death occurring actually did specifically request that the pedestrian analysis be done. In the transition of the project, the following -- the passing of one of their staff's children, that did not quite get conveyed and that was the omission that was left. Now, our traffic engineers identified that. The mini roundabout was an idea that Richard Stone, one of our traffic engineers, had discussed with me

and it was included in the comments provided back to the applicant for second-round revisions, which is what precipitated the additional road right-of-way being given.

MR. VANDER TUIG: Is it my understanding that's the reason for the setbacks is for the inclusion of a mini roundabout, should that be --

MR. ZENNER: That would be -- it would be actually -- it would be more for sidewalk -- tying the sidewalks in on the southwest corner of the intersection. There is enough land to the northeast, towards the parking structure and towards Mark Twain and the parking lot that is immediately to the east, that the traffic circle itself could be shifted over to be accommodated within the area. It's the tying in of the sidewalks, as it was conveyed to me, which was more of a concern and that's why the building -- they wanted the building to be pushed back as far as possible from the future road right-of-way so the tie-in and all of the elevations could be more easily accomplished. Originally, it wasn't for the full frontages, either Conley or Fifth, either. They were asking for an increased setback actually for the first 50 feet from the intersection on Conley and the first 80 feet along Fifth. The parcels are much longer in both directions and it was just to accommodate where, because of the flaring out of the road right-of-way, they were going to need that additional land area. Quite honestly, this is another one of those areas the judgment of the Commission is going to guide what we get in the way of setbacks. As it was conveyed to me, there was room for the roundabout to be shifted to the north and to the east, which would take the alignment of Fifth out of its current straight-line alignment and it would just shift it over. But coming into a traffic circle, I was led to understand, that does not present as much of a problem if we were trying to create a real 90-degree geometric intersection, if we were going to try to do signalization.

MR. VANDER TUIG: Thanks.

MR. WHEELER: Are there any additional questions of Staff? I had requested -- is this the R-3 count?

MR. ZENNER: Yes.

MR. WHEELER: Parking in that 264 is if it were --

MR. ZENNER: That is correct. 264 is the actual total amount. You take the bike parking credit out and you get down to the 249, which is the requirement. So that is the R-3. That's the standard R-3, so when we looked at making the variance -- when we produced the variance request, the variance request was based on the maximums and the require -- and the minimum provided and the maximum required by R-3. So that is where you get the variance of 134 parking spaces.

MR. WHEELER: Thank you. Any other questions of Staff? All right. We're going to open public hearing, however I want to discuss our rules of engagement first. The first speaker will get six minutes; subsequent speakers will get three. The applicant has asked for some flexibility with the first two speakers; we'll split the nine minutes, and so we'll just time that out as nine minutes and you guys can use that as you want. Our first speaker, if there is opposition this evening, will get six minutes and subsequent speakers will get three. With that, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. HOLLIS: Robert Hollis, The Van Matre Law Firm, attorney for the applicant. May I pass out some handouts?

MR. WHEELER: Absolutely. You're going to have to give us your address as well.

MR. HOLLIS: It's funny. I just told Brandt, I said, You have to give them your address.

MR. WHEELER: And you still haven't.

MR. HOLLIS: 1103 East Broadway. I apologize for the poor print on the changes. Excellent, organized, thorough presentation, as usual, by Staff, makes it a lot easier for us and hopefully we can get to questions sooner rather than later. Obviously, I'm here, Tim Crockett's here, Brandt Stiles is here. Also, two other members of the developer are here: Chuck Gillham and Tim VanMatre. There's just a whole load of details and minutia that it's really easy to get caught up in and I would like to attempt to focus on the big picture just for a couple of minutes and bring it up to speed as to how we got here. And as you're probably aware, this is the developer that basically saved the Niedermeyer property and was part of that process. After that occurred and while that was occurring, they listened to concerns, were searching for other properties, and they found this one. Based on that feedback, they chose this property. It's downtown, but still it's on -- or it's on campus basically, but still it's close to downtown. After finding the property, they initially worked with Staff rather than putting together a plan without consulting Staff, reached the plan in its initial stages and then continued to meet with Staff, contacted all of the adjacent neighborhood associations and then some as well as the adjacent property owners. They did it right is what they've done so far. The red star is the location. It really is basically on campus. The shaded area around the red star, the darker shaded area, is MU. It's also part of the city center and that's a designation that's in the Metro 2020 Comprehensive Plan, which you happen to be looking at the modifications to that. And I'll point out now, the modifications that are proposed don't change what we're presenting this evening. In general, everyone that I've spoken with and that I've heard that's been approached thinks that what's been proposed, that student housing in this location makes sense. And I'd be interested to hear why it wouldn't make sense in this location because, again, it's basically on campus, but it's not. So as Pat said, we thought C-2 made the most sense, but wouldn't have had Staff's support because lack of control, to a certain extent, and also probably more importantly because there are commercial uses that are permitted that are difficult to restrict in an open zoning. So we were left with PUD, that's why we have a PUD 90 which you've not seen before. PUD 90 sounds like it's something that's way out of the ordinary, but it's not. If the other student housing developments that have already been put in place were not in C-2, but were in PUD, you would see PUD 90s and 100s and other really high numbers. The variances wouldn't exist but for us having to cram this into PUD. There was just no other alternative. We wouldn't have the variances. As recent as the downtown charrette, which I think was maybe three years ago, and as well as in the updated comprehensive plan, it remains in the city center. A couple of highlights from how the city center is described in the comprehensive

plan and will be described in the comprehensive plan even if it's amended as proposed, it's a quote: High density residential uses will be encouraged. That's part of what you're supposed to encourage in this area. Supposed to be pedestrian oriented and bicycle friendly; 90 spaces being provided, which is 75 more than would be required. What I thought was interesting, I'd never seen before, is that it states that it's important to maximize residential opportunities because it enlivens the area, leads to wider variety of uses, safer streets, and less crime. That's pretty strong language in the comprehensive plan. It also speaks to parking and some other really helpful issues that are completely consistent with what's been proposed. And back to the big picture: The concept here is sound, and the concept, I believe, most reasonable people would agree with. It fits what is described in the comprehensive plan perfectly. Staff approves the land use. We have variances and, again, there's a whole bunch of minutia to talk about if you chose, but they only exist because it's crammed into PUD and we don't have anything else. They wouldn't exist if it was C-2. They don't exist because the plan is defective in any way. It just does. I'll pass it off to Brandt. And happy to answer any questions if you have any.

MR. STILES: Brandt Stiles, Collegiate Housing Partners, 7711 Bonham Avenue. Pat, thank you for the introduction. It was very detailed, and I appreciate all the hard work that City Staff has put into this so far. I'm director of development for Collegiate Housing Partners, and I just want to go over a couple basic items. One, student housing demand, also address the parking issue, and sort of identify how we see our development in Columbia and how we are really trying to identify with smart growth and promote some smart alternatives to encourage a pedestrian friendly environment. From a perspective of student housing demand in Columbia, I think everybody knows we've seen some enormous, rapid growth with the University and the population over the last ten years. That's expected to slow down, but not expected to decrease. We're still expecting growth over the next five years at a steady pace. Currently, the purpose-built student housing market the previous year was 99-and-a-half percent at least. We're seeing a strong preleasing for this next upcoming school year. Projected enrollment is increasing over the next five years. A good example of demand right now is the Domain property that was approved by the City and is coming online for August of 2014, and they were 100 percent leased in December of 2012 for an August 2013 opening. So we still feel that there is significant amount of demand and lack of supply for student housing in adjacent-to-campus locations, specific to those adjacent-to-campus, real, true, walkability locations. From a parking perspective -- and we all know this has been a hot topic. And we are doing as much as we possibly feel that we can to appease everyone involved in this. What we're proposing right now we feel is more than adequate. We're proposing the parking -- we proposed our initial parking based on what our demand expectations were; 124 parking spots meets right at 50 percent of the current requirement in the R-3 zoning. We've reached out to the City and we're working through an agreement right now to secure 15 [sic] parking spots in the Fifth and -- the large garage. That gets us to 174 parking spots or 70 percent of the requirement, as it is today. One of the concessions that we provided last minute to

the City was additional right-of-way and additional street improvements. And those additional street improvements or expansions allow for us to have some off-street -- or on-street parking that, you know, we can't include in our calculation, but if you do look at that and include that in the calculation, it gets to 77 percent of the required parking for our site. If you look at some of the student housing sites down to the south, one to two, three miles away, they're looking at -- they're typically not 100 percent parked. Columbia student housing parking is right about 80 percent, non-downtown stuff. So we're right -- we're right there. We're really, really close. And what we're proposing from a city parking perspective is giving the students the ability to store their cars in the city garage and provide a premium for onsite parking that, to date, no one has done in the downtown area. And we're doing this because we do know that there is a parking need, but we feel that the 50 percent parking requirement is where the market demand is right now. A little bit of extras on parking, and I think we're trying to promote smart growth, is I think our location is critical to the site. I don't think we could propose what we're proposing right now without the location. So some of the smart alternatives we're providing is the WeCar partnership with Enterprise Rent-A-Car. We'll have one to two, based on demand, parking cars for a shared car service, FastCat subscription, a minimum of 100 subscriptions to the FastCat, 90 bicycle spots, and an agreement to secure the additional parking with the City. Thank you.

MR. WHEELER: Pardon me. Hang on just a second. Are there questions of this speaker? Actually, I'm sure we're going to have questions for you. I do have a question. You mentioned the parking pass. It was our understanding, or at least the way I read the Staff report, that there was an option -- or the applicant was holding an option to opt out of that bus pass. Is that, in fact --

MR. STILES: Not opt out of the bus pass, but we're purchasing a minimum of 100, and if there is excess demand above that 100, we'll give the students the opportunity to buy additional FastCat passes.

MR. WHEELER: But you're going to buy 100.

MR. STILES: We're going to buy 100. We're going to guarantee the --

MR. WHEELER: For what period of time?

MR. STILES: -- purchase of 100 spots.

MR. WHEELER: For what period of time?

MR. STILES: As long as there's demand for it, we'll continue to subscribe to it.

MR. WHEELER: All right. Are there additional questions of this speaker? Ms. Peters?

MS. PETERS: I'm not very familiar with the We program. Is that what it's called? Are there age limits on that for drivers? I know rental car companies, you usually have to be 25 years --

MR. STILES: No. There's -- I know there's additional insurance requirements for anyone under 21, but it does allow for students over 18 to allow to utilize the WeCar program.

MR. WHEELER: Mr. Strodman?

MR. STRODTMAN: Can you give your definition of your purpose built student housing? You have a 99.5 percent occupancy. What is purpose built student housing?

MR. STILES: Student housing that was -- apartments that were specific to student housing. Typically, they'll have additional amenities and typically they're owned by larger institutions that we've looked at over the last ten years. We've seen about 70 to 100 [sic] student housing -- purpose built student housing beds go up; 6,500 of them are down south and about 1,000 of them are in downtown area.

MR. STRODTMAN: Was there any factor considered for duplexes, single-family residences, all the other types of --

MR. STILES: The available market data was based on purpose built student housing.

MR. STRODTMAN: Thank you.

MR. WHEELER: Mr. Stanton.

MR. STANTON: Mr. Stiles, good to see you. These sound great. Are these amenities for the duration or basically the lifespan of your building or is this just to get your foot in the door and then, like, three years later all this stuff kind of disappears? What is your --

MR. STILES: Specific to the most recent items on --

MR. STANTON: WeCar, FastCat, and I heard something about the bike sharing kind of rental process.

MR. STILES: Sure. Bike share program, we're looking into and working with PedNet right now, the City, and if we can't work out a deal with them, we feel that we're going to bring a bike share program in internally. Will these last the lifetime of the project? If they're successful and if they're useful, absolutely. If there's no demand for these, we will not keep them. But we are going to make a very conscious effort to include this in all of our marketing material, to promote the FastCat system, to promote the WeCar program, and encourage people to bring bicycles. So we're going to do everything we possibly can to help promote smart growth and help promote these specific smart alternatives.

MR. STANTON: So are these options in the rental agreement, your lease agreement with your tenants? Are these options or are they baked into your price?

MR. STILES: The FastCat is going to be first come, first serve. The WeCar will be a third party that we'd be partnering with that they can contract directly with the third party. The bicycle spaces will be free; they'll be included in the pricing. And the bike share program will be through a third party.

MR. WHEELER: Mr. Strodtman?

MR. STRODTMAN: Just to expand on Mr. Stanton's question, how long is your contract with the City for those 50 additional stalls?

MR. STILES: We're working through the agreement right now. We're comfortable with a two-year agreement and the agreement will have an opt out if we can quantify lack of demand for those

spots. If it's not being used -- if those spots aren't being used by the students, then we'll have the ability to opt out.

MR. WHEELER: Are there additional questions? Mr. Lee?

MR. LEE: In regard to the WeCar, who's paying for the additional insurance? You or the student?

MR. STILES: The student will be.

MR. LEE: The student will. Are you charging the student for the parking in the garage -- I mean, in your building?

MR. STILES: Yes. Absolutely.

MR. WHEELER: Additional questions? Ms. Peters?

MS. PETERS: What is the fee that you have for parking with the City? What's the rental fee per stall?

MR. STILES: It's anywhere from -- it ranges depending on if we want a dedicated parking --

MS. PETERS: Do you have an average?

MR. STILES: -- spot or not. Let's just say it will probably be right around \$60.

MS. PETERS: Sixty a month?

MR. STILES: (Nodded head.)

MS. PETERS: Thank you.

MR. WHEELER: This is the second time I've seen your rendering, elevation, and so I'm just going to tie you to it. Is this what we're going to see if you get your way?

MR. STILES: This is what we have right now. We don't have architectural drawings. We're prohibited from having architectural drawings because we didn't know where our setbacks or our right-of-ways were going to be. We are encouraged to and we do plan on having a predominantly brick facade. I can't bind ourselves to this specific. We spent a lot of money on these designs and I think it's absolutely beautiful and we're going to do everything we can to bring something to Columbia that's as comparable to this as we possibly can. I'd love to see this exact one.

MR. WHEELER: Any other questions? Ms. Peters?

MS. PETERS: To follow up a bit on this, one of the reasons that we push this point is because we get shown pretty pictures a lot and the final result is -- it appears to be a bait and switch on many occasions. Can you tell me what the flying saucer is on top?

MR. STILES: As we said, it's conceptual. I've had a couple comments on that too and it's -- I'm not saying that it's final.

MS. PETERS: The reason I ask is I'm concerned about safety of students when they're on the roof. And I don't know if they have access to that from --

MR. STILES: No students will have access to the roof. The pool and the amenities will all be on the second floor.

MS. PETERS: Oh, okay. Good. I was worried about them having a little too much fun and --

MR. STILES: Yeah.

MS. PETERS: Thank you.

MR. WHEELER: All right. Any other questions of this speaker? Thank you, sir. We appreciate it.

MR. CROCKETT: Mr. Chairman, members of the Commission, Tim Crockett with Crockett Engineering Consultants, 2608 North Stadium. I'm going to talk really quick here. I apologize. Mr. Wheeler's only giving me three minutes, so I'm going to cover several items. The first one of the things I'd like to talk about is we have met with the University. We think it's very important that we include the University in our planning for this project, given that we're -- you know, basis that we're providing to students of University and they're so close. We want to make sure that our traffic study and our overall master plan or our plan fit in with their master plan. We met with representatives of the University. They gave us, basically, a thumbs-up. They liked our idea, liked our concept, and said that it did fit in with their overall master plan for the area. Furthermore, they shared with us their traffic model for the entire campus. That's important for our traffic engineer to incorporate in our traffic study so that we can get a very comprehensive traffic analysis for the entire area. So we think that's very important to make sure we included that, as well as what the City had with regard to the counts as well. Pretty much the traffic study came back -- it came back really well. One of the main concerns that they had was how are the adjacent intersections in the subject area going to be -- how are they going to be impacted? When it came back, all the intersections within the study area were going to operate at a level of service A or B. A is the highest, and seldom do we have a lot of level of service As. We had all As or Bs in this area after the development took place. One important thing to note that they noted was that the movements and the traffic patterns from this development do not conflict with -- or do not compile with all the other traffic movements in the area. Basically, it's going to be in opposite directions. If we have -- in the early morning, if we have students leaving the site, it's going to go against the traffic coming into the downtown area. So we're not going to put a lot of additional traffic on top of the problems that already exist, unlike a development that would be further out in the outlying areas of Columbia. That traffic would be compiled on what already exists. I would like to briefly talk about some variances. Of course, talk about the 80-foot structure, the setbacks -- and this is one thing I want to talk on quite a bit here is that the setbacks that we're asking for -- we would ask for that we have the variance as requested. We believe that this is an urban style development. Given that additional setbacks -- understand -- respectfully understand where Staff is coming from by adding one additional foot on Fourth Street, a few extra feet on Fifth Street, and then, of course, no setbacks on Conley. We feel that we can work together within the parameters of the additional right-of-way that we are granting and the land that we have left to accommodate any additional improvement, mainly the addition of the roundabout, as well as the additional pavement that's being placed. That additional pavement in place will create 18 new parking spaces. We're going to install that. Given that, we can work within that parameter with that back of curb with the

sidewalk and our building, to be copasetic so we don't need additional setbacks. We feel very strongly with that. Fourth Street's the same way. We're adding one foot. We feel that we can work within those parameters very well, as well as with Fifth Street. Fifth is the big item because it is the wider street. It does have the additional roundabout. And the concern that Staff has with regard to trying to tie the sidewalks back into our development, I think we would feel a little bit more agreeable to Staff if we didn't already grant an additional ten foot of right-of-way. Typically, we'd only grant five foot additional right-of-way, given that that would be a 50-foot total cross section for the total width of right-of-way. In this case they've asked for some additional width; so by granting the additional width, allows for the offsite improvements to take place as well as the construction of our building, with the associated sidewalks. So we feel very strongly that we can incorporate all parameters of this project with the setbacks that we've requested. Again, you've seen the plan. I think it's fairly straightforward. I think there has been some concerns with the area is -- and I see Mr. Wheeler is cutting me off there. So with that, I'd be happy to answer any questions that the Commission may have.

MR. WHEELER: I got so involved in your explanation, I let you run over. Laying down on the job. Are there any questions of this speaker? Ms. Peters?

MS. PETERS: Some of the other developments that we have -- most recently have a few traffic flow problems with loading zone and that kind of stuff. Is there any plan on the first floor parking to have, you know, the ability to drop people off so that the flow is better and --

MR. CROCKETT: Right. I believe there's going to be some internal locations where we can do that. If you come in, you can drive through the parking structure. It's not going to have dead ends to it; it's going to flow through so that you're always going to have that through movement. It is limited access. We only have one access coming into it. The second access shown on the plan is for the dumpster location. I think there's a little misconception early on about what that was. That was for our dumpster enclosure. It's internal to the development. But there are some locations inside the building with regard to internal circulation of the parking structure.

MS. PETERS: On student load out and load in, is there the ability to do that within the parking --

MR. CROCKETT: With regard --

MS. PETERS: Meaning there's usually a lot of activity on August 1st when they're moving in and --

MR. CROCKETT: Yeah. The stalls are going to be wide enough so we can dual lane traffic. We're always going to have high volumes on move-in and move-out days. We can put additional parking inside the structure for larger vehicles that's going to come and load and be there for a minimal amount of time while they load and unload. Yes, absolutely.

MS. PETERS: Thank you.

MR. WHEELER: I'm curious. The Statement of Intent says 115 stalls and yet we've been told there's 124.

MR. CROCKETT: The plan right now, Mr. Wheeler, is for 124. We fully believe that we can get that 124. The Statement of Intent we put 115 just as a lower number just in case something took place that we needed to lower that slightly. But we have full intentions of going the 124 if at all possible. That's what our plan is right now. That's what our layout is right now, is for the 124.

MR. WHEELER: All right. Any additional questions of this speaker? Mr. Vander Tuig?

MR. VANDER TUIG: Can you speak to the concern by City Staff with regards to the pedestrian traffic --

MR. CROCKETT: Yes. Absolutely. That was not something that we necessarily overlooked or something that we wanted to neglect. I believe Mr. Zenner briefly alluded to it. Our traffic engineer had a tragic death of the loss of one her small children in the middle of this project and so it's kind of passed on to another engineer. We fully concur with the Staff recommendation that we'll work through the pedestrian connectivity with this development and the adjacent walkways to campus and get those concerns ironed out with the traffic engineers for the city of Columbia before we apply for a building permit.

MR. VANDER TUIG: The level of service though, that does not take into account pedestrian movements?

MR. CROCKETT: It does. I believe the level of service does take into account pedestrian movements to some degree. I think that what they're really looking for is they want to see our traffic patterns and just make sure that, you know, we have adequate crossings marked, adequate locations, and then, of course, adequate sidewalks in the areas as well.

MR. VANDER TUIG: And what's your feeling on the mini roundabout, because it's my understanding that that's not necessarily the best situation for pedestrians.

MR. CROCKETT: Yes. We don't -- it's not our -- it's not our choice of controlling that intersection. We would prefer -- I mean, even -- I think Mr. Zenner alluded to a signalized intersection. I don't think that was the case. I believe it was just a full stopped intersection. We feel that would probably be the best route, given the low volume of traffic, for that intersection; however that's going to be a call on the City's behalf on that mini roundabout. That's not something that we're installing or we're being asked to install. That's going to be a call at the City level, but we would prefer another method. But, again, it's not our -- not our call.

MR. WHEELER: Are there any other questions of this speaker? I have a question. I'm just going to direct it at you guys and whoever wants to answer it. But as I understand Mr. Crockett's presentation here tonight, you are -- you do not -- or are requesting that we, I guess, not follow Staff's advice on the setbacks.

MR. CROCKETT: That is correct. We -- you know, correct me if I'm wrong, if you would, but it's my understanding that we would like to ask for approval of the plan, subject to the conditions that Staff has put on us, except for the setback requirements. We would like to have the setbacks that we had originally proposed, which is four foot instead of five foot across the south property line, and then

zero-foot setback -- no setback or zero setback across the street -- the three street frontages. And that's basically because of the additional right-of-way that we have granted. I think that on our view we originally had a request in there to grant a variance for not granting additional right-of-ways across, well, all three streets. And we have conceded that, granted additional right-of-way. And given that, that's tightened our box even further, and so we feel that we can work within the parameters with no setback, if allowed.

MR. WHEELER: Just trying to get an idea how somebody ought to frame this.

MR. CROCKETT: Sure.

MR. WHEELER: If that were the case. So the other one would be that 165 spaces, which includes 50 spaces that you're to lease from the city, which we haven't pinned down how long yet, but that 165 spaces, you're not arguing that. I just want to get a clear picture for whoever comes up --

MR. CROCKETT: No. No. I don't --

MR. WHEELER: -- and speaks next.

MR. CROCKETT: -- believe we're arguing with that at all.

MR. WHEELER: All right. So -- you can't do it there. You can come up. No. I'm just saying you have to come to the podium and you have to tell us who you are again because for some reason we can't remember.

MR. STILES: Brandt Stiles, Collegiate Housing Partners. In regards to parking on the contract with the City, it would be a long-term agreement and it would be contingent upon us being able to prove that there is no demand for those parking spots.

MR. TILLOTSON: Don't go away yet.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: I just wanted to clarify: So if the setbacks that the City's asking for is not granted, you'd still have the 18 parking spots on the street.

UNIDENTIFIED SPEAKER: Yes, sir.

MR. TILLOTSON: So now we're at 192. 124 plus 50 is 174, plus 18. Okay.

MR. WHEELER: Okay. Are there any other questions of --

MR. TILLOTSON: I have one more question.

MR. WHEELER: Okay. Mr. Tillotson.

MR. TILLOTSON: Have you been approached by the University to rent any of those spots, like a block of rooms?

MR. STILES: There is essentially an opportunity.

MR. WHEELER: Any other questions of this speaker? Mr. Vander Tuig?

MR. VANDER TUIG: It's probably for Mr. Crockett. And I'm still trying to get a grasp of whether the setbacks that are being requested by the City are because of the envisioned mini roundabout or would the roundabout fit within the right-of-way that you have given at the Fifth and Conley.

MR. CROCKETT: Mr. Vander Tuig, we have not been provided any information regarding the mini roundabout. However I'm very confident that the City has installed similar type mini roundabouts within a 60-foot right-of-way before. Typically, a road such as Fifth would require 50-foot total right-of-way. The City wants 60 foot of total right-of-way, which we have -- we originally asked for a variance to leave it at the existing 40 foot; however, we have conceded and given an additional ten foot of half right-of-way so that the overall width of that could be 60. It's my belief and understanding that a mini roundabout could be installed within the 60-foot right-of-way. The exterior sidewalk, the urban style sidewalk, placed on the back of curb, and still be in conformance and we could still build our building in the appropriate location and still not have any impact.

MR. VANDER TUIG: To your understanding, that's the reason for the request?

MR. CROCKETT: I don't nec-- I don't think it's the -- I don't -- it's not why -- Mr. Zenner can correct me if I'm wrong. It's my understanding that the request is not so the mini roundabout could be built. It's just so that they have assurances that everything could coincide outside of the right-of-way if the mini roundabout is built. Not necessarily to actually build the roundabout. It can be built without the additional setbacks. They just want to make sure there's additional space for tie-ins.

MR. VANDER TUIG: I see. Thanks.

MR. WHEELER: Ms. Peters?

MS. PETERS: Would Staff like to do a follow-up on the reasoning behind Staff's --

MR. ZENNER: Setbacks?

MS. PETERS: Yes.

MR. ZENNER: I think Mr. Crockett has adequately expressed what our engineering staff had informed me. And it's nothing to deal -- it had everything to deal with the tie-ins of the improvements outside of the road right-of-way, based on the construction of a mini roundabout within the current -- or within the dedicated right-of-way that we will be obtaining.

MR. CROCKETT: And we feel that we can build within the piece of property without the setbacks and still achieve that same goal.

MR. WHEELER: Thank you. Are there any other questions of this speaker?

MR. CROCKETT: Thank you.

MR. WHEELER: Thank you. Additional speakers?

MS. FOWLER: Hello. My name is Pat Fowler; I live at 606 North Sixth Street. I'm actually speaking in favor of this, so I know my time will be limited. I just want to start out by saying a lot of the questions that you have a parking and the car sharing, I can answer because I work at the University and I am a member of the current car sharing arrangement that they have there. But first I want to say a couple of things that I have concerns about. The first is I have on occasion -- I don't drive an automobile every day. I ride my bike, I car share. But the times that I do drive to campus, what concerns me from a citizen's perspective and from an employee's perspective is those 18 off-street parking spaces. I think you actually make a situation more perilous for our students and our

drivers. There's this delightful 20 minutes whenever classes change on campus. I obviously enjoy the students, and as they come out in mass from all directions, heading wherever they're headed, the fact that there are cars there will block our view to be able to see them. And we, as drivers on campus, know we need to slow down for them, we know that there's times when the classes change. So if there's some way for you to revisit the placement of those 18 spaces when you do your pedestrian study, I would encourage you to do that because I don't think it's a good idea. I think you create a pedestrian friendly environment going back and forth. I don't like the space ship. I've told the gentlemen about that before. And the reason why is because, having worked at the University with our young people, if you build it, they will come, and someone will think that's a fascinating place to shoot their own YouTube video from the top of and they will find a way to get there. So I hope that you will rethink the space ship. We have other names for it, but we'll just leave it at that, the flying saucer. As far as the concern that I have talked with the developers about is whether or not the rest of that block will go to a second building, and if it does, I'll be back here expressing a lot more concerns than I will tonight. Because I think that it's the same size as a residence hall. It fits in perfectly. You can't get more on campus for an off-campus location. That is perfect to meet the needs for the students. As far as the swimming pool, I spoke with them because the report said it was going to be on the roof. I expressed my concerns about our students' safety, particularly when they're under the influence of alcohol, and they've reassured me that that pool will be on the second story. So I would like to see that memorialized in the documents, that that pool won't be on the roof. And then I am sad about the trees. I know they have to be moved. All of us feel some sadness about this, but we're also realistic. So now let me talk about the parking. There is not a better opportunity to promote and encourage a low car development for our students than this. They are uniquely positioned, not only with Conley Parking Garage across the street and Turner Parking Garage across the street, but also with the cost-effective nature of what the University charges, compared to the City and compared to what the competitive price will be space inside this building, for our students to utilize their commuter parking passes at a modest cost of \$120 per year and move their cars in to Conley and Turner on the evenings and weekends, where everyone knows -- or they should know -- that the University doesn't police those lots. It's a little hectic on football Saturdays, but the other times anybody can park there. The Newman Center does that. So as far as location-wise, they're also right across the street from the new Mark Twain dining hall, and there's a large number of our students that buy off-campus meal passes. And for a student who doesn't feel like they can get their food needs met, they walk across the street. They're also within walking distance of Lucky's market. As you know, there's a new market coming in. So I am pleased as a member of this community for an opportunity to have the perfect location for a low car development. And I'd be happy to answer your questions about parking on campus because I know the answers.

MR. WHEELER: Are there questions of this speaker?

MR. STRODTMAN: I've got a question.

MR. WHEELER: Mr. Strodtman.

MR. STRODTMAN: So can you answer my question? If the University was to build a 354 resident hall, how many parking stalls would they provide?

MS. FOWLER: Well, let me talk about Mark Twain, because that was your question. There is some surface parking. You have to be -- have some pretty special reasons why you would be granted a permit for that. I, as a staff person, could not get a space there. If you were a person with disability or some other restriction -- our students are based on their number of credit hours. A sophomore has the least likely chance of getting a place on campus, and then it goes juniors and seniors. There are very few, if any, students parking in that lot adjacent to Mark Twain because the campus has already provided all those commuter lots and commuter lots closest to the buildings are for us, the employees, so we get to work on time, and then the other out lots, the satellite lots at Trowbridge and other places -- and it goes beyond the Hearn Center. It goes beyond Fawcett Field. There's lots of parking for our students in remote locations that are reasonably priced and they have a little shuttle called the Tiger Line and it runs them back and forth to it. So they do not provide parking for Mark Twain for the students that live there.

MR. STRODTMAN: So if they were to add a new dorm or they're remodeling a dorm or anything like that, how do they know they're giving ample parking?

MS. FOWLER: Well, I think Mr. Joy -- you probably know who Jim Joy is in the parking because he sat as one of our representatives on the Public Transportation Advisory Commission when I was a member of that -- and he will tell you that they have various strategies. They're trying to manage the existing parking they have. I don't know the answer to that. I don't work in parking and transportation. I'm a member of this community. I work at the University. I care about the safety of our students. And because I answer the phone and talk to moms and dads most of the time for the last three years, that's how I know so much about parking and housing and everything else.

MR. STRODTMAN: I understand. I was just asking because you said you knew parking, so --

MS. FOWLER: Well, I understand how it works at the University because I answer those questions for moms and dads.

MR. STRODTMAN: Okay. Thank you.

MR. WHEELER: Ms. Peters?

MS. PETERS: Yeah. I have a number, if I can read my handwriting.

MS. FOWLER: Please ask me about WeCars. I have a good answer for that.

MS. PETERS: Is that the car share?

MS. FOWLER: It is. It's changed its name and I can't remember even though I still use it. WeCar started in the fall of 2010. I am proud to say I was the second person to sign up for it. I use it regularly. Sometimes it's very popular and I have to plan ahead for when I reserve my hourly use of the car for \$8 an hour, which includes gas. It doesn't get any better than that. I have other car sharing arrangements, so it's not my only option. For students who are under the age of 25 or 21 or

whatever their magic number is, they're relying on their parents' automobile insurance to cover that. For me, who has a non-owner's policy, because I'm over 25, I have to pay \$1,000 deductible if I do something bad to the car, but other than that, they have sort of a bridge relationship with the parents' automobile insurance to cover that and to come to -- to reassure the parents on that.

MS. PETERS: Where is the WeCars located?

MS. FOWLER: Where are they located?

MS. PETERS: Yeah.

MS. FOWLER: Right now there are two -- when the students are on campus, there are two at the student center and there are two behind Memorial Union. When the students are gone, they put them down to one car for those off times. But I have relied on it almost -- the only time -- they used to have hybrids and the batteries would die in the winter, and they got rid of the hybrids. Thank goodness. But the regular cars are -- it's a fabulous opportunity and they're used by the students. Again, I have to plan ahead, further ahead than I used to, in order to rent one.

MS. PETERS: What's the process for becoming a member or where do you go to get the keys? How does --

MS. FOWLER: The first year you pay \$35 and they credit it back to you for use in rental. The second year they make you pay the \$35. You have a magnetic system. It's a satellite. You swipe it over the glass, the door magically unlocks. You reach in, you get the key, you get the gas card to refill it, and you return it to its space within ten minutes of when you said you would or you will pay a fee.

MS. PETERS: Can you explain a little bit more on the University parking? I know I see a lot of it behind Hearnese, but I'm not real familiar with the system that they have for student parking. Can they park there on football weekends? Can they, you know --

MS. FOWLER: I used to work for the athletic department and they -- Friday, midnight, before the game, they put out a prohibition and they start towing cars if they're not out of those places where they've sold those spaces as part of the athletic department experience. So as far as -- but these remote lots, the students pay either a commuter permit, a garage permit, or a surface lot permit. And for a student, I have those costs: \$120 for a commuter permit, and that would be Trowbridge or one of the remote spaces.

MS. PETERS: So they park and they catch a shuttle back --

MS. FOWLER: A shuttle back or they walk or they ride their bike or however they need to do that. For a garage permit, if space is available and they have enough credit hours to qualify, it's \$168 a year. For surface lots it's \$144 a year, if they're eligible to get one. I personally, if I buy a parking pass, \$21 a month, 240-something, 52 dollars [sic] a year for staff, which is considerably less than what the City charges and considerably less than what the parking will be here and considerably less -- I've looked into the parking at Brookside, considerably less -- even what Remi (ph.) charges. Mark Stevenson charges his residences \$30 a month for parking adjacent to his places.

MS. PETERS: Do you currently use the city buses? I don't know if they're all called FastCat now or --

MS. FOWLER: I'm glad you brought that up. I do ride the city bus. I've had a pass at various times. I took one of the free passes for FastCat when they were giving out free passes. I really think it's unfortunate that this particular development is having to buy 100 FastCat passes. Now, the reason why is because look where these students are. There's no benefit to them to take a circular ride around campus. Now, I think FastCat is a good idea if it's redesigned. FastCat really would be fabulous if all of us could get to campus and back quickly on express routes. I've ridden FastCat; it is not an express bus. And quite frankly, I didn't feel very well when I got off of it because it kept turning around and around and around. It's not popular. You've heard anecdotally the students are not riding it. It replaced the Downtown Orbiter that I used to take in cold weather when it was icy and rainy, because I live adjacent to downtown. There's far fewer people on FastCat than there were on the Downtown Orbiter, at least the hours that I would be riding it. As an alternative, what I think would be a better idea -- and I don't know how much leeway you have in this, but there's going to be an impact. Even with all of these great opportunities, there's going to be students who think they can game the system and go park in the neighborhoods. Well, we have ordinances in place to keep that from happening. The cars are supposed to turn over every 24 hours. In my neighborhood, North Village and North Central, we have permit parking. I think it would be far better if part of this development agreement was -- because essentially they're asking them for an impact fee to fund FastCat for something that's really not practical for where these students are going to live. Some kind of a way of accumulating resources to improve the parking enforcement in the neighborhoods associated and adjacent to campus would be a far better idea. I don't know that's in your power, but that strikes me as an unfair requirement under these circumstances.

MR. WHEELER: And would probably net us more money.

MS. FOWLER: Huh?

MR. WHEELER: Probably net us more money.

MS. FOWLER: Well, you know, I think that if we are willing to redesign FastCat so it works, it could be fabulous. It is not right now.

MR. WHEELER: Thank you. We appreciate it. Are there any other speakers? Come on down, folks.

MR. ELKIN: My name's Eugene Elkin, 3406 Rangeline Street here in the city. I didn't plan to speak, but when the WeCar came up -- I was hoping she'd elaborate. Is it a two-seated car, ma'am?

MS. FOWLER: Four.

MR. ELKIN: Four-seated. Over here for the developer or anyone interested, Mexico, Missouri, we have the WeCar, and WeCar is an electric car that goes 40 miles at 35 mile an hour on the charge or we have a choice of a 100 mile at 65 mile an hour. I was just thinking, if this was the electric version, they want to make sure that the students are in the 65 mile an hour vehicle, not 35, causing

an accident. Because being a part of People's Visioning, we like to hear about electric, hybrid, anything that can change our world, cutting back on gas usage. I'm now driving a 2013 Hyundai hybrid. This item does not require plugging in. On North Providence we have the Leaf, which is an electric car going 100 miles. We have the Chevy Volt that goes 100 miles. And this example I'm speaking of in Mexico is a 100-mile car. For any of you that might be taking interest in stepping up into the green side, consider these items. I have no other comment. I came in late, but I will say I heard these persons say a lot of negatives. They're presenting themselves. They should be speaking positives. Scrutiny from the past -- I was here when we was fighting the Regency mess -- please, please get the details of this effort going forward. Keep it on the right page so that we can all be proud of it. Thank you.

MR. WHEELER: Thank you. Are there any questions of this speaker? Thank you, sir. Any additional speakers?

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners, discussion? Who wants to lead off tonight? Ms. Peters, thank you.

MS. PETERS: You're welcome. I'm in support of this project. I think it actually is a true smart growth project. I'm not concerned about having the maximum parking requirements. I think there's sufficient parking across the street and connected with the University. I think there are a lot of options here. I also think that a lot of the younger kids like the option of not necessarily having to have a car. And when you've got one that you can actually rent and not be 25 to be able to do so, I think is an added bonus. I think it's a good option for downtown, and I'm grateful the Niedermeyer is still there. I would, however, support Staff's recommendation. They usually do an extremely thorough job with this and they have been working with Public Works. But I would be happy to approve this.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: I'll jump in. I want to thank Pat Fowler for coming in and speaking because I think some of us up here are kind of on the fence a little bit. I personally love the project. I think we need to promote students coming to school -- I really don't want a bunch of kids coming to town with a bunch of cars, so the more we can do to kind of discourage that -- and that's an educational process, which is what I think Pat was bringing to the table is to -- and I think kids that would -- or young people that would want to live there are more apt to not have a vehicle or understand the need of the satellite parking spaces and utilize those more. When I was in San Francisco, the WeCar was called the Zip Car. There you could just walk down the street and if you seen one, hold your pass up and if it wasn't rented, the door would open and you'd get in and go. So there is a really neat concept. I do know projects like this are important to Columbia. Columbia's going to grow. This is, to me, the best project I've seen come down for student housing that we've approved. I mean, it fits everything. It fits the smart growth, which -- and we've got to think that way. We've got to look that way. And it provides the housing we need and it's obvious right now we're not getting enough

housing because everything that's being built is being rented out as fast as its being built. So with that said, rather than ramble on, I would like to approve it, but I personally am not in favor of the setbacks that's being asked for by the City. So I think we may have to bounce that back and forth here a little bit, but I will support the project.

MR. WHEELER: Mr. Vander Tuig?

MR. VANDER TUIG: I'll follow that and I'll just say I think this is a good smart growth project as well. I don't have any issue with the parking as the applicant even proposed it. I think this is a good opportunity. Staff mentioned that this would be a good opportunity to see if this sort of development would be successful and I think not having the additional 50 -- although it sounds like the applicant is willing to give that a try, at least for a couple years -- would actually probably make that trial test even more feasible and successful. The setbacks, I don't see the need for the setbacks on Fourth Street or Fifth Street. If they can't fit the roundabout and the street sidewalks within that right-of-way, that may not be the appropriate application for at the intersection. I don't necessarily agree that that's the right approach for meeting any sort of pedestrian concerns either. I think a signalized intersection is much safer. The rear setbacks, I can kind of see the need for that, but I'd like to hear what other Commissioners feel about that. And so with that, I'm going to support this project.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: First, I'd like to thank the applicant for whatever efforts they may have expended in the transfer of the Niedermeyer to another owner. It was -- I don't know if jewel is the right phrase, but it's obviously something that had a lot of sentiment generated with the prospect of it being demolished. And I'm glad also that the applicant didn't just give up on the community and look for another site for their project. I think market analysis has shown that the demand is there. I think it's unique to have this kind of development right on campus. In the real estate business, we all -- one of the first things we all say is location, location, location, and this couldn't be better. And on a historical note, it might be interesting to just mention that the Mark Twain building and the Lewis and Clark building at one point in time were privately owned until they were bought by the University some years ago. So I intend to support this and I think it's a good project. As far as the setbacks go, I really haven't looked at it and I'm kind of on the fence about how I intend to vote on that part of it, but in general I support the project.

MR. WHEELER: Mr. Lee?

MR. LEE: Well, as this Commission knows, I've been concerned about parking since we first started approving these student houses, and in this case I don't think there is enough parking with this project. I applaud them for the WeCar and the FastCat, but the cynic in me tells me that the FastCat passes are going to go away pretty quick and the garage -- or the 50 in the garage are going to go away pretty quick. I heard Mr. Crockett say that they're going to try for 124 spaces in the garage, but there could be 115. I just -- I don't think there's -- I think it's a good project; I just don't think there's enough parking and I think it's going to overload the neighborhood and I think there's

going to be issues, as when the North Village -- when the Odle projects came in, there was a lot of people who were very upset because the students were trying to park in front of their house and in their driveways and everywhere else. So I think this is going to be -- I think parking is going to be a huge issue. It's a great project, but I think we're going to have problems down the road.

MR. STRODTMAN: I'll just add a few things. I think it's a very nice project. I thank the applicant for doing it. I think the parking, I'm content with a 70 percent, and hopefully we can get to that 77 percent. I think it's a lot better than what we've seen in some of the other projects. But I will say that similar to Mr. Wheeler and others is we definitely -- you know, I don't expect to see this exact picture, but I hope that we see a pretty close resemblance to this picture, or I would just say for future applicants, don't show us a picture that you have no desire to give us or it's going to become harder and harder for us to approve these deals. My other comment will be -- or two, I've got two comments. But my second comment would be I'm going to support the setbacks the City is asking for. I trust that they've looked at this considerably with the traffic engineers and I would rather be a little bit on the safe side. It's almost -- if the building is up on the edge, we'll never have the option of doing anything, so I'd rather have a setback now and at least give us an option. And then my last comment is I would really like to see the City and the University really try to figure out this parking together. And, you know, kind of going off -- you know, I do think that this project has ample parking, but I think as a whole -- and, obviously, I know that we're working with MU and the City to do that, but I think we really need to understand that together and make sure that as a whole we're providing parking and it's not on city streets for our residents. I plan on supporting the project.

MR. WHEELER: Mr. Stanton?

MR. STANTON: Yes. I also support the project and I also support the Staff's recommendations. It's better to be safe than sorry.

MR. WHEELER: Dr. Puri?

DR. PURI: I agree with Mr. Vander Tuig on this project. I like the project. I like the building facade, minus the flying saucer, but I think it's a good project. I do agree with Mr. Vander Tuig, I think that the offsets that are required on Fourth and Fifth are not required. I do agree with him, the rear needs to be five feet, front can be zero, and that's what I would suggest. That's how I would like to see it developed. I think landscaping is okay as submitted. The height is good. This project makes sense. Parking doesn't bother me, as we've worked through this before a number of times, and I think the amount of space you're providing and then the garage spaces you're using is sufficient. I went to school here. I went to the -- you know, high school, University, I did my medical school here. I never took my car to campus. I mean, I was always -- you know, tried to keep my car away, so I don't think it's a necessity for you to have, you know, the car there. So even now, the requirement of living on campus for some time, there's other options there. You know, you would park away and then ride the bus into the campus, and that's what we usually did. So I'm okay with this project

entirely, I think minus the setbacks, with the addition of the five-foot setback. I agree with the Staff on the back side. That's how I intend to support that.

MR. WHEELER: Thank you. All right. In my usual manner, I'm going to go as I took my notes. So the first thing I want to say is there's been a couple of folks who have mentioned our approval of these student housing projects, and to my knowledge we approved one. We didn't approve any of the others. And so that's off the table in my mind. As far as C-2 being appropriate here, absolutely not. I would agree that there -- this is an urban feel, should be an urban feel, but to say C-2 would be appropriate this far south of the city center -- and I understand the definition of the city center -- it is not appropriate. I would agree that the density is appropriate and this is exactly what we're trying to get. This is a great project, so when I start hammering you in a minute, I want you to know that it is a great project, and I believe it is. The right-of-way setbacks, I agree with what's been said here. I'm torn, but the back, you know, this could easily -- this area could easily -- this could be the opening of the door, so to speak, and we're going to have to be really careful in approval of this project that we don't see a domino effect here and have absolutely, you know, these -- just a few trees sticking up in a sidewalk. And so we are going to have to be careful. The back line for those trees, I think that's going to be necessary. So the elevation, this one is big deal for me. You know, we have -- as a community, we've been shown that we were going to get something every nice and, in my opinion, did not get what we were promised. Height, normally this would be a big sticking point. I find it interesting that we're talking about 80 feet over here and no one's -- it's like, yeah, it's okay, and I think it's okay. But I just think it's interesting that that hasn't come up. My sticking point on this thing is the WeCar thing, from what I heard, is there's four cars. During the off season, there's two. So that's not much, in my opinion, for 354 beds, which equates to 354 people, in my world. 264 parking spaces is probably overkill, frankly. However, we are talking about very -- you know, these students aren't your average broke student coming to town. I mean, \$750 a bed, if you can afford that, you probably have a car. And, in fact, I would argue that the likelihood, that ratio is probably higher for this particular segment of the student population. However, I believe that over a period of time we can educate our students and we can convince people that they don't need vehicles. But unfortunately, that three- to five-year window is going to get us, in my opinion. And so I'm really torn. I think you've put together -- you've done everything right, everything. We couldn't ask for more from an applicant to come in and do -- or try to do what you've done. There's some shortcomings that I just want to bring up because they got brought up. The bus system downtown, that thing's not working. In fact, I'd say mass transit in Columbia, Missouri is not working very well and needs to be rethought. University parking, I don't think that's a very good example. And I'm not picking on that example, but they don't follow any of our other rules, why would they follow this one? So it's just -- you know, I'll probably make up my mind how I'm going to vote when Mr. Vander Tuig calls my name, but the parking is a big sticking point for me, as I've told the applicants that. So I'm interested to see

how someone's going to frame this motion this evening with the setbacks and Staff recommendations, but I will leave that to one of you, and so who wants to --

MR. TILLOTSON: I just wanted to add a little --

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: -- something just real quickly. I don't know too many colleges that -- any housing around these colleges that has parking for students. I mean, it's -- you talk about the kids coming with cars, yeah. But their parents went to college and their parents tell the kids, You're not going to have a place to park, so you're going to have to work this out. You're going to have to work out a bus system. You're going to have to use satellite parking. That's part of living in a college campus area. That's just fuel for thought because we've got kids in college and I know what it cost to have my son park, so just a little added thought there.

MR. WHEELER: Who wants to give it a whirl? Dr. Puri?

DR. PURI: I'll try it.

MR. WHEELER: All right.

DR. PURI: Make a motion to approve Case No. 13-79, Collegiate Housing Partners, LLC rezoning PUD-90 and PUD Development Plan. Approval subject to modify SOI to require 165 parking spaces, 115 onsite and 50 offsite per agreement with the City; setbacks as zero, front, zero on Fourth and Fifth Street, rear five feet; approve landscaping variance to allow 9 percent landscaping; approve 80-foot max on building height; modify SOI to correct max units not -- due to change in net acreage; and restrict the building permit issue until the pedestrian impact analysis is approved.

MR. WHEELER: Motion has been made.

MR. TILLOTSON: (Indicating.)

MR. WHEELER: Mr. Tillotson seconds. Discussion on the motion? Mr. Stanton?

MR. STANTON: Did you say zero setbacks on Fourth and Fifth Street?

DR. PURI: Correct.

MR. STANTON: Okay.

DR. PURI: Because they have 60 foot of right-of-way that they can do that in and five foot on the rear is required because of the tree line.

MR. WHEELER: Any additional discussion on the motion? Ms. Peters?

MS. PETERS: Comment from Mr. Zenner on --

MR. WHEELER: Oh, Mr. Zenner?

MR. ZENNER: Just want to make sure that Dr. Puri's motion is inclusive of making appropriate modifications to the development plan, which is also included with this. Or if you want to take that as a separate motion, as you have previously, we will need a motion on the zoning action to establish the Statement of Intent and the zoning, and then we'll also need a motion on the development plan, unless you desire to include it all together as one.

DR. PURI: Put it all together as one?

MR. WHEELER: You're making the motion.

DR. PURI: Okay. We'll include it.

MR. WHEELER: And, Mr. Tillotson, was there a second? Are you seconding his --

MR. TILLOTSON: (Indicating.)

MR. WHEELER: Okay. Discussion on the motion?

MS. PETERS: Yes.

MR. WHEELER: Ms. Peters?

MS. PETERS: I really like what they're doing here. I think it's a development that's very needed, but I am in support of Staff's recommendations, so based on the motion, I will be voting no. But it's not because I don't like the project, it's because of the detail

MR. STANTON: Yeah.

MR. WHEELER: Mr. Stanton?

MR. STANTON: I would agree. That's the only thing. If it's -- I support the Staff's recommendations, so I will not support it if it's as --

MR. WHEELER: Ms. Peters?

MR. STANTON: -- going out.

MS. PETERS: I would do a follow-up that if this motion fails that another motion be made.

MR. WHEELER: That's normal. All right. So motion's been made and seconded, unless there's additional comments on the motion.

MR. VANDER TUIG: A motion's been made and seconded for Case 13-82 -- oh, I'm sorry. That's the comprehensive plan. Not quite there. Case 13-79 --

MS. PETERS: I think this case number is 12-79. That's what my sheet says.

UNIDENTIFIED SPEAKER: Thirteen.

MR. WHEELER: Thirteen.

UNIDENTIFIED SPEAKER: Thirteen.

UNIDENTIFIED SPEAKER: Thirteen.

MS. PETERS: Okay. Typo. Thank you.

MR. VANDER TUIG: For Case 13-79 for a request by Collegiate Housing Partners, LLC to rezone approximately 1.25 acres from R-3 to PUD-90 and to approve a PUD Development Plan to be known as "The Residences at Fifth and Conley", and to grant the following variances: To modify the Statement of Intent to require 165 parking spaces, 115 onsite and 50 offsite per parking agreement with the City; setbacks as follows, front - zero, Fourth Street - zero, Fifth Street - zero, rear - five feet; approve landscaping variance to allow 9 percent landscaping and open space; approve 80-foot maximum building height; modify the Statement of Intent to correct maximum units allowed due to change in net acreage; and restrict the building permit issuance until pedestrian

impact analysis is provided; as well as make the appropriate modifications to the development plan per the listed recommendations.

Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Dr. Puri, Mr. Reichlin, Mr. Tillotson, Mr. Vander Tuig. Voting No: Mr. Lee, Ms. Peters, Mr. Stanton, Mr. Strodtman, Mr. Wheeler. Motion fails 4-5.

MR. WHEELER: All right. We get to frame another motion now?

MR. ZENNER: You can.

MR. WHEELER: Yes. Ms. Peters --

MR. ZENNER: But you just voted.

MR. WHEELER: -- do you want to try to frame another motion?

MS. PETERS: Yes. I will make an attempt. Move for approval of Case 13-79 with Staff's recommendation of approval of a PUD-90 zoning and a PUD Development Plan, subject to the revisions as stated below, which are variances required for the number of onsite parking spaces is denied, however, if the Commission supports the request, it is recommended that -- with 115 onsite and 50 onsite per parking agreement with the City. Got that? This is difficult. Okay. Variance to the 25-foot perimeter setback is denied, but Staff's recommendation is a zero-foot front along Conley, a one-foot side on Forth Street, four-foot on Fifth Street, and a five-foot rear, south property line. Approval of the landscape variance, a variance for the structure height, and modification to the Statement of Intent to correct the maximum number of units based on the revised net acreage after right-of-way dedication -- or deductions. And a building permit would be withheld until pedestrian impact analysis has been approved.

MR. STRODTMAN: For simplicity, the only change was the setbacks?

MS. PETERS: Yes.

MR. WHEELER: Per Staff recommendation.

MS. PETERS: Per -- yes.

MR. STRODTMAN: On a previous -- I second it.

MR. WHEELER: Okay. A motion's been made and seconded. I have broke protocol here, I think, by doing this, but I think this is where the Commission wanted to go. And so is there a discussion on this motion? Mr. Vander Tuig.

MR. VANDER TUIG: We have a motion and a second for Case 13-79 for rezoning from R-3 to PUD-90 and to approve the PUD Development Plan to be known as "The Residences at Fifth and Conley", including a modification to the Statement of Intent to require 165 parking spaces, including the 50 offsite per the parking agreement with the City; setbacks as requested by City Staff, zero on the front, one foot on Fourth Street, four feet on Fifth Street, and five in the rear; approve landscaping variance to allow 9 percent landscaping and open space; approve 80-foot maximum building height; modify Statement of Intent to correct maximum units allowed due to change in net acreage; and

restrict the building permit issuance until pedestrian impact analysis is provided; and including the appropriate modifications based on these recommendations.

Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Ms. Peters, Dr. Puri, Mr. Reichlin, Mr. Stanton, Mr. Strodman, Mr. Tillotson, Mr. Vander Tuig. Voting No: Mr. Lee, Mr. Wheeler. Motion carries 7-2.

MR. WHEELER: Recommendation with Staff’s modifications, I guess I’ll call it, will be forwarded to City Council.

MS. PETERS: Question?

MR. WHEELER: Yes, ma’am?

MS. PETERS: This goes to the consent agenda? Am I correct in that?

MR. WHEELER: Yes. I believe there was seven votes for approval, so it will go on the consent agenda. But I have not doubt that there will be discussion on the Council level. But, yes, it would go on the consent agenda, should they just decide to move forward.