

**MINUTES**

**PLANNING AND ZONING COMMISSION MEETING**

**APRIL 8, 2021**

**COMMISSIONERS PRESENT**

**Ms. Sara Loe  
Mr. Michael MacMann  
Mr. Anthony Stanton  
Ms. Sharon Geuea Jones  
Ms. Lee Russell  
Mr. Brian Toohey  
Ms. Tootie Burns  
Ms. Valerie Carroll**

**COMMISSIONERS ABSENT**

**Ms. Joy Rushing**

**I. CALL TO ORDER**

MS. LOE: I would like to call the April 8th, 2021, Planning and Zoning Meeting to order.

**II. INTRODUCTIONS**

MS. LOE: Ms. Carroll, may we have roll call, please?

MS. CARROLL: We have eight; we have a quorum.

MS. LOE: Thank you.

**III. APPROVAL OF AGENDA**

MS. LOE: Mr. Zenner, are there any adjustments or additions to the agenda?

MR. ZENNER: Yes, there are, ma'am. Item number -- or case number 109-2020, you have a request for a tabling in front of you. We have a request for tabling in front of you, so that item will actually be moved from the Subdivision section up underneath the Approval of Minutes as an item to be tabled. That is the only adjustment to the agenda.

MS. LOE: Thank you. With that -- Ms. Russell?

MS. RUSSELL: I'd like to move to approve the amended agenda?

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. I'll take a thumbs up approval on the amended agenda. It looks unanimous.

**IV. APPROVAL OF MINUTES**

MS. LOE: Everyone should have received a copy of the March 18th, 20201, meeting minutes.

Were there any additions or changes to those meeting minutes?

MR. STANTON: I move to approve the minutes.

MS. RUSSELL: Second.

MS. LOE: Moved by Mr. Stanton; seconded by Ms. Russell. I'll take a thumbs up approval on the meeting minutes. It looks unanimous. Thank you.

## **V. TABLING REQUEST**

MS. LOE: All right. That brings us to our first case for the evening, which is tabling.

### **Case Number 109-2021**

**A request by McClure Engineering Company (agent), on behalf of Marshall and Sylvia Murray, William Orscheln, and Angelica and Lee Hardy (owners), seeking approval of a three-lot final minor plat to be known as Thornbrook Plat 7A. The proposed plat will reconfigure three existing platted lots and plat for the first time a survey tract. All property involved in this platting action are zoned R-1 (One-Family Dwelling). The approximately 10.4-acre site is located approximately 0.67 miles west of the intersection of Highway KK and Scott Boulevard.**

MS. LOE: Since this is a tabling request, no staff report. But it was advertised, correct?

MR. ZENNER: No, it was not advertised.

MS. LOE: Ah.

MR. ZENNER: This particular project is a final plat previously --

MS. LOE: Okay.

MR. ZENNER: It is a replat of previously platted property with the one unplatted lot, but no design adjustments. There was no newspaper advertising on this. As the correspondence from the applicant indicated, they are trying to resolve some lot arrangement issues, which the two-week delay will allow. You will also note, which is an oddity as it relates to subdivision requests for tabling, the Thornbrook Homeowners Association via Pat Bess has indicated that they are also supportive of that tabling, and that is, I think, to address certain issues with the applicant as it relates to possible private matters between the homeowners' association and the applicant themselves. And we will have the report back to you at our next meeting. And it has been published, but there is no real action here other than the request to table that the Commission needs to act on.

MS. LOE: With that, any questions for staff? Mr. MacMann?

MR. MACMANN: If my fellow Commissioners do not have any questions, in the matter of Case 109-2021, I move to table to date certain, which would be, Mr. Zenner?

MR. ZENNER: April 22nd.

MR. MACMANN: April 22nd.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Rushing -- oh -- Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 8-0.**

MS. CARROLL: We have eight votes to approve. The motion carries.

MS. LOE: Thank you.

MR. ZENNER: Ms. Chairman, if you can wait one moment, I have to reset the PowerPoint so it actually works properly.

MS. LOE: All right. I'm not used to having to fill time.

MR. ZENNER: Jokes, entertainment, any -- yeah.

MS. LOE: That wraps up our tabling section for the evening. I can slowly move us on to our Subdivision section.

## **VI. SUBDIVISIONS**

MS. LOE: I'm just going to read out the new case and the summary of the case very slowly until we get the new presentation set up.

### **Case Number 108-2021**

**A request by McClure Engineering Company (agent), on behalf of Missouri Farm House Associations, Inc. (owners), seeking approval to consolidate multiple R-MF (Multiple-Family Dwelling) zoned lots into a single parcel in advance of proposed redevelopment of the site with a new fraternity house. The approximately 0.44-acre site is located at the southeast corner of Rollins Street and Richmond Avenue.**

MS. LOE: Are we ready for a staff report?

MR. ZENNER: I believe we are, ma'am. So per your request, there we are.

MS. LOE: There we go.

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval to consolidate multiple R-MF zoned lots into a single parcel.

MS. LOE: Thank you. Before we move on to staff questions, I would like to ask any Commissioner who has had an ex parte related to this case to please share that with the Commission now so all Commissioners have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Ms. Burns?

MS. BURNS: Mr. Kelley, could you go back to your first photo of the structure over -- so the current structure, can you explain, is it over the property line or what's the situation with the current structure?

MR. KELLEY: No. No, it's not over the property line. It's just with this being a 3-D image, I was placing the boundaries of the property over the property line, and you're kind of seeing this height dimension come up.

MS. BURNS: Okay.

MR. KELLEY: So if I go to the next slide, you can see on the plat the footprint.

MS. BURNS: Okay. I was just curious about that, and looking at the photograph, I couldn't quite figure out the placement of the current structure. Thank you.

MS. LOE: Mr. MacMann?

MR. MACMANN: Planner Kelley, they have no problem with giving us the corner truncation?

MR. KELLEY: Correct.

MR. MACMANN: We need to write that down. Thank you, Planner Kelley.

MS. LOE: Mr. Kelley, to follow up on Ms. Burns' question, the report did note that the existing structure would be a noncompliant structure, correct? Can you just indicate which areas of the existing structure would be over the -- I didn't see the setbacks illustrated on the plat, so it wasn't clear to me what parts of the existing building are encroaching.

MR. KELLEY: Sure. If you can see on this plat right here, if you can see this short dimension,

it's 11.49 feet, so 11 and a half feet between the right-of-way and the structure, so it's about, oh, I think three feet or so into the encroachment. And then the rear of this building is only eight foot away from the property line, so I think it's about two feet over.

MS. LOE: And the new structure will then be required to be two -- the full ten feet on the inside side yard and the full -- it would be 14 or 15 feet on the open street side yard?

MR. KELLEY: Fifteen feet on the corner side lot, but --

MS. LOE: Richmond.

MR. KELLEY: -- as I mentioned, they requested some variances which kind of relate to that.

MR. ZENNER: If I can, it's a pending variance case that will be addressed with the construction of the new fraternity house, which is going before the Board of Adjustment next week. The building orientation is actually being redirected. The new front of the building will actually be to Richmond Avenue, so the side would be then Rollins. The side would be the southern property line. The variance is associated with the proposed structure are both the newly established front yard, the rear yard, and then a variety of other variances as it relates to parking associated with the new fraternity house, all of which are more dimensional standards as they relate to the consolidated property. The parcel could not be redeveloped with the proposed fraternity house without the consolidation plat because you cannot build over a property line under the UDC. So what they are attempting to do is get the platting action out of the way at this point because it will take longer to process through the City Council than the Board of Adjustment action which is terminal after the 14th's meeting. So if they are successful in being able to get all of the variances, they would be proceeding to demo the building later this year, once the students have left, and then start construction of the new structure. Depending on the outcome of the Board of Adjustment actions, it is possible that the building may need to be modified in order to fit into the -- the new footprint or the building area that is being created, but they're willing to take that chance in order to be able to expedite this process, so that is why the plat is here before the actual Board of Adjustment has been addressed -- their variance issues. Quite honestly, as Mr. Kelley points out in the staff report, the platting action does not create any new nonconformities as they exist. We're actually getting the corner truncation, we're getting additional road right-of-way, and as is the case with any platting action where we have a building that becomes nonconforming as a result of a platting action, the building is allowed to

stay, but cannot be enlarged by -- which would further exacerbate those existing nonconformities. So the only opportunity that this building would have to grow would be to the south, as long as it maintained a 25-foot setback from the newly established front property line, which is Richmond.

MS. LOE: That is a good segue into my second question was, were -- were we viewing this in the correct order in that we're seeing it prior to the Board of Adjustment's variance?

MR. ZENNER: There is no specifically prescribed order.

MS. LOE: Okay.

MR. ZENNER: This is from a practical perspective because the time frame associated with Council approval with the platting action will actually be probably three to four weeks longer than the Board. They just wanted to get the process started. This case actually will not be forwarded to City Council for consideration until their May 3rd meeting. So depending on if the Board of Adjustment actions are not approved, the applicant would have the opportunity to pull the platting action and not have it considered exacerbating potentially certain other issues. So that will still be an option, and we can advise the applicant of that also after this meeting, that they may want to consider that if the Board actions do not get approved the way they're hoping.

MS. LOE: All right. It explains why I was sort of confused by some things. Any additional questions? Ms. Burns?

MS. BURNS: I just had one follow-up question. Will this come back to us given that the structure will now be facing on Richmond versus on Rollins?

MR. ZENNER: No, it will not.

MS. BURNS: Thank you.

MS. LOE: Any addition -- Mr. MacMann?

MR. MACMANN: Hence, our Chair opened this rabbit hole. Would it be a -- the developer, would they -- could -- would they pull it, or would they table it if they don't win at Board of Adjustment?

MR. ZENNER: I guess the Board only meets once a month. It could be tabled to allow for a resubmission of a different set of variances. However, the analysis that we have done based upon the construction that's desired, it's predicated on the variances being granted till --

MR. MACMANN: So then pull it would make more sense?

MR. ZENNER: It would make more sense pulling it, not tabling it.

MR. MACMANN: Okay. We'll let that developer make that -- I just -- we went down this arcana, so I thought, well, hey, why not. Thank you very much.

MS. LOE: Additional questions for staff? Seeing none. We will open the floor for any public comment, if there is anyone in the audience that would like to provide comment on this case that might help us in our review of it.

#### **PUBLIC HEARING OPENED**

MS. LOE: Seeing none, we're going to close public comment on this case.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission comment? Ms. Russell?

MS. RUSSELL: If there are no comments, I'm going to go ahead and make a motion. In the case of 108-2021, I move to approve the requested final minor plat of Lagrange Place Plat 5.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we have roll call, please?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 8-0.**

MS. CARROLL: We have eight to approve. The motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City council.

#### **VII. PUBLIC HEARINGS AND SUBDIVISIONS**

MS. LOE: This brings us to our public hearings and subdivisions for the evening.

#### **Case Number 90-2021**

**A request by Crockett Engineering (agent), on behalf of Michael M. Menser Properties, LLC (owners), for approval of a replat of 0.38 acres and design adjustments from Sections 29-5.1(f) and 29-5.1(g) of the Unified Development Code relating to lot frontage, lot shape, and dedication of public utility easements, respectively. The subject property is addressed as 1009-1021 East Broadway. The purpose of this request is to divide the existing single lot into two, to facilitate the**

**division of the existing improvements into individual ownership. (This item was tabled at the March 18, 2021, Planning and Zoning Commission meeting.)**

MS. LOE: May we have a staff report, please?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested design adjustments -- I'll just -- I'll go with the descriptions here -- the lot protrusions for tier lots, and for the utility easement on the street right-of-way, and then also approval of Gordon Subdivision Plat 2. And a side note, denial of any design adjustment would require denial of the plat, as well, because it would no longer be conforming to the UDC.

MS. LOE: Thank you for that. Before we move on to questions of staff, I would like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission now so all Commissioners have benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Mr. MacMann?

MR. MACMANN: Just a comment directed to Manager Zenner. Right-of-way, alleys, we still need to address those, and BT issues. Are you with me?

MR. ZENNER: I'm not, but yes. We have to have an alley right-of-way.

MR. MACMANN: No. No. No. Well, I just -- this -- this case serves as a reminder that the ten-foot right-of-way dedication in the M-DT is not functional as it was written in the UDC, nor, in all cases, are the alleyway. I'm reminding staff that we need to revisit these issues because this is going to happen again and again and again and again. And we're issuing variances rather than having a solution, so they come to us and we have to make the sausage. Thank you.

MR. ZENNER: Well, we eliminated the crossing a property line issue. It's the same philosophy. We will have to have two separate votes, please, when you do reach that point. One for the design adjustments, and they could be handled as a single vote, unless you are of the inkling that you're going to deny one of them and not approve them, and then one for the plat, as well, due to the fact that we will produce two separate reports for City Council's consideration.

MS. LOE: Ms. Russell?

MS. RUSSELL: So to be clear, do you want us to have a motion on each design adjustment, not just all of them together?



MR. ZENNER: I think if there is no discussion amongst the Commission that you are not supportive of the design adjustments, one motion will be sufficient. If you are not won over that the design adjustments are appropriate to be granted, you may want to have separate motions.

MS. RUSSELL: Okay. Thank you.

MS. LOE: Additional questions for staff? Seeing none. We will open up the floor to public comment.

### **PUBLIC HEARING OPENED**

MS. LOE: If anyone has any comments that they would like to provide on this case that we might consider in our consideration of it, please give your name and address for the record. You will be limited to three minutes. If you're speaking for a group, you get six minutes.

MR. BECKETT: Yes, ma'am.

MS. LOE: You do need to come and speak into the microphone so we capture you for the record.

MR. BECKETT: Good evening, Commissioners, Madam Chair. I'm Dan Beckett; I'm a representative of the applicant. I'm an attorney at Smith Lewis, LLP, here in Columbia, with offices at 111 South Ninth Street, Suite 200. We generally agree with everything the staff report commented on, and we're here to answer any questions you have. I have Tim Crockett with Crockett Engineering and Mills Menser, who is a representative of the applicant. So if we can be of any assistance in answering any questions you may have about this subdivision and the design adjustments that we're requesting this evening, we're happy to answer those.

MS. LOE: Are there any questions for this speaker? Ms. Geuea Jones?

MS. GEUEA JONES: I have a very quick one. I notice there are actually three buildings on the lot, but you're only subdividing out two of them. Am I -- is there a reason that you're not doing all three now? There's just two buildings on this lot.

MS. GEUEA JONES: Okay. I'm misreading then. Never mind. Thank you. That's clarification.

MR. BECKETT: Yes, ma'am.

MS. LOE: Any additional questions? Ms. Burns?

MS. BURNS: Yes. In looking at the picture, is there alley access off of Ninth Street to the east?

MR. BECKETT: That alley is accessible by both, I believe, Ninth and Eighth.

MR. PALMER: Well, Tenth -- it's Tenth and --

MR. BECKETT: Or Tenth, excuse me. Short Street over.

MS. BURNS: So that's the old MidiCi's Pizza Place that has residential on top of it, correct?

MR. BECKETT: MidiCi's is at the corner.

MS. BURNS: Oh, right. Okay. It just -- in this -- in the picture that I'm looking at, it looks like there isn't access off of -- I'm sorry -- Tenth Street into the alley, but perhaps it's just the way the photo looks. Thank you.

MR. BECKETT: Okay.

MS. LOE: Additional questions for this speaker? I see none. Thank you.

MR. BECKETT: Yes, ma'am. Thank you.

MS. LOE: Any additional speakers on this case? Seeing none, we will close public comment.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commission comment? Mr. MacMann?

MR. MACMANN: In the -- I'll get the two easy ones out of the way first. The lot protrusion and the utility easements, we've given everyone else this, and I don't see any conflict to anything that we're doing. And to Mr. Palmer, you guys don't see any conflict in any of this stuff? You approved it conceptually, right?

MR. PALMER: Yeah.

MR. MACMANN: The lot protrusions and the -- okay. I don't think those are an issue whatsoever. The thing we don't tackle with any frequency are the tier lots, and if anyone has any questions about that or whatever, I think that's where our -- by taking again the room here, that's where our questions might be is the tier lots. And I personally don't have a problem with them, I just -- you know, we haven't dealt with this.

MS. LOE: Ms. Russell?

MS. RUSSELL: If there are no more comments or objections, I'm going to move to on Case 90-2021, approve the requested design adjustments for lot protrusions, tier lots, and utility easements.

MR. MACMANN: Second.

MR. STANTON: Second.

MS. LOE: I'm going to give it to Mr. MacMann. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we have roll call, please?

**Roll Call Vote (Voting "yes" is to recommend approval). Voting Yes: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 8-0.**

MS. CARROLL: We have eight to approve. The motion carries.

MS. LOE: Thank you. Ms. Russell?

MS. RUSSELL: And follow along, the second motion on Case 90-2021, I move to approve Gordon Subdivision Plat 2.

MR. MACMANN: Second.

MS. LOE: Second by Mr. MacMann. We have a motion on the floor. Any discussion on this motion? Seeing none. Ms. Carroll, may we have roll call, please?

**Roll Call Vote (Voting "yes" is to recommend approval.)**

**Voting Yes: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 8-0.**

MS. CARROLL: We have eight to approve. The motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. All right. We were just conferring. We have two cases coming up or two cases left on the agenda, and I'm going to read out the summary for both of those. We're going to do a presentation that covers both of them.

#### **Case Number 89-2021**

**A request by Crockett Engineering (agent), on behalf of Summit Medical Supplies, LLC, and William E. Stricker (owners), seeking approval of a 65.35-acre preliminary plat that includes 113 single family residential lots, five common lots, and one 3.59-acre lot that may be developed at a later date. The request includes a design adjustment from Chapter 29-5.1 of the UDC, pertaining to the requirement to construct sidewalks adjacent to public roadways. The subject acreage is located at the southeast corner of E. Gans Road and S. Bearfield Road, addressed 2550**

**E. Gans Road and 2700 E. Gans Road.**

**Case Number 91-2021**

**A request by Crockett Engineering (agent), on behalf of Summit Medical Supplies, LLC, and William E. Stricker (owners), for assignment of one-family dwelling district R-1 zoning upon annexation. The request includes two parcels totaling approximately 65.35 acres generally located at the southeast corner of E. Gans Road and S. Bearfield Road, addressed 2550 E. Gans Road and 2700 E. Gans Road.**

MS. LOE: I read those out of order and how they'll be voted on, but I read them in numerical order. Sorry for that. May we have a staff report, please?

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends approval of both the Canton Estates Preliminary Plat and the assignment of R-1 zoning upon annexation.

MS. LOE: Thank you, Ms. Bacon. Before we move on to staff questions, I would like to ask any Commissioners who have had any ex parte related to this case to please disclose that now so all Commissioners have benefit from the same -- of the same information on the case in front of us. Seeing none. Are there any questions for staff? Ms. Carroll?

MS. CARROLL: Thanks. That was a great presentation. I was a little thrown by combining the two topics, but I thought you did a good job separating them and you're very thorough, as always. I do have a few questions, given the sensitivity of this case. In your staff report, you noted a shortage of improved surrounding infrastructure, and you suggest that oftentimes improvements to infrastructure, when they involve expanding City limits, take a chicken or egg approach. Can you clarify for me if the City were to pursue such an approach, who would be responsible for the investment in surrounding infrastructure improvements?

MS. BACON: So there -- this is not a unique situation, right? We often see areas that come into the City are rather rural in character or the roadways aren't what we would see as typical City roadways because they weren't built under City regulations, the current requirements for roadways, right? So we see that quite a bit. And so the City Council ultimately has to weigh, you know, in their capital improvement planning processes, the priority of investment, right? And so, in this case, it's -- it's really

going to be probably the roadways are the biggest concern. And right now, it's -- it would up to the county to make that investment, but that could change, as I said, in the future, as the jurisdictional changes -- changes undergo negotiations. In terms of the provision of sewer, there is already sewer available to this property, so the ability to use that existing sewer trunk main is going to require the developer to pay for any points to get there, right? So if they want to get their development served, they're going to have to pay to get there. Additionally, they'll have to pay taxes, right -- for individual properties. That's part of the cost recovery sort of a thing, right? When we look at other points of infrastructure, like water, same thing. It's kind of a pay as you go sort of -- sort of a thing. In terms of those softer infrastructure things, so when we think of, like, sending a snow plow out there or a police officer, that's captured a little bit different way, right? So folks pay property taxes, but it's a very small percentage that goes to the City. Most property taxes go to the school, so we get some property tax. There are some development related fees, you know, permitting fees that the City -- City captures, and then there's sort of the concept that, you know, rooftops drive retail, so folks who live in the City will then spend their dollars in the City, we hope, and provide the ability to provide services based on their sales tax, right? So -- so it's sort of a big picture, and it's a very complicated thing.

MS. CARROLL: Road and sidewalk improvements, should this be annexed, would be added to the CIP -- the CIP.

MS. BACON: No. So all -- let me clarify. Actually, Mr. Zenner, I think, can jump in.

MS. CARROLL: If Council approves.

MR. ZENNER: Again, so I think as Ms. Bacon pointed out, and as our subdivision regulations articulate, the sidewalk construction and typically roadway construction, in order to support the intensity of the development, becomes the obligation of the developer as part of the bigger picture, the annexation. Often what we refer to as the cost of entry. So often what City Council will do as part of an annexation request is there will be a development agreement associated with that annexation which allocates out responsibilities to the developer for particular improvements which defray ultimately the overall costs of bringing up sufficient or substandard infrastructure to support the development that is proposed, as well as will benefit future development that may follow. The concept of chicken and egg really is something that does a municipality or a county invest in an infrastructure project without having the resources by

which to recapture that investment. So that is where your chicken and your egg comes in. You either have to agree that -- you either have to acknowledge the fact that development drives the need, the greater demand for making those investments, which ultimately then drives the addition of a project to the capital improvement budget, which ultimately is then funded through bonds or other capital -- capital resource processes where we are able to secure revenue, similar to how we do park sales tax. For example, we may have a transportation tax, which we do, and we have a tax that's -- we have a fee that's applied to the building permit, which is very minimal, as well, to offset transportation costs and transportation improvements. But the typical mechanism used by the City to do roadway projects is really our bond capacity and our roadway identifications that are done every ten years. So the construction that the public sees right now on Nifong-Vawter down on the south end of town, that is a result of a major capital project that basically took years and, in some people's minds, maybe years too long to have constructed. And part of that is at the time that the development exploded in the southwest portion of the City, it was exploding everywhere, and it was almost impossible to keep up with that level of growth. We have grown from that experience as a City, and that is why we do development agreements now. With this particular project, however, there is not any proposed development agreement given that the road dedication and the other improvements that would go along with meeting the requirements to support this project are otherwise being addressed. Often when we do development agreements, we are looking at far more deficient situations in which a development agreement is needed. Breckenridge is a project that's on the west side of town off of Smith Drive, off of Scott Boulevard. There's a development agreement associated with that. There was a development agreement associated with the Tosni Tract, which is at the corner of Smith Drive and Scott Boulevard. Those development agreements were developed as a result of needing to offset the impacts that those projects were creating on an already burdened infrastructure system. The Brooks off of Highway WW is another project that is very similar, as was Old Hawthorne. Development agreements exist and they exist in order to be able to defray public cost and assign the appropriate level of that. Right now, this project is not believed in our analysis of the traffic report between the City and the county to generate the threshold for such a project. Now, the projects I just referenced were well over 300 lots, each having a slightly different impact in their locales. And, therefore, all of this is part of the background that we are evaluating in order to assure what we are

suggesting to Council that may be appropriate to bring into the City can be supported. But we also have to acknowledge that R-1 is the common zoning utilized whenever we annex property in these types of peripheral areas, and over time, those deficiencies are corrected, but the conversation gets accelerated once the opportunity for development actually is realized, not by somebody saying, well, I just want a big road next to my farm property, and many people would ask for what purpose. Building the connection of Gans from 163 to 63 without having other development there to generate the demand for that type of connection would be seen as an absurd expenditure of public funds probably by the majority of the voting public and, therefore, that type of expenditure would likely not be made until there was a greater demand, which is what this type of development generates.

MS. LOE: Any additional questions?

MS. CARROLL: I know this is a request for R-1 zoning, but I'm wondering, given its current zoning within the county, and the zoning of at least its most direct adjacent neighbors on the south side of Gans Road, did you consider agriculture -- agricultural zoning as an alternative option?

MR. ZENNER: The agricultural zoning district pursuant to our subdivision code, unlike the county's, does not allow for the multiple division of larger acreages typically without the rezone -- to create a residential subdivision without the -- without the requirement to rezone to an appropriate zoning classification. So while ag may have assuaged some of the issues, it would have -- if it was designed differently within our code, the minimum lot acreage in an agricultural district is two and a half acres. However, because of the subdivision restriction, the belief that if you're going to start to chunk out an agricultural tract of land, you really need to do it under the appropriate zoning classification, that really was off the table. So as Ms. Bacon pointed out, the other alternative then becomes, well, how do you -- what's your other alternative. The only other alternative to the R-1 would be planned zoning in order to regulate more of the lots size aspect to it, but, as Ms. Bacon pointed out, as well, we have to weigh the benefits associated with the regulatory processes and the administrative burdens that are created not only on the City's staff, but also those that are created unintentionally on the developer themselves by having planned district zoning assigned to a property when, in fact, it can otherwise comply with all of our other regulatory standards. It comes really more of an assignment of additional burden, just to act as a restriction that really is not a necessary restriction when we can achieve the same goals through other

mechanisms. Some, as Ms. Bacon pointed out, that can be administered by the City through zoning or the subdivision process, or those that can be possibly ameliorated through private covenants or other aspects applied to the project site itself.

MS. LOE: Any additional questions?

MS. CARROLL: I do have one more. I'm sorry. Thank you for hearing me. Last question. You suggested that this was being built at a node location. I guess I'm having a hard time envisioning how this fits nodal development pattern since in Columbia Imagined, that was designed to be a compact development that's walkable and compact, and this looks more akin to urban sprawl to me. I was wondering if you could go over your criteria in analyzing this?

MS. BACON: So it's just a node on the map, so that's the only reason why I brought it to that level. You're correct that the node concept is a different sort of development pattern. At this time, the R-1 doesn't well support that nodal concept, but it could be a holding point into -- in the future, many years down the road.

MS. CARROLL: Thanks.

MS. LOE: Any additional questions for staff? Ms. Bacon, I had just a follow-up question on Ms. Carroll's, which may be answered by the description of agricultural. But I guess I was curious, given the disparity between context on the north and south ends of the site if split zoning was considered.

MS. BACON: No, it was not.

MS. LOE: Thank you. All right. Any additional questions for staff? Ms. Geuea Jones?

MS. GEUEA JONES: Thank you. And, yes. Thank you for combining those so we didn't -- didn't need two -- two separate presentations. On this plan, have you done any of the impervious surface calculations yet, or, I guess, it's not planned development, so I don't suspect that you would have. I just didn't know if you had an idea.

MS. BACON: I'm going to go back to my previous comment that we spent a lot of time with the engineers of all stripes within the City of which I am not one. So this plan did go through all of them and they are required to meet all of the City's requirements. So in terms of the exact square footage that might be associated with pervious impervious surfaces, I think you could aggregate what a similar lot arrangement might have produced in other places and find numbers based on that. But other than they



will be required to meet all requirements --

MS. GEUEA JONES: They don't have --

MS. BACON: -- the more discreet numbers could be best left to the engineers.

MS. GEUEA JONES: And the -- the current City areas that touch the edge of Rock Bridge, those are all PD or --

MR. ZENNER: The -- the Parkside development is a planned zoning district due to the nature of a combined product type that is within it. The development across the street at Bristol Lake is a planned district as a result of the original annexation agreement or annexation of the Phillips Farm property, so that is planned district. And then all of the other developed land at Bristol Ridge is R-1. Our park is R-1. And the remaining property surrounding the park that may be in the county is a mixture of agricultural zoning designations of A-2 or A-1, representing really the rural nature of that particular environment. It has -- you know, the Clear Creek Project, which was referenced in correspondence to us is A-2. It was A-2 before it was developed, and the applicant -- the developer of that property chose to not go through a public process to rezone that property to a more intense zoning classification. They chose to develop two-and-a-half-acre lots. So -- and that was a choice. The development that's directly across from Clear Creek immediately adjacent to the park between 163 and Providence or Route K, that's also agricultural land, not a planned district in the county, and then you, of course, have Rockbridge Elementary School at the corner of 163 and K. So -- which I believe is R-1 and inside the City's corporate limits. So really the land-use pattern in this particular area hasn't transitioned over to City zoning, given the fact that it is either connected to the Boone County Regional Sewer District treatment facility that runs back to the City, or is sitting on onsite septic systems that have not yet failed and haven't required their connection to a public system. And when that connection comes, which is likely inevitable unless there are other options available to those properties, we will probably see the rezoning going to R-1 if -- if not -- if not left in ag if they're large enough to be able to be that way. But, I mean -- and I don't know what the future may hold.

MS. GEUEA JONES: I think everything else is probably for the developer.

MS. LOE: Any additional questions for staff? Seeing none. We're going to open up the floor to public comment.

**PUBLIC HEARING OPENED**

MS. LOE: So we can slightly -- just to remind everyone if you do come up and provide public comment, we need your name and address for the record. Please speak into the microphone. We anticipate having several comments made tonight. We are limiting individual speakers to three minutes. We do ask that you respect that so we can capture everyone's comments. If you're speaking for a group, we will allow you to have 15 minutes, so --

MR. ZENNER: And that is a -- just to clarify a group, that would be an organized group such as Friends of Rock Bridge and a single speaker, the Osage Association, or any other organized group of that nature. And we have modified these procedures in order to allow those entities, as well as the applicant, adequate time to express their views associated with this, which are -- have been more than adequately provided to the Planning Commission in written correspondence. So we do not generally have a back and forth. The Commissioners will ask you questions if they need clarification. There typically is not an opportunity for rebuttal. If you do not like what somebody else says, please respect the fact that the public record has captured your thoughts and we will be able to get through our public comment period hopefully relatively quickly. We do appreciate you being here this evening. And as Ms. Bacon pointed out, anything that you say this evening is captured in verbatim minutes. It's captured on video that's held in perpetuity. And those -- the minutes will be forwarded in whole, along with all comments received, to City Council. So with that, I guess we will open the hearing and allow the comments to begin.

MS. LOE: So and just -- so when your time is up, the red light comes on, so --

MS. HOUSE: My name is Alycia House, and this kind gentlemen said, due to my heart-lung condition, that I would be able to remove my mask to speak, correct?

MR. ZENNER: That is correct.

MS. HOUSE: Okay. And he is sending some handouts that have maps. I live at 2364 East Bearfield Subdivision, and I am very blessed to live on the corner and get to see all of the people that enjoy our wonderful park. There are many, many people who have enjoyed it over the last year. The watershed has one of the highest levels of biological diversity of any watershed found in Missouri. It's important to protect the unique biological diversity plant and animal in the watershed. There is higher and more frequent flooding, which I just saw the other day, and that causes habitat destruction for the aquatics. This watershed is particularly environmentally sensitive because of the high number of karst

structures present making the watershed vulnerable to increased levels of contaminants and storm-water runoff. A growing threat to the karst groundwater is the increasing area of land surface that is impervious to water as a result of urbanization. Impervious surfaces can degrade streams, and there is no clear science indicating it can be fully mitigated. Impervious surfaces without adequate storm-water treatment that covers 8 to 15 percent of the watershed are known to negatively affect stream health by funneling pollutants, excessive quantities of water into streams from streets, parking lots, driveways, roofs, patios, and sidewalks. Soils in the eastern portion of the watershed have high clay content, which significantly slows the rate of water infiltration, which leads to more runoff. Endangered species could become eliminated from the watershed. It is critical for us all to take the necessary measures to protect these resources for future generations. Individual property owners may very well have to accept restrictions they don't like in order to serve the greater good of the community. That is why everything I just said is taken verbatim from the 2007 Watershed Plan that the City signed on to. Please see the maps. Columbia Imagined, the plan mentioned earlier, page 107, shows Rock Bridge inflow areas where we get groundwater into our drinking water from, and page 152 shows the same sensitive eroded areas. One of the maps I put a detailed key on, and the other map overlay shows sensitive and severely eroded soil surrounding the areas, as well as wooded and karst slope, the plan's words, not mine, in the southern section of this property. The preliminary plat shows roads in the middle leading to nowhere. I take that as a later development. A neighborhood of this density and proximity to the wild area will create a lot of light and noise that will drive the animals farther down and out of the northern habitat. Median income of most families in Columbia -- families, not individuals -- is \$51,000, and 20 percent live in poverty, U.S. Census, 2019. I can tell you as a nurse who have patients who enjoy this area, it's gone up in the last year significantly. So, please, don't permit the destruction of this sensitive property. Also from page 156 of the plan, AES recommends -- is my time up?

MS. LOE: Now it is.

MS. HOUSE: Okay. Please read the AES section. It's very important about the requirements of what's required of the developer and natural source inventory. Thank you so much.

MS. LOE: Thank you. Are there any questions for this speaker? Excuse me.

MS. HOUSE: Oh, I'm so sorry.

MS. LOE: Mr. Stanton?

MS. HOUSE: I get hypoxic after I've been masked for a while. It's made it really challenging the last year.

MR. STANTON: Great presentation. So --

MS. HOUSE: Thank you.

MR. STANTON: I'm going to play devil's advocate.

MS. HOUSE: Yes.

MR. STANTON: You own this land. You spent a lot of money for it, pay the taxes on it. What's the alternative?

MS. HOUSE: Well, it is currently county, and they do have the option of one house for every 2.5 acres. As you can see, I'm low tech. I didn't even really have a computer internet connectability in my place anymore to present -- get everything together for this presentation. If I bought the land first, I wouldn't pay a fortune. I really don't spend a lot of money. I am low tech. I would buy it for the rural benefits. It's beautiful. I have hiked over it in the last couple of weeks now that the owners are -- well, the people who used to own it aren't there. It's beautiful. There's many animals there. I saw four deer in my two-hour hike. I came across many little, bitty streams that were feeding down into other areas. I would use for the natural beauty it has so that I could protect the wild area for everyone's enjoyment. I have a four-year-old granddaughter who did her first hike out there this past summer. It was awesome. There was no noise. At night, the light pollution doesn't drive the bats away. We still see them in the neighborhood. We won't if this goes through.

MR. STANTON: Thank you.

MS. HOUSE: Thank you.

MS. LOE: Any additional questions for this speaker? I see none. Thank you.

MS. HOUSE: Thank you.

MR. DAVIS: Before I start, could I ask that you could bring up the areas that show the zoning (speaker was not being picked up on the microphone). You had a broader one that showed us and then (speaker was not being picked up on the microphone).

THE REPORTER: If he could take the microphone. I'm not picking him up at all.

MS. LOE: Sir, can you come forward and we need to capture everything.

MR. DAVIS: Thank you for doing that. I wanted to get that in advance. My name is Tony Davis; I live at 4655 Rock Quarry Road, and I'm representing loosely a group of residents. I've lived there for 41 years, and so I hope my time will be extended somewhat. I'm going to not speak to the preliminary plat, per se, but to the R-1 zoning. I think that the issue before P & Z is the appropriateness for the R-1 zoning and, in particular, its location and proposed land use that includes the preliminary plat. On the face, R-1 zoning goes with the property. And if this plat would be pulled, it would be sold to someone else. Then R-1 zoning could come back and go through this process again. As mentioned and as you've heard, this could allow for four-plus lots per acre, as many as up to six, so you're talking well over 200 that we would be back looking at this as a staff and other people in the event that would happen, but that's what R-1 zoning means versus a planned development, which would then go with the land. So it seems not appropriate to do R-1, even though there's some built-in things that the planning staff pointed out that have come around in the last two or three years through the City, but it's still not airtight. There's always that possibility having R-1 zoning versus a PD. The other issue, and it's been mentioned, the traffic study. The traffic study that was purchased by and came through the developer and through the -- Crockett, we reviewed the study and people in the neighborhood, and found it lacking in what -- what we're seeing as traffic numbers and also road conditions. The study that was completed by a CBB study showed morning vehicles of 439 at prime, afternoon, 428. The study that we did -- I did with two other people this week, on April 6th and 7th, of the trips that are at the prime time of travel, the mornings were 751 vehicles, the afternoons were 744. Both of these are advanced because of -- in numbers, 31 percent in the morning, 100 percent in the afternoon, by the CBB study because of the pandemic. That's -- their numbers have increased, not mine. So the -- we're looking at almost twice the number of actual cars this week that was in the traffic study. So I think it's really important to be aware of that increased number and the discussion about who would pay for road improvements, whether it be the developer or once development starts, and then you go back and do the road, is really a very poor way to approach it as far as certain things, like the intersection of Bearfield and Gans Road. That's where these two studies were completed. So when you have that many cars, at least a turning lane or things need to occur if this amount of density and traffic is put into place. Also, the study, as we interpreted it, that looked at 2030

and 2004 -- 2040 didn't really look at the development when the road will go through over to -- they're referring to 163. Our understanding is it'll go through to Providence and in that area, but as traffic moves through, more development occurs, more development from Crown Center, O'Dell's, Jeff Smith on the end. There's a lot of development to occur. I happen to have the property where you see RS in yellow up there, which is about twice the size of this development. RS in the county means single family. I would never do that, and do R -- to do the same thing as R-1. It needs to be planned development for security and understanding for the residents in the area, and I think a much better control for the staff, City, county, whoever is involved in it. Almost all of this development will occur through the City Planning and Zoning and Council because of its border. All of this -- all this property is bordered by the park. There's like a ribbon around it, and we'll be dealing with the development of these properties for some time to come. This will set a precedent of how you want that to be. Do you get R-1 zoning, put in the place that the staff are asking, or do you put something together that everyone understands all the conditions be met through planned development.

MS. LOE: Thank you, Mr. Davis. Are there any questions for this speaker? Mr. Stanton?

MR. DAVIS: Yes.

MR. STANTON: Well, the same question to you, Mr. Davis. You own this land, paid a lot of money for it. I'm assuming -- I know you have property out this way, so I'm sure you believe in owners' -- property owners' rights. What would you do? What's your alternative to this if you're so against what's proposed?

MR. DAVIS: Well, I had hoped to be clear. What I would do, and since, you know, I'm on camera and record, that -- that I would never do it with RS in county. That would be impossible, even if I wanted. But if I were to request annexation from the Council to come into the City, I would not want to do it as R-1 because you're essentially saying that the larger tract has 400 or 500 -- you know, probably 500 houses easily. Well, nobody wants that. You want -- you may be clustering there, and maybe do something more along like Cherry Hill or --

MR. STANTON: Planned development.

MR. DAVIS: That's what I would do, yeah.

MR. STANTON: Okay. Thank you, sir.

MS. LOE: Thank you.

MR. ROBERSON: Kevin Roberson, representing Friends of Rock Bridge State Park. I live at 7355 South Bennett Drive, Columbia, Missouri 65201. The Friends of Rock Bridge Memorial State Park is a group of volunteers that formed 30 years ago to promote the understanding, enjoyment, and preservation of Rock Bridge Memorial State Park. We work closely with, but are separate from the Rock Bridge Memorial State Park. We oppose the current development plan for Canton Estates situated on the southeast corner of Gans and Bearfield Roads because of its impact on the Gans Creek Wild Area and on the Gans and Clear Creeks. The proposed annexation as R-1 will be the highest concentration any development abutting this or any other state park, as far as I know. As part of the Missouri state's park mission, they determined that the permanent preservation of large areas of undeveloped state parklands as wilderness was necessary to provide opportunities for solitude and unconfined recreation. These areas are intended to be free of any influences other than those of nature. There are just 12 places in the State of Missouri that meets these wild area criteria. The Gans Creek Wild Area is one of these 12. High density development is a very subjective descriptor. Canton Estates' proposed plat would not be high density if it was in central city or the northern part of the county, but it is when it's next to the Gans Creek Wild Area and draining into the Gans and Clear Creek watersheds. Due to its proximity and proposed density, the Canton Estates development can upset the goals of solitude and preservation of nature of the wild area in a number of ways; noise, pets, invasive plants, and light pollution. There are only 44 streams that are outstanding state resource waters in Missouri. These waters with significant aesthetic recreational or scientific value have been designated outstanding by the Clean Water Commission. Gans Creek and Rock Bridge Memorial State Park is one of those 44 streams. The 65-acre Canton Estates plan can be roughly divided into three sections: A northern section that drains into tributaries of the Clear Creek, a middle section that drains first into a small lake on a property to the west side of Bearfield and from there into Gans Creek, and a southern section that drains into tributaries leading to the Gans just less than 1,000 feet away. All of these cases, the waters flow to the park. In the case of the southern section, the development plat has clearly taken steps based on the sensitive nature of the area, and we appreciate that effort. However, that means that the remaining 100 or so units are on about 40 acres, a density of 2.5 units per acre. Scientifically, this would lead to an imperviousness of 20 to 40 percent in

the middle and northern sections of the development. Studies going back 50 years have shown consistently that impervious surfaces above 10 percent results in dramatic declines when stream health is measured by counts of aquatic macro invertebrates that play an important role in the web of life for our ecosystem. The primary source of funding for the state park system is half of the park soils and water sales tax. The tax was first approved by voters in 1984, and has been reapproved by voters four times with the majority of 80 percent of the votes in 2016. The park had over 700,000 visitors in 2020. On average, a third of those visitors are from out of state, bringing much needed revenue to the City and county. Each year, thousands of Central Missouri children learn about streams, wildlife, and habitats through school visits and programs taught by park staff and volunteers. That includes the hundreds of low-income kids that visit each summer to participate in the urban population's outreach program ran by Forbe, and supported by the grant from the Missouri Parks Association. Columbia has a responsibility to protect the park and we have already recognized that responsibility. We have invested in the protection of Gans Creek Wild Area and Gans Creek by setting aside part of the land purchased in the southeast regional park to act as a buffer for the creek and the wild area. There is a precedent for limiting imperviousness in development near the park. In 2014, the City of Columbia approved the Parkside development on the northwest corner of the park with provisions that require to keep impervious surface under 15 percent in order to protect the Little Bonne Femme. We believe that Gans and Clear Creek are entitled to at least 15 percent level set by the City with the Parkside development, and because the Gans is an outstanding state resource water, it deserves an even higher level of protection. We also would like to note that we did not oppose the Clear Creek Estates development because we did not believe it would cause persistent long-term damage to Clear Creek. The Friends of Rock Bridge Memorial State Park request that the Commission set a 15 percent impervious limit for areas draining into Clear Creek and an even more limit for draining into the Gans. The development must be moved even further away from the park boundary, and a strict homeowners' association policy similar to that of Parkside Estates be part of the development covenant. We do not believe that the economic development of the area around the park needs to be incompatible with protecting it. We know this because it's already been done with Parkside Estates and Clear Creek Estates. We respectfully ask that you send the Canton Estates plan back to the drawing board. And thank you very much for your time and your attention.



MS. LOE: Thank you. Are there any questions for this speaker? Mr. Stanton?

MR. STANTON: Same question.

MR. ROBERSON: Okay.

MR. STANTON: But how would you develop it if you were going to develop it?

MR. ROBERSON: If I owned it, I would develop it as it is zoned because that's what I paid for it. I paid for the A-1 zoning. I didn't pay for R-1 zoning when I bought that or when I purchased it. Now, that may seem extreme to developers around here, but most of the houses around the park are on ten-acre lots, and that protects the park and it also allows for development. In the Columbia Imagined, it says the number one priority is two polices on protecting sensitive areas. That was 2013. We're still trying to figure out what those policies are, but if there's any place next to Columbia that deserves protection and is a sensitive area, it's the Gans Creek Wild Area. If this doesn't fit the bill, nothing does.

MS. LOE: Any additional questions? Ms. Geuea Jones?

MS. GEUEA JONES: So in your opinion, if -- if this plan were two-thirds of what it was, so if it was at 65 homes, so it's about one an acre, do you think that would still be too many new residences too close to the park?

MR. ROBERSON: I would have to look at the imperviousness. I'm really --

MS. GEUEA JONES: When you -- don't look at me. Yes. Speak into the microphone.

MR. ROBERSON: I'm sorry. I'm trying to be respectful.

MS. GEUEA JONES: I appreciate it, but --

MR. ROBERSON: I understand. I'd have to look at the calculations on the imperviousness, because that's really our driving point to protect that. And as I noted, pulling back away from the park even farther, and we'll take a little bit higher concentration toward Gans to get more protection. This wild area is truly a jewel. It's something that people drive hours and hours to get to, and we have it right in our backyard, and we're willing to develop it in this way and give that up so somebody can make a bunch of money? Come on.

MS. GEUEA JONES: So if it were planned development with some restrictions, you would be comfortable with that -- that discussion?

MR. ROBERSON: I would be comfortable entering into that discussion; you bet.

MS. GEUEA JONES: Thank you.

MS. LOE: Ms. Carroll and then Mr. Toohey.

MS. CARROLL: Thanks. So I'm not an expert at county zoning. I'm looking at what they have. By my calculation, I'm thinking around about 26 homes based on their acreage for ag zoning. I don't know if that's correct, but does that put you in the ballpark of reasonable? Does that match the surrounding areas?

MR. ROBERSON: That would be A-2, and that would be reasonable. I think we would think that was reasonable, especially if we move back from the park. I don't speak for everybody that's against this. I am the President of the Friends of Rock Bridge. I speak for what I presented. We all agreed to that and -- but willing to negotiate and work for a better plan, you bet. We're on board and committed. Thank you.

MS. LOE: Mr. Toohey?

MR. TOOHEY: So the City doesn't have enough housing right now and there's not a lot of areas we are able to develop because of sewer. It can't go west because the City didn't run the sewer trunk line to go out west to be able to expand that area. So the City needs housing and there's very limited places where you can develop, what else is a developer supposed to do?

MR. ROBERSON: Well, I believe there's 200 lots for sale within the City limits. That's a lot of development there, and I don't know why you don't count that as being developable because that's more lots than he's asking for here. So I get it. It's --

UNIDENTIFIED SPEAKER: So I just got some real --

MS. LOE: I'm sorry.

UNIDENTIFIED SPEAKER: Oh, sorry.

MS. LOE: You would need to introduce yourself and give your name and address. So one speaker at a time for right now.

MR. ROBERSON: Okay. I feel the pain about that, and I think it needs to be addressed. It does not need to be addressed next to Gans Creek Wild Area. I'm sorry. That is -- is not the place to expand the City to get higher density development to meet the needs. There are -- I have not done a study, so I don't know, but I can't imagine that we can't find another place in the -- in the east or the north, if not the

west, that would meet the needs.

MR. TOOHEY: So just so you know, the 200 lots, we typically have between 250 to 400 new construction sales, so 200 lots isn't very much, especially with the market conditions right now.

MS. LOE: Ms. Burns?

MS. BURNS: How many acres are the lots?

MR. ROBERSON: Two of the lots are 60 acres, the two -- the 200 lots that are for sale now.

MR. TOOHEY: That's just -- (Speaker was not speaking into microphone.)

MR. ROBERSON: So I think we need to look into how to develop that or get -- meet the needs of the City. I get it. We -- we need to have that. I'm not antidevelopment. I really think this is a special case. Columbia Imagined, it's not just me. You saw how many comments have come in, how much this means to the state and the City and the county. This is a special place. If it does not get special consideration, no place ever deserves to get special consideration. And you have a need that definitely needs to be met. I'm not trying to dismiss that at all -- not at all. But this is not the place, I don't believe.

MS. LOE: Ms. Burns?

MS. BURNS: Has your group had the opportunity to meet with the applicant?

MR. ROBERSON: I met with him briefly long after he submitted the plat to Planning and Zoning. So I did not get to work with him. Our group did not get to work with him before he submitted it. He did pay attention to what happened in Parkside and he did make some improvements based on that, without talking to us, so -- and I noted that in my talk, but he also knows from Parkside that the imperviousness is the major thing that we are concerned about. That was on the tag end of the park on the northwest corner going into the Little Bonne Femme. This is on the up-water, upstream side going into an outstanding state resource water and clear -- and Gans Creek and Clear Creek flows into Gans to form the Little Bonne Femme.

MS. BURNS: Thank you.

MS. LOE: Any additional questions for this speaker? I see none. Thank you.

MR. ROBERSON: I thank you all very much.

MR. GAST: My name is Jim Gast; I live at 3009 Linwood Drive in Columbia. I'm president of the Columbia Audubon Society, and I'm representing them today. The Board of Directors voted to oppose

development for the following reasons. Gans -- Rock Bridge Memorial State Park is a draw that brings visitors from all -- from all over, not just people who live in Columbia. These visitors spend their money in Columbia. We want to ensure that visitors will still want to come to the park. This development is adjacent to the Gans Creek Wild Area section of the park. Except for the trail and trail amenities, the Wild Area was left intentionally undeveloped, which means no picnic sites, no playgrounds, things like that -- no parking, no paved parking lots. The park needs to be protected from excessive storm-water runoff during all phases of development, which means land clearing, construction, and post-construction. The proposed subdivision is in the Bonne Femme watershed, and development is covered by the Bonne Femme Watershed Plan, which the City approved in November of 2007. The plan calls for low-impact development and best management practices to mitigate the effects of storm-water runoff. Muddy, silty water is bad for creeks. Because Gans Creek has been designated an outstanding state resource water, it needs to be protected from storm-water runoff. And there have already been two two-plus inch rain events in Columbia this year. This development needs to ensure the integrity of Gans Creek, especially since wildlife is dependent on the creek. Usually when land is prepared for development, trees and vegetation are removed from the entire site. Not only does this practice increase the chance of runoff during high rain events, it is also detrimental to the wildlife currently using the area. Two recent housing developments, Parkside Estates and Clear Creek Estates adjacent to Rock Bridge Memorial State Park, have failed to prevent mud from entering the streams and creeks of the park during the land-clearing phase. In the case of Parkside, the problem occurred before final City Council approval of the plat and annexation into -- into the City. In addition, inadequate storm -- sewer protection at the commercial development near Ponderosa and Gans Creek Roads cause sediment to flow into Gans Creek on two separate occasions. So we need to make sure that the -- again, we need to make sure that the creek is protected. One of the major causes of death of over three billion birds in North America in the last 50 years has been habitat destruction, so this is another reason why not to totally clear the land. Clearing also increases the chances that invasive species will take over. Since the preliminary plat notes state intent for this development is to be developed in multiple phases, there is no need to clear-cut and bulldoze the entire 65 acres at one time. It would also lead to an increase in light and noise pollution. A hundred and thirteen homes each with a light -- each with lights and streetlights would add to the

significant amount of light, which would have an adverse effect on wildlife. Increased traffic also means more noise. The whole purpose of a wild area is to be able to go somewhere without being able to see or hear human influences. Thank you.

MS. LOE: Thank you, Mr. Gast. Are there any questions for this speaker? I see none. Thank you.

MR. GAST: Okay.

MR. HOTALING: Hello. My name Jackson Hotaling; and I am at 214, Number 202, on St. Joseph Street, 65201. And so I didn't prepare any remarks, but I just found out about this and I'm willing to oppose any kind of development that expands the City further out. I'm -- we'll say just ahead of time, but I'm opposed to any kind of urban sprawl in general. So my expertise, in itself, isn't with the natural environment, but I am interested in people. I, myself, do not own a car. I'm renting, and these kinds of projects don't benefit people like me. It spreads our resources in a chicken and egg scenario further and further out. It makes me just incredibly aggravated to see that we're so willing, so ready to continue this kind of development. It just is completely illogical to me from what I understand to be a functional, walkable city that I would like to see. So I just moved here to Columbia just about four months ago. I was out of the country for a while. The pandemic brought me back to suburban St. Louis and, you know, without a car there, my options are limited. So I found a job. I've heard great things about how Columbia could be a walkable place. My experience so far has really been frustrating. One of my best friends has been hit by a car. I've been flipped off a number of times on Providence, on Garth, and it's not funny. You know, I don't feel safe. I took the bus and I love the bus, but it takes 45 minutes to just wait for the stop. What is the use of that? It just does not make any sense. And then we have to go further out. We have a nine-story parking garage over the Sharp End, a historic black neighborhood, to accommodate for the people that live there to come in and drive in to eat. What -- like, what are we doing with this? So if I had prepared more, I would study more, try to understand how this will damage, how this will exacerbate City resources further, but we see this all over the place. We're looking to a 2013 plan. You know, Berkeley just -- the City of Berkeley, who started single-family housing as a zoning concept, just reversed that. The next two years, they're going to try to totally eliminate single-family housing. So we're just exacerbating problems over and over until we connect to Ashland and their new developments, till we get

to Jefferson City. What's the goal? You know, like where does that end, and why do we play a part and try to make things right? So that's really mostly what I want to say. It just really frustrates me. And I'm happy to be here in Columbia, but you'll see me anytime a development like this gets proposed, and yeah. Thank you.

MS. LOE: Thank you. Any questions for this speaker? I appreciate your comments. Thanks for coming.

MS. ROTMAN: Hi. Good evening. My name is Robin Rotman, and I live at 4500 Kentsfield Lane in the Aria Apartments. Let me begin by just thanking you for your service to the citizens of Columbia in this capacity, both the Commissioners, as well as the staff. I can imagine all the time and effort that go into these proceedings. You know, I'm really proud to be a citizen of the City of Columbia, in a city that invests so much effort into the planning process. And we have documents such as Columbia Imagined, also the Climate Action and Adaptation Plan, that espouse these values of sustainability. But there's two reasons why I oppose the annexation, the proposed R-1 zoning, and the preliminary plat proposal. And the first is, I think Commissioner Carroll said it, this looks like sprawl to me. And do you know what, it looks like sprawl to me, too. And we espouse these values of sustainability, and I don't see that anywhere in this proposed design. The second reason relates to cost recovery, and Ms. Bacon spoke about the chicken and egg, and Mr. Zenner spoke about the potential of the development agreement, but explained why the staff don't find that necessary in this circumstance. But the take-away that I'm getting on cost recovery is that it's the taxpayers and it's the utility rate payers that are going to be left holding the bag. And I don't understand what -- if the R-1 zoning is granted now, I don't see what leverage the City has down the line negotiating with the developer once that zoning has already been achieved. And so I would encourage you to structure this in such a way that the developer really is internalizing all of the externalities associated with development, be about this abysmal snow removal that Ms. Bacon mentioned, other roadway issues, such as the roadway striping that's nonexistent. I wanted to just take one minute, if I may, to Commissioner Stanton had asked a question to some other speakers, and I wanted to answer it, relating to this landowner rights. And I believe in protecting a landowner's reasonable expectation as to how the property can be developed. And I would define a reasonable expectation as in accordance with the zoning at the time that the property was purchased. So I think we

have to remember that this is a proposal for a change, okay? A change from the county to the City -- that's the annexation, a change from agricultural to residential, and -- and it's up to you to decide if you think that that change is in the public interest. But I think what the landowner and what the developer are getting are not just a protection of expectations, but they're getting way more than they originally paid for. Thank you.

MS. LOE: Thank you. Any questions for this speaker? Mr. Toohey.

MR. TOOHEY: So with the urban sprawl question, so if -- if you have less density out there, doesn't that create more urban sprawl?

MS. ROTMAN: Yeah. But what I would -- I'm sorry. I'm having the same thing when I'm trying to look at you. You had raised the point earlier of saying we have a housing shortage in Columbia. And I guess I would push back on that. I mean, I think we have a if you build it, they will come mentality to housing. I -- I agree that there is a robust market for housing in Columbia, and that a lot of profits could be made, but I think that this is often growth for the sake of growth and not growth to improve the quality of life of people who actually live here.

MR. TOOHEY: So actually the amount of building that's gone on nationally, including Columbia, hasn't kept up with the population demand, so that's why we're having this push right now. So -- but you did not answer the question. So it doesn't get -- if you -- if you go ahead and leave it as the county zoning and you have larger lots, doesn't that create more urban sprawl?

MS. ROTMAN: I understand what you're saying about the benefits of dense housing, and I think that that density would be appropriate within the current boundaries of the City. And I -- we may have a difference of opinion on that, but I think the City could probably grow in population for 50 years without annexing another parcel.

MR. TOOHEY: So -- and then going back to your -- your comment about utilities. So when it comes to capital improvement projects, the people that would potentially live in these houses are contributing to the capital improvement projects in the other part of the City because they're paying higher utility rates when those capital improvement projects were passed before they moved into that property. Does that make sense?

MS. ROTMAN: I'm not sure I follow you exactly, but the principle that I was trying to articulate is

that I believe that these costs should be borne by the developer, and I think we have seen, for example, in the transportation improvement districts where it's been a great -- a great move by the developers to shift those costs onto the retail consumers as opposed to absorbing them themselves.

MR. TOOHEY: So let me explain it this way.

MS. ROTMAN: Yeah.

MR. TOOHEY: So if you live in that subdivision that was built in, say, the last five years, you're paying higher utility fees for sewer and water to help replace sewer lines and water lines in the central part of the City. Does that make sense? So these people would be contributing to capital improvement projects that have already been passed in the other parts of town. Does that make sense?

MS. ROTMAN: Yeah. And fair enough. So we -- we may -- our difference may not be so great. All I'm saying is that I think that there's a fixed cost and there's a marginal cost of each additional connection, and I understand that those marginal costs are being recouped. But when I see the abysmal state of our roadways or our terrible snow removal, it makes me feel that there must be some delta there that's not being recaptured because, if it was, we would be doing things better with the road.

MR. TOOHEY: And some of that is a lack of revenue from the state and county, though.

MS. ROTMAN: Yeah. And I don't -- I'm not -- I don't dispute that. Yeah.

MS. LOE: Mr. Stanton?

MR. STANTON: Great debate, ma'am. I love it. Good boxing match with my buddy over there.

MS. ROTMAN: Good discussion. Just bring it, yeah.

MR. STANTON: Okay. But I'm going to throw this wrench in.

MS. ROTMAN: Okay. Let's see.

MR. STANTON: You live over on the Phillips Tract, right? That's density, that's sprawl. I mean, I've built a lot of that over there myself. So what would you -- would you just build closer to the road or closer to the Phillips Tract where you live now, and how would you do the -- just to show -- it's your land.

MS. ROTMAN: Yeah. So let me -- wait. No. Fair enough.

MR. STANTON: And, you know, I have a right to be profitable. I have a right to use my land, you know. The reason more if that's, you know, the definition you want to use, but how would you do it, like a win-win?



MS. ROTMAN: Yeah. Fair enough. But -- well, speaking to my own residential, that is something I had to reconcile, right? And struggle with. So fair enough. But I do think that, for example, the area I live in at Aria that immediately abuts 63, I just think that is a different environment than what we're talking about at this parcel that immediately abuts the Gans Creek Wild Area. I think it is more appropriate for the type of development that was conducted there.

MR. STANTON: Thank you.

MS. LOE: Any additional questions? I see none at this time. Thank you.

MS. ROTMAN: Thank you.

MR. HUGGINS: Hey, I'm Joel Huggins; I live at 5251 South Bearfield Road, with my wife and eight-year-old son. That was intimidating to follow, between her presentation and the debate that followed. But here goes my statement. I oppose Canton Estates development and here are just a few of my concerns. I have a very big trust issue with the developer taking protective measures adequate for wild spaces when his own statement of support on the agenda says, "I believe the storm-water rules and regulations should be applied equally to every development." If they see this as just another development, then I don't trust them, frankly, to develop responsibly next to one of 12 wild areas in the state. The development is not wanted. We have many statements and over 5,000 signatures opposed. In support, there are a couple hundred signatures on Mr. Hill's petition, and two statements of support on the agenda, one from Mr. Hill and one from Brock Bukowsky, the owner of the roughly 70-acre parcel to the west, which Canton Estates plan clearly indicates a desire to connect to for development all the way to the City park. Is it needed? I don't think so with the empty lots at Parkside Estates and the Bristol developments. What the City needs is affordable housing, not \$300,000 to \$600,000 properties. The problem, I can tell you firsthand, as my wife and I have been looking at houses elsewhere in the City, is not as simple as building more houses. There's a huge problem in town with real estate -- not developers, but real -- or real estate investors with very deep pockets buying up all the inventory for well above asking price, sight unseen in a lot of cases. That is a fact. I just witnessed -- or I just had that experience trying to look for a house for my family, and were bid out by people who haven't even seen it. I'm also concerned what they're going to do at the corner of Gans and Bearfield. I asked Mr. Hill. He has no idea. Will we have any say in what goes in there? One of my biggest concerns is the ten-acre plot on

the western border, that notch that you see there. I asked Mr. Hill directly, and he told me they have zero plans for that. Yet if you look at the plan, there is a road clearly designed to travel through that parcel. I have the roads marked here. I don't know if I can show this in any way, but can I pass it around or --

MS. LOE: We can see it with you holding it up.

MR. HUGGINS: Okay. I mean, it's on the map. This is just clearly -- clearly illustrated. What really makes me uncomfortable about that ten-acre plot is that it very conveniently serves as a buffer that pushes people well out of the 200-foot range and makes it extremely difficult for me to get the signatures required to force the super majority vote. It's just very convenient that that ten acres happens to be there pushing people out and limiting their say, yet they have a plan to run a road through there. That just makes me very suspicious. Further, I would like to know why we're using 200 feet, which is the state's limit as to who has the right to sign this petition instead of the county's, which is 1,000 feet. No one in our neighborhood knows why that is. I would love to know the answer to that question. I would like you to consider that all my objections are built on the foundational idea that this is sensitive land in need of special considerations as everyone else who has spoken here has explained better than I. This is the first time I ever -- I've ever been to a public hearing. I appreciate the opportunity to speak in front of you, and I thank you all for your service to the community.

MS. LOE: We appreciate the public comment. Are there any questions for this speaker? I see none at this time. Thank you. No. You -- sir, you will get a chance to speak if you come up to the podium. Thank you, Mr. Huggins.

MR. HAIM: Good evening. My name -- is it okay if I take this off?

MS. LOE: Yes.

MR. HAIM: My name is Mark Haim; I'm director of Mid-Missouri Peaceworks, and I'm here tonight speaking on behalf of our 400 member households -- 400 member households, the majority of which live in Columbia. And we, as an organization, are strong advocates of sustainability and really recognize our ability to create a sustainable future depends on protecting our remaining wild and natural areas. People have spoken very articulately as to -- to the fragile nature of the Gans Creek Wild Area. I won't dwell on that. I won't dwell on the outstanding waterway or the fact there are so few wild areas in our state. But knowing that Gans Creek Wild Area is the closest to a wild state of any lands in this area

and that Rock Bridge State Park is a jewel that we need to protect and preserve, we, in Peaceworks, if we had our druthers, would rather see this undeveloped property adjacent to the park annexed to the park rather than annexed to the City. And, you know, I realize that there's not the money there to do that right now, but that's what we would ideally like to see done. If we can't do that, then we really need to do whatever we can to make the impacts of any development minimized. When I hear about the idea of the county ten-acre plots and houses there, that sounds much less threatening than over 100 residences and possibly even more than that being developed in this area. So I realize that there's certain issues related to be able to hook up to sewers if you are using county, and that's why people want to be annexed to the City, and City, agriculture doesn't work for this. But really if we look at what we would like to do, we'd like to, at the very least, have a very significant buffer, and that very significant buffer has to be much more than what was shown on -- on the map that was up on the screen a little earlier that was fairly minimal and, you know, really a major portion of that property should -- to be developed at all. Beyond that, minimizing the number of home sites and doing a planned residential could allow that, which they're not applying for, but the Commission could, I think, go back to them and say come in with a plan. So that would be something we would suggest. And really making sure that the ratio of built space to total space is minimized is really important. Several other speakers have addressed the issue of impervious surface, and that really should be kept to no more than 15 percent of the area, preferably less than that. From what the experts I've been hearing are saying, this development will be upwards of 25 percent, maybe even 40 percent impervious, which is really problematic. I think that there could also be requirements under a planned development that could provide for minimizing impervious surface by doing things like permeable paving blocks for driveways or patios, and that kind of thing should be looked into, but you can't do that with just a R-1 zoning, it has to be a planned one. Bottomline, is that we need to do everything we can to protect this area. It's an area that I've hiked in for nearly 40 years. I have a son who I carried around in a front pack. He's now 41 years old. I remember hiking there with him when he was an infant, and we really, you know, need to think about the future and the generations that are coming after us, and leave them this jewel intact if at all possible. I thank you for your time, and if there are any questions?

MS. LOE: Are there any questions for this speaker? I see none. Thank you, Mr. Haim.

MR. HAIM: Thank you.

MS. WADDELL: Good evening. My name is Margaret Waddell, and I live at 2211 East Bearfield Subdivision. I want to thank you for the opportunity to share my thoughts with you, and my comments tonight are specifically related to the Gans Creek Wild Area, and so I am stating my opposition to the rezoning, the annexation, and the development of Canton Estates. I've been hiking the Gans Creek trails for over 30 years, well before I purchased a small home nearby. It's been a blessing and an honor to help steward this natural wonder. When my daughter was little, we started a habit of stopping when we would get to the beginning of the trail to take a deep breath and slow down, to become more receptive to the natural environment. So we moved slowly, we walked quietly with little speaking so that we could discover what life was like in the wild area for all the plants and animals that reside there. We enter the wild area in silence the way many people enter a church because the wilderness is sacred to all who live there. Yet this land on paper belongs to the human citizens of Missouri. It is a gem of an asset for Columbia due to proximity. It is well established that humans have a relationship with natural areas and yet this relationship, which benefits Columbians, is in danger of becoming unbalanced. What does this wild area offer to us? Solitude, peace and quiet, time and space to think or not think, fresh air to breathe, soothing music of the babbling creeks and the birds. Wild areas are beneficial to whole health; physical, mental, emotional, and spiritual health. What can we give this land in return to maintain a healthy, thriving ecosystem, the best possible protection at all costs. One concern is that the Columbia Imagined plan has not been completed. This is an extremely high priority to have in place ahead of time so that developers know what to expect. I believe that the southern one-third of this tract needs to be undisturbed as a buffer since it drains directly into the wild area. Because of the special topography in this area, land and water can be polluted from quite a distance away. Of the 12 wild areas housed in ten state parks, five of those state parks are one and a half -- are one to two hours south of St. Louis. Two of them are one to two hours southwest of Springfield. There are none in the Kansas City area. Gans Creek is the closest one to a large city. It's also the smallest tract being only 720 acres, while the others are from 1,000 to 4,000 acres. So Gans Creek is exposed to land not inside of a state park. It's also the only one in the north central part of the state, so it serves the entire upper portion of our state. Without Gans Creek Wild Area, we would have to travel over an hour to go to the Lake of the Ozarks or Quiver

River State Park to find a wild area. None of the other wild areas have any residential development nearby. Most of it is sparse housing on agricultural land, if not completely immersed within the state parks. I've also spent quite a bit of time hiking in parks -- parks around the St. Louis area, and what I've found is a high degree of traffic noise, a lot of trash, erosion of trails, erosion of the waterways, and the water often smells like sewage. I really would hate for this to happen here in Columbia to Gans Creek. So, please, I am asking you to table this issue until all the data that you've been receiving over the past few weeks can be thoroughly looked into, and a sound decision can be made about what types of development are compatible for sensitive watershed and wild areas. Approving Canton Estates would set a dangerous precedent around other state parks and their wild areas throughout the entire state of Missouri. Thank you.

MS. LOE: Thank you. Any questions for this speaker? I see none. Thank you, Ms. Waddell.

MS. MOCCIA: My name is Ruthie Moccia; I live at 608 South Greenwood Avenue, and I've lived there for 28 years, and before that I had five years also living in Columbia for different reasons. I heard the woman say she saw four deer in the park. I can see seven deer at any time in my backyard. I can see six deer crossing the street in front of me and my dog when we go walking. So why are they so close to town? Well, I think they're losing their space. I think they're -- they're losing the place, their habitat where they could live, but we've taken it over to the extent that they're living now in the City. What I wish for our City is that we could treasure and honor the resources that we have, and the -- the beautiful spaces that we do have. I know it's important. I'm a psychologist; it's important to get into nature, into a quiet space. If we can't get that, some people do lose -- lose their stability. I do hear lots of noise in the City. It's -- I live in a quiet place. The park is even quieter. Those wild areas where we hike and where we go when we have to be in nature, those areas are very quiet and they need to stay that way. But the thought of bulldozers and cement trucks just a few hundred feet from Rock Bridge Park, I don't know what the people and the animals are going -- I don't know how the animals will react to that. I don't think they'll stay. I think they'll continue to come into the City. We'll see them dead on the road. I wish our City would begin thinking about what we want and what we need and what we desire, and be aggressive in that way rather than sitting and entertaining people who come in, see what wonderful resources we have, and say, oh, boy, I'll build houses right out by Rock Bridge Park. Won't that be pretty. Well, I'd like to have a

house right next to Rock Bridge Park, too. I would never do that because the park is precious to me, and the land is precious. And if I owned the land that they are wanting to develop, if I owned that, I would -- I would sell it to a farmer. And that's really all I have to say. I think we are left with a bill, the people that live here and who have lived here, and I just don't think it's fair to the citizens that -- who are already here caring for things in a sustainable way, that we just give it away to somebody with dollar signs in their eyes. So thank you for listening.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you.

MR. SCHNARR: Hi. My name is Steve Schnarr, and I live at 2306 East Bearfield Subdivision. My comments really focus on where I live, very close to Gans Creek Wild Area. Everybody has covered kind of the details of why this is so special, and I'm just going to share my story and how I think this area is really special. First of all, thank you so much to City of Columbia staff. You're topnotch in the Planning and Zoning Commission for welcoming citizen input on land-use decisions that impact many citizens. The reason I'm here is just to add to the voices that -- to make sure the City of Columbia understands the importance and fragility of Gans Creek Wild Area and Rock Bridge State Park. Quite a few of us live down the road from the wild area, either on Bearfield Road or Bearfield Subdivision Road. It's common to shame people opposed to specific developments as being nimby or not in my backyard, but when your backyard is one of the wildest, most dramatic pockets of nature in the Columbia area that is also one of the most popular areas to explore, wild Boone County, it -- it kind of makes sense that you would want to draw attention to a rushed development that other users of Gans Creek and Rock Bridge would be surprised to know is occurring. The position of over 5,000 signatures in one week proves the importance to so many different people. I live on Bearfield Subdivision Road, which is a small dead-end street, one block of single-story homes built in the 1960s, nearly 60 years ago. These homes were built before there was Planning and Zoning, and several of our neighbors have lived here for 30 or more years. I know that I'm lucky to live in that space near the park, and I understand why people would want to live near the park. I totally get that. Almost without exception, my neighbors live here because we're next to Gans Creek Wild Area. We love it because the area is quiet. We're just south of a high point along Gans Road that protects us from the noise of the Discovery Parkway area, Highway 63, and -- and the City, which is moving south. Because of this, we all have kind of a special knowledge of how Gans Creek is going -- is

currently buffered from the impacts of that dense development, and we recognize the special moment that we're at right now, which is this one last opportunity to protect the values that visionaries of the recent past, who have worked on the comprehensive plan, on the Bonne Femme Watershed Plan, who have designated how special this place is, that those visionaries sought to protect in this special place. In discussing why we love our little neighborhood, we often mention the lack of streetlights. The stars are amazing out there, right next to the park, especially when you consider how close we are to Grindstone Parkway and, you know, the Aria development and all those places. A short walk down Bearfield to the new Bristol Ridge development, and all of a sudden, those stars disappear. You know, the light pollution is intense and sudden. Many of us take morning walks or bike rides down the dead-end road to the park, and if you just keep walking down the park trail through the park down towards Gans Creek, the trail follows -- is this going off?

MS. LOE: Yes. Sorry.

MR. SCHNARR: Okay. All right.

MS. LOE: Final comment?

MR. SCHNARR: Basically, that trail follows the drainage coming out of the proposed Canton Estates, and they're going to need to pass this through another one, and then you get down to that beautiful limestone canyon, so the impact is direct from -- from this development. I wish I could keep talking. Thank you so much.

MS. LOE: Thank you, Mr. Schnarr. Any questions for this speaker? I see none. Thank you.

MS. BATTEN: Good evening. My name is Jasmine Batten; I live at 5731 South Bearfield Road. So just to give you some perspective of where that is, that is the last house at the dead-end of Bearfield Road, literally 300 feet from the Wagon Wheel Trail Head. And I will point out that I'm a renter. And that is such a special area that I've been fortunate to live there for eight years. So when I'm concerned about that area, it's not about my real estate or my land, it's about the future users of that park. In my experience there, eight years of watching that trail every day, the trail head, the cars that come and go, the bicyclists, many of the people that spoke from the subdivision that walk every day, I've seen that use grow incredibly, and I do bicycle and I do walk, and I'm extremely concerned about that -- the road developments that -- improvements that have not happened. I can -- I can attest to you, I have seen that

parking lot full. I have seen cars backed up nearly all the way to my driveway, almost 300 feet, and that driveway ends, I'm guessing, within 100 feet of where that road access on Bearfield is proposed, so that is a concern. Many people have talked about the sensitive nature of the wild area, so I won't reiterate that, but I will remind you all that two of the four priority strategies within our comprehensive plan are to preserve environmental sensitive areas and sensitive natural areas. Again, we -- everybody has attested why that area is sensitive. The City itself has recognized on the future land planning maps that that is a sensitive area. And certainly we have heard that the proposed development meets all of the standards and important environmental regulations, including stream buffers and climax forest, and that's great. I love Columbia for what we do to protect our natural resources, but we need to ask ourselves is that adequate for a sensitive area. Do we need more study, more consideration to ensure that there is adequate protection for that sensitive area? A lot of -- several people here speaking tonight have pointed out the importance of the wild area designation, although I did notice in the City report, that was not even pointed out. That is a special 750-acre area designed to appear unaffected by the forces of humans, to provide opportunities for solitude and recreation, and to be utilized for outdoors. And I think we need to consider the importance and the value of that wild area. It's not just people wanting to keep that their exclusive area. There is value in a wild area. Protecting our wild areas is more important than ever considering the exponential growth our City continues to see, so now we're on this cusp of -- of rapid growth. This is when we should most be protecting such a unique area. Further, the ongoing pandemic has driven people outdoors like never before. Our state parks and other green spaces have experienced unprecedented -- unprecedented usage including the Rock Bridge State Park and the Gans Creek Wild Area. Again, I've seen it. I've seen it in the cars in the parking lot and the cars parked down the road. Increasing scientific -- scientific evidence, in fact, links time and nature to better health, better moods, improved concentration, and greater productivity, and it's become more and more clear that the health of humans and animals and the environment are linked. So my last statement is development is inevitable. I'm not antidevelopment in any way, but development without adequate assurance that we are protecting sensitive ecosystems and protecting a resource of all the people of Missouri, not just to the residents of Columbia and Boone County, is not an inevitable part of development. Thank you.

MS. LOE: Thank you. Any questions for this speaker? I see none. Thank you.



MS. FLADER: Hello. I'm Susan Flader; I live at 917 Edgewood Avenue in the central city, and I'm speaking on behalf of the Missouri Parks Association, the statewide organization of about 3,000 citizens who are extremely loyal to our state park system. We exist to protect, enhance, and -- and interpret the state parks. I happen to be one of the founders of the Missouri Parks Association, now nearly 40 years ago. There are only two of us still living, and both of them are represented here tonight in my remarks because one is a letter that was sent by John Carroll. I don't know if you've seen it and read it already about the importance of the wild area and its existence as one of the original wild areas in the state park system. There are only three -- or, excuse me -- only 12 wild areas in the entire state, and you've already heard about how special it is from people who live near there and -- and use it. And the other is the existence of that state outstanding resource water, that stretch of Gans Creek within Rock Bridge State Park that is one of only 44 streams, and it's not entire streams, it's just small stretches of streams. Only 44 out of the hundreds and hundreds of -- of rivers and streams in the state of Missouri that have that designation. It's very special. We cannot let it get degraded. The park that surrounds them, Rock Bridge State Park, is also one of the very special parks in the state. It receives 700,000 visitors a year. There are very few parks in the state that get more visitors than that. It's an extremely important park as a -- as a destination because of the quality of the resources that it contains. The karst topography, the Rock Bridge, the cave system, all of that, but that Gans Creek Wild Area is also a real magnet. It was the very first natural area that I was taken to, to see when I arrived in Columbia, and my guide to it was John Carroll, who was a student of mine and who later went on by age 29 to become Director of State Parks. He is the one who initiated the wild area system in the state park system. He was in charge of all-natural history and stewardship of -- of special ecological areas in parks, and the both -- two of us were co-authors of the state park book that some of you may have seen, the big one that weighs more than five pounds. So we know how important Rock Bridge State Park, Gans Creek Wild Area, and Gans Creek itself are, and how unusual they are as resources within this state. Columbians are dedicated to protecting that park, and it -- whenever they get into a planning process, as has already been pointed out, they want that park to be protected. This R-1 zoning is not protecting that park, and we are -- we are opposed to the annexation at the R-1 level for that area. We are also strongly opposed to any development whatsoever within the immediate watershed of Gans Creek. That watershed line runs

somewhere through the southern third of -- of this development proposal. And we think that that needs to be completely off limits to any land clearing or development. Any development should be on the other side, and I hate to do that to poor Clear Creek because Clear Creek also runs into Rock Bridge State Park, but it runs into it at a slightly less sensitive area. And what that means is that north of that ridge, where there could be some development if there has to be, but I personally don't think there has to be. I think there are plenty of other places in Columbia for developers to look without having to develop right on the border of Rock Bridge State Park, especially in -- in such a sensitive area and near such a sensitive watershed. If there were any development north of there, it certainly should be no more than the 15 percent impervious surface, and that should not be for the entire tract, that should just be 15 percent impervious to the north to the -- in the next watershed, because that watershed needs to be -- needs to be protected also. So that is the general sense of the importance of Rock Bridge State Park within the state, its attraction to people far beyond the borders of Columbia, and the very priceless resources that it contains that have been protected by the citizens of Columbia all these years. And we -- we should think many times before we think of allowing development within that watershed or -- or really anywhere that close to the proximity. The other -- the visioning -- Columbia Visioning, the Bonne Femme study, all of them recognize that importance, and I think that we citizens of Columbia need to recognize it today also. I will take any questions you might have. Thank you.

MS. LOE: Any questions for this speaker? I see none. Thank you, Ms. Flader.

MS. FLADER: Thank you.

MS. CHENEY: Hello. I have a few photos to put up, if I may. Hi. My name is Melanie Cheney, 2306 East Bearfield Subdivision. I'm speaking today in opposition of the proposed development bordering Gans Wild Area and Rock Bridge State Park, and I am one of 28 neighbors that have signed a petition on our street asking the City to reject this proposal. Two years ago, I was disturbed to see what was normally a crystal clear creek ironically named Clear Creek, flooded with sediment from the new Bristol Ridge development just to our north. Runoff during construction of these developments is a huge problem. It's why the EPA calls sediment the most common form of water pollution in the United States. It is upsetting to me to imagine a dense development such as this so close to the state park, clear-cutting 65 acres, even -- an even larger tract of land which drains into several small wetlands before eventually

flowing into Clear and Gans Creeks. Despite Mr. Hill's assertion that all storm water regulations will be followed and how that's good enough, it doesn't undo the damage that these large developments cause to our water resources. I fear that the wetlands I love visiting will soon be filled in with sediment, and the songs of chorus frogs and spring peepers will disappear. Once the land is razed of all trees and vegetation, the buffer to this park will be gone, and the sounds of lawnmowers and other motorized equipment will be heard from within the wild area. When you live on a one-street subdivision with only 28 houses, 113 houses is high density. Once the adjoining parcel to the east also gets developed, we will undoubtedly see more pressure on the undeveloped and sensitive natural area as page 163 of the Columbia Imagined Plan shows. Gans Creek is extraordinary. I go there, as do the 5,000 people who have signed the change.org petition opposing this development. We go there to enjoy the solitude of nature away from the bustle of the City. So many questions remain. Why did this sensitive area get designated as a neighborhood district? Is the plan to put the two undeveloped parcels together with the platted street connectors? Are we looking at more like double the houses with a Break Time on the corner? But what is the larger plan here, and why does the staff report suggest that agricultural zoning would impact the wild area more than a densely packed residential neighborhood full of roads, roofs, sidewalks, and driveways? In closing, I believe wilderness areas should be protected and valued as a community resource. People rely on these green spaces for their quality of life as was more apparent this last year than ever before. And I ask you to uphold the City's Bonne Femme Watershed Plan that was adopted in 2007, protecting sensitive ecological areas such as Gans Creek. The Columbia Imagined plan also says to acknowledge, respect, and preserve the natural environment in and around Columbia so that its aesthetic and ecological value is retained for future generations. Please say no to this annexation and rezoning request. Thank you.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, Ms. Cheney.

MR. ASHER: Hi. My name is Jonathan Asher, and I live at 313 North Williams Street, Columbia, Missouri 65201. I'm opposed to the annexation of the land because I don't think we need our City to be geographically larger than it is in order to support more houses, which perhaps we do need more houses. I really don't know. I know we need a lot more affordable houses for people who already live within the

City. I know that -- and I don't know what causes the prices of houses to be what they are, but I know that a lot that -- I do know that we don't need a lot more of these houses in an area that is so, so special to so many people. It wasn't purchased as City land. It's not City land. Making it City land is something that shouldn't have been a foregone conclusion on the idea that they have a right to turn a profit, that you'll just say, oh, of course, this can be -- this can -- you can -- you can make this from county to City, and the City will cover the costs of, you know, the roads surrounding it and the infrastructure and the buses that may go out there. And if buses aren't going to go out there, which is what it sounded like from the City's presentation, Para-Transit has to for anyone who requests Para-Transit, which gets -- which is way, way more expensive than buses. I just think this sounds like a really bad deal all around. And I heard someone in the -- during the presentation earlier talking -- saying something that retail follows rooftops or something to that effect, whereas if there's plenty of people, there will be services built up around them, but it's bordering the state -- it's bordering Rock Bridge Park. You can't build retail. Like, I'm not sure -- I'm not sure if that'll pan out. But anyway -- so anyway, I'm opposed to it for all those reasons, and that's it. That's all I've got to say.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, Mr. Asher.

MS. MAXWELL: Hi. My name is Renee Maxwell; I live at 2290 East Bearfield Subdivision in Columbia. And I'd like to thank you first for the opportunity to make a comment tonight. I am opposed to the annexation of this parcel and the development of this property as proposed here tonight. My husband and I just moved to the neighborhood last summer from central Columbia. We lived in Columbia for 16 years. And over the past year and especially in the past few weeks, I've learned that many of my neighbors, some of whom have lived here for decades, have developed a close relationship to the park, as we've all heard tonight. My neighbors are diverse in age, as well as their political persuasions. We may not agree on every political issue, but we all agree that this development poses an existential threat to the wild area which we hold dear. We don't want to keep others from enjoying this resource. On the contrary, we want to ensure that people in our community may continue to enjoy this wild area for generations to come. If this development is approved, it will only be the beginning of the impact on this wild area. I ask that you would review the proposed plat and note the street layout. It was noted in the

staff report that there are two one-lot deep east-west streets that stub to the abutting properties to the east and west. It is inevitable that this development will expand to the east. The adjacent parcel is larger than the one in question, and it also shows a boundary with the state park to the south. Therefore, we know that this development will bring not just 113 homes to the edge of the wild area, but more likely twice that number. The problem with this development is not that more people will visit the park. The problem is that the cumulative and long-term impacts of development on this property will permanently alter the sensitive ecology of this wild area. I appreciate the fact that the developers have done their due diligence regarding City zoning regulations. However, the location of this development requires additional consideration based on its ecological significance and public usage. We owe it to everyone in Missouri to ensure that our state park will not be degraded by the interests of economics alone. Mr. Hill has promised my neighbors that our property values will increase significantly due to this development, and that may be so, but we understand that there is more at stake than our own personal economic gain. I realize that the pressures of growth and development will continue to encroach southward towards the state park. That is precisely why we, the people of Columbia, must protect our public spaces at this critical juncture, and set a strong precedent. I am simply asking the Commission to honor the Columbia Imagined comprehensive plan which designates this property as a sensitive area. The comprehensive plan assigns a high priority to the preservation of ecologically sensitive areas. The plan states, and I quote, "The sensitive area overlay district identifies karst topography, the Devil's Icebox recharge area, and prime agricultural land. While these landscape elements are not specifically protected by existing land-use regulations, they represent desirable land uses and natural features that are threatened by development activity. Preservation and protection of these areas should be encouraged to mitigate negative impacts on community resources and safety." I ask you to please follow your own recommendations for the development of ecologically sensitive areas as defined in the City's comprehensive plan. Thank you very much. I appreciate your time and consideration on this matter.

MS. LOE: Thank you. Any questions for this speaker? I see none. Thank you, Ms. Maxwell.

MR. STEWART: Good evening, ladies and gentlemen, members of our community. My name is Tommy Stewart. I'm probably the oldest member of the Bearfield Subdivision. My parents bought the farm adjacent to this development to the west. We were out there --

MS. LOE: Mr. Stewart, can we have your address before we get too far?

MR. STEWART: Yes. 5531 South Bearfield Road. That shows my property at the very lower end and to the west of Bearfield. I have connections with all the property from the state park all the way up to Bearfield Road. I own a duplex in Bearfield Road. Now, we were out there before there was even a blacktop road. It was a gravel road. It was before there was a state park. We were the first charter members of the Rock Bridge State Park. Now, what my objection is, everybody else has made it clear, but you're having an ingress and egress right next to my mother's home. People coming driving out of there are going to have their headlights right on the house, and I don't even know how anybody could even sleep with anything like that happening. And I object to their ingress-egress, and how they should take that Bearfield Road and not expand it, and dump all those people out on it is beyond me. I could say more, but I better just let it go as it is.

MS. LOE: I appreciate that. Are there any questions for Mr. Stewart? Thank you, Mr. Stewart.

MS. RENNER: Thank you, Planning Committee -- Planning and Zoning, and thank you for all the hard work and preparation. My name is Maria Renner; I live at 2720 Steppig Road in Columbia, Illinois 62236. I'm Tom Stewart's daughter, and I grew up in that house and on that farm since I was three. And I remember many times walking in the park. There's many caves. You know, I understand about the watershed. I think these are legitimate concerns that need to be incorporated into this decision. I do remember as a child all of the caves. There's underground caves, and I don't know -- my question might be to you, did the engineering study work with the national -- or the parks and -- yeah -- state park regarding what underground resources might be there that we don't see. I think it's wonderful how we talk about what we see, but I think that in this area there's -- there's much more that we don't see well below the ground. I don't know if this was considered in any of the engineering reports. The other thing, I wonder, the date of the road study, what's the date of the road study?

MS. BACON: Are you talking about the Gans Road study? It's 2009.

MS. RENNER: Has there been a road study on Bearfield Road?

MS. BACON: Not to my knowledge. It's a county road.

MS. RENNER: Okay. That's my point. I do believe we don't have enough information about the Bearfield Road piece, and the safety of that road. Like my dad said, they just threw blacktop on top of it.

And I do know that even as a child, there was a lot of traffic when it was a gravel road. Now, there's a lot more traffic since it is a paved road and the speeds are much higher. And I do respectfully ask for a more current traffic assessment, just more holistic planning than just looking at the current policies and the cookie-cutter approach to R-1. I'm also disappointed in this Council meeting hearing other times where it's impossible to keep up with the level of growth and the chicken and the egg. Well, where I come from, I have to be fiscally responsible. I have to understand where the incremental costs associated with the plan. I have to understand what are the unintended consequences. I think that we need more time for our community and -- and for the Board to really plan and plan appropriately. Who will pay for this, you know? I find a great discomfort in knowing that there's not a clear financial plan for what the City may have in store for them if they approve R-1. I think R-1 is not appropriate just for all the reasons everyone else has said tonight. I appreciate your time, and thank you.

MS. LOE: Thank you. Are there any questions for this speaker? I see none. Thank you, Ms. Renner.

MS. RENNER: Thank you.

MR. STEWART: I have a question.

MS. LOE: If he wants to come back up to the microphone.

MR. STEWART: There's -- there's another question here I failed to explain, about this runoff. Where is all this runoff going? It's going to my five-acre lake where I have bass, blue gill, and channel cat. Now, how long are they going to live with all this construction and mud going down there and contaminating my lake, period.

MS. LOE: Thank you, Mr. Stewart.

MS. TURNER: Alice Turner, 1204 -- I almost said Bearfield, because I lived on Bearfield for 20 of my 40 years here. 1204 Fieldcrest, but I am a previous 20-year resident of Bearfield Subdivision. That's where I raised my child. I learned to love that area. But when there were changes in my life, I was really happy to move away because I got tired of fighting development. The Phillips Tract once, twice, maybe three times, Bearfield Meadows. So I thought moving in the City would make that easier. Well, not really. I fought something down on -- that's another issue. But -- so I'm here to agree with the last speaker. I believe R-1 is not the right plan for this development if it would go forward, and I'm opposed to the

annexation because it is a sensitive area. But R-1 is wrong because I think you need to look at the history of the area. Bearfield Meadows is there and it came in as PUD, and it has retention basins in front of it when that was never part of the plan. But because the City had a lot of control, and that is costly, possibly for the developer, it came in with best management practices. I do not think under R-1 that you will get those best management practices to the extent that you would need for this environmentally sensitive area. So I ask you to vote this down because it's the wrong plan for this area, and it really needs to be looked at in more depth. You can see the amount of concern in this community, and it's all over Facebook. We love this community. We all want -- sorry -- we all want to protect it. And the way to protect it tonight is to relook at the plan, and if it would go forward, R-1 is wrong. Thank you.

MS. LOE: Thank you, Ms. Turner. Any questions for Ms. Turner?

MS. TURNER: No.

MR. WELLS: Good evening, ladies and gentlemen. I thank you for the opportunity to speak. My name is Ben Wells; I am a lifetime resident of Boone County. I was -- I'm a Boone baby; I was born in Boone Hospital. I've lived in Columbia for a long time. I currently -- I recently moved to Ashland, 502 North Henry Clay Boulevard. Public speaking is not my favorite thing, so you'll bear with me here. I came with prepared remarks, and I'm not really sure what the value of those is right now. I wonder if we all know the value of a space that's taken millions of years to create. Dollars can be made, but wilderness cannot. I've been using the Gans Wildlife Area since I was a young child and, to me, and so many other people, it is priceless, and I feel guilty. I'm guilty of not sharing what I have learned and seen at this space. I thought for a long time that by not telling people about the wildlife area, I could help protect it. I see now that that was ignorance. I encourage all of you to take a beautiful afternoon, a bottle of water, and a snack, to Shooting Star trail head. You will see wild flowers as I have that you have never seen. Shooting Stars and Wild Hyacinths come to mind. I challenge you to suspend your disbelief. Go spend time in this precious area and attempt to see what everyone sees. To put it bluntly, some things are more valuable than revenue. Peace of mind, clean air, and nice place for your children comes to mind. I appreciate your time.

MS. LOE: Thank you, Mr. Wells. Are there any questions for this speaker? I see none. Thank you.



MR. COMBS: Hello. My name is Barney Combs; I live at 2902 Trailside Drive, Ward 4. I don't think I'm going to be able to say much, but everyone has already pretty much covered. But the one question I would ask would be, I've heard several times asking what about the developer's rights? Well, what about the rights of the citizens of this City? This area is in a sensitive area -- this development, and I think it really needs to be preserved. I just moved here to Columbia about two years ago. I was amazed that such an area existed this close to the City. It's a beautiful area. So if we're not going to try to protect it, why have a wild area at all. Why have an outstanding state water resource? Why have Rock Bridge Memorial Park? I would just like to say, I'm diametrically opposed to this development as a whole. I don't think it's necessary. Yes, I'm not the developer. I'm not going to be the one that might lose money on this, but as a citizen of this community, I think it's very important that we look at other things other than dollars and cents. This area needs to be protected. I don't know how we're going to do it exactly, but I think we need to revisit this. Maybe there needs to be different planning and zoning rules put in place, but I -- I just think it's the wrong thing to do. Even though it's legal, it's still the wrong thing to do. Thank you very much for listening to me, and I hope you vote the right way. Thank you.

MS. LOE: Thank you. Any questions for this speaker? I see none. Thank you, Mr. Combs.

MR. BARROW: My name is Jeffrey Barrow; I live at 1007 Coats Street, Columbia, Missouri. And I want to thank you for the opportunity to speak. I -- I am getting feedback here, it sounds like. And I appreciate your patience. It's kind of spooky here. I feel like I'm surrounded by the Commissioners, the way you guys are all spread out. So I'm here to speak for a small segment of the -- of the outdoor community. I'm a white-water canoeist, and that's a niche outdoor -- outdoor sport that it's actually pretty expensive to get the special boats and equipment and gear and the travel that's involved with it. And safety is our first priority, first, last, and always. We wear helmets when we're out on the river. We take throw ropes in case someone else gets in trouble where a boat is pinned, and always wear a PFD. And my mom doesn't even tell me to be careful anymore. She just says be safe, so -- and just real quickly. My resume, I've paddled in ten states, 17 rivers from the Rogue River in Oregon to the Lower Golly in West Virginia. I've been in Missouri; St. Francis, Dobbs and Marble Creek, Boone County, Cedar Creek, Bass Creek, Gans Creek, Hinkson Creek, Bear Creek, Solar Fork Creek, Kelly Branch, paddled on the -- on the white water river in Honduras. I'm an American -- member of American White Water Association,

the Missouri White Water Association, American Canoe Association. I'm a certified instructor. I'm a member of CARP, Columbia Area River Paddlers. It's an informal group. And I'm just bringing that up because the -- the niche that I want to talk about right now is Gans Creek, is the outstanding white-water creek in Boone County and probably in a three or four county area. It's -- it takes rain to get the creeks boatable, but with enough rain, it's absolutely outstanding. And so I'm opposing the R-1 zoning because open R-1 zoning is not going to give the creek the protection it needs. And I appreciate what people said about limiting impervious surface and directing any development out of the watershed, of the Gans Creek Watershed. I think there were a lot of really good ideas that were brought up that are not going to come about or probably not going to come about because -- with just simple open R-1 zoning. If you -- if this property was to come into Columbia as a planned development, then these things could be negotiated and worked out, and some of the benefits of the Planning Department bring out in terms of resources for the City could be accomplished at the same time, but it needs -- this is a -- this is a very special place. And I also want to just point out that Gans Road, I believe it's a natural demarcation line between Gans Road and the park needs to have an overlay district. It needs to be looked at -- at overall, not piece by piece. That's going to be a death by a thousand cuts if we -- if the City approaches it that way. There have been enough visionaries ahead of us to point out this, and now it's time for us to enact it, and I think that's the way to enact it is to have a planning district that would include the whole reach from 63 to Providence Road. Oh, red light. I also wanted to give praises and thanks to the staff for the thorough report and also the accommodating of the public like me. If you have any questions, I would be happy to answer.

MS. LOE: Thank you for your comments. Questions? Mr. MacMann?

MR. MACMANN: Thank you, Madam Chair. Commissioner Barrow?

MR. BARROW: Former Commissioner.

MR. MACMANN: Former Commissioner. You were Chair of this body at one time, weren't you?

MR. BARROW: Well, I -- I served it all, yeah. I did my time, sir.

MR. MACMANN: So -- no. And I appreciate that. You're thinking Gans and south as an overlay zone to protect the property; is that where you're going with that concept?

MR. BARROW: Correct.

MR. MACMANN: Okay. And you would focus on runoff, pollution, movement, light, that type stuff?

MR. BARROW: Yes. I would -- all of the -- all of the deleterious effects to the park that would come about from urban development or someone called it urban sprawl. It doesn't have to be sprawl. I think it could be feathered out in a way that -- that could go from an urban core dense to, you know, a wild park.

MR. MACMANN: All right. Thank you, Jeff.

MS. LOE: Any additional questions for Mr. Barrow?

MR. BARROW: It's been a long night. I appreciate your patience. Thank you so much.

MS. LOE: Thank you for the comments.

MS. FORTE: Good evening. My name is Sutu Forte; I live at 627 Bluffdale Drive here on the east side of Columbia. It was a magnificent report by Ms. Bacon. I don't know how you have all of those things in your mind and can say them so easily. I learned a lot tonight. I must confess I have not been to Planning and Zoning meetings. I've been mainly at City Council meetings advocating for wild spaces in Columbia. My organization is It's Our Wild Nature, and I had the great privilege of being up in a tree for eight and a half days to try to get the City of Columbia to rethink the destruction of the wild, and I'm going to continue to do that until my last breath. Everyone tonight has spoken, my heart is so full of hope and appreciation of the residents of Columbia who care and who have studied and have taken the time to come here and speak so eloquently and so educated, and will answer all kinds of questions. We'll learn together. But we're all talking about what this can do for people. The earth continues to give. We continue to take. What do we give back to Mother Earth? And she's beginning to show how really sick she is. One of the things that I've done in preparation for my misdemeanor trial that I have because I sat in a tree for eight and a half days, I have jury trial on the 20th of May. I was able to have a young person do some documentation for me. She was able to find 75 scientific reports on the connection between deforestation and Covid. We are stressing our wildlife to the max. The diseases that they have are passing on to us. They cannot help but do that. We are to live in balance with nature, and we're way beyond that. We have taken way too much. It is time that we begin to give back. I've been spending the last 12 years trying to save 37.1 acres out -- it's a wild nature sanctuary on the east side of town, which is

a jewel. Yes, it's got a hell of a lot of invasives in it, and there's a lot of stuff wrong with it, but there's a lot of stuff right with it, and it's -- it's wild and it's nature and it's right here. I had nothing really planned tonight except to come support this decision to do this to our earth right here, this jewel, is not right. Let's continue to talk about this and learn from each other, and keep studying amazing awesome manuals like this Climate Action Adaptation policy. I had it printed. Every page has so much information. People here in the City have put this together. It's amazing. It's awesome. So I -- I applaud the City of Columbia and -- and I think Planning and Zoning rocks. I'm so happy to be here tonight. Thank you so very much. Please, let's take our time and rethink this -- please. So wildlife, the earth, depends on us; they can't come to the microphone. Thank you so much.

MS. LOE: Thank you, Ms. Forte. Any questions for this speaker? I see none at this time. Thank you.

MR. BINDBEYER: Good evening. My name is Joe Bindbeyer; I live at 1701 East Gans Road. I'm that little patch to the northwest of the proposed development. I live right on Clear Creek. As a point of correction, this development is about one-third of a mile -- stream miles from Clear Creek. There's a road ditch that -- essentially, it turns into a road ditch, the little stream that feeds Clear Creek. This development is very close to Clear Creek, and parroting what Mr. -- the landowner to the west indicated, Mr. Stewart, there's a creek at the base of -- of -- or the bottom of that property, on the south end of that property that goes right into the park across his property and across his beautiful three -- five-acre lake, and those are creeks, and those are running creeks. They were certainly running today, and they -- they are definitely damp in most conditions. And if this development goes through, they will constantly be -- be damp. The suggestion that they're a mile -- this development is a mile from Clear Creek is simply erroneous. We -- I am not speaking in opposition to all development at this piece -- on this piece of ground. We do need housing in Columbia. We do need to grow for opportunity reasons and for housing reasons, primarily low-income housing, which this is not. It is -- is what our crunch is in Columbia. I would -- I would suggest to you that the CIP, the Columbia -- the bonds that take years and years and years to pass and to put into effect has Discovery Ridge crossing 63 and linking up, I believe, all the way over to New Haven Road. That is wholly undeveloped property at this point, and that could be planned. That could be high density. That could be low income. There are oceans of opportunities to develop

ground around Columbia that's not in this sensitive location. We talked about chicken and eggs. I think this whole R-1 zoning is the -- is the egg here. What staff is looking through the lens as, oh, if we go R-1, they have applied -- they've complied with all these regulations. Well, R-1 is up to your discretion, and we -- they don't have a right to R-1. Developers have a right to a reasonable return on their investment. Certainly, they do. But they don't have the right to win the lottery. They don't have the right to take all of the value that the community has invested in the parks and the R-1 and the planned developments in that area, and then say, well, I'm going to sneak in with an R-1 and take that value and take it to the bank. You get a reasonable rate of return, you don't get to take advantage of the whole community's investment in your neighborhood. And how would I develop this property, sir? That's a very good question, and if we went back to the zoning map, which we don't necessarily need to do, but a lot of the landowners in that area, Mr. Davis, who was your first speaker, and myself, and 20 or so landowners in that northwest quadrant have restricted their own property to five acres. Now, I'm not suggesting that that's the best thing in the world for every piece of property in Columbia. That doesn't resolve all of our housing problems in Columbia, but that shows you what we've done to, frankly, take value out of our pockets to protect our world and to make this a very, very, very attractive part of Columbia that attracts a lot of people and not just the park, but, yes, the park, 700,000 visitors. I'm sure the Missouri Tigers would love to draw that number every year, and that's not happening anytime soon with -- with due respect to our great new coach. But there are also, Mr. Stanton, to your point, what would I do. It's reasonable to expect planned development in this area, it's so sensitive. But right across the street, years ago, when the old Phillips Tract, the whole litany and the history there, they ended up with planned development, and they have very dense planned development. But there are storm-water -- my primary concern is the impact on the streams and storm-water controls. Bearfield Meadows years ago, 10 years ago, 15 years ago, we put a storm-water basin in front of that subdivision. The developer didn't like it. He fought us all the way, but he eventually agreed. He ended up getting awards for it, the City gave him an award. The quality of the water that comes off that development is very, very exceptional. That's a minimum. That was 10 or 15 years ago. That should be a minimum. I see no infrastructure that -- that protects the water quality in this very sensitive area in the plat. We oppose the plat, we oppose R-1. I appreciate your attention, but I also want to note very quickly that it isn't every dispute or land use discussion that draws

the kind of credibility that Jeff Barrow and Susan Flader and head of the Friends of Rock Bridge bring to this. The Friends of Rock Bridge did not oppose Parkside, and that one was a hard one to swallow, but they did so maturely and rationally, and they see a real difference in this development, and we agree.

R-1 -- this should be a planned development. Thank you. I'll take any questions if anybody has any.

MS. LOE: Thank you. Any questions for this speaker? I see none at this time. Thank you.

MR. BINDBEYER: Thank you.

MS. LOE: Any additional speakers on this case?

MR. CROCKETT: Madam Chair, member of the Commission, Tim Crockett, Crockett Engineering Consultants, 1000 West Nifong. Given the hour, I'm going to go through my -- my presentation relatively quickly here, kind of cover a lot of points as quick as I can. The overview, I think you are certainly aware of that. You're certainly aware of the preliminary plat. I do want to comment on a few items here. First of all, the Columbia Imagined Comprehensive Plan, the traffic issues, utilities, storm water, environmental protections. First of all, the Columbia Imagined Plan, and this is a plan that took years and years to generate. It took input from many people, and it took hours and hours of conversation both by parties outside of this Board, as well as this Board and Council to generate. It's a well thought out and well vetted document. It's what staff uses many times for all of our development in Columbia. That document notes this area is a neighborhood. And when I say neighborhood, we can say, well, what kind of neighborhood are we looking for. Well, when we look at the City of Columbia, I know you've been given several comments about why can't we go agricultural? Why can't we go something other than R-1. Well, the fact is Columbia -- City of Columbia does have an agricultural zoning. We do have an A zoning. It does not matter how many lots we have -- Mr. Zenner can correct me if I'm incorrect here. It doesn't matter how large they are, but I can still only have two lots. I'm only allowed to have two lots in the entire piece of property. So it doesn't matter if we want to go two and a half acres, if we want to go five acres. I still can't do that in an agricultural zoning in the City of Columbia. I have to do that under an R-1 zoning. We are located inside the urban service area. That means something. That means that that's a document, that's a -- a provision that the City uses when they look at road infrastructure, when they look at water infrastructure, when they look at sewer infrastructure. How are we going to serve these areas? Do we need to serve these areas, and how are we going to do it? We are inside that area. Here's a

quote that also talks about, it is the staff's belief that assignment of the requested R-1 zoning would provide an opportunity to allow generally low intensity uses to be established on the subject site. These uses are considered by staff as being compatible with the adjoining City and county development patterns that are -- and are a -- are -- and are proposed at a density that would not overwhelm existing infrastructure capacity as well as permit cost effective servicing of future public infrastructure. I think that's an important item. That's an important statement that talks about what the City is doing in this area and how they expect this area to develop in the future. All that is -- much of that is contained in the Columbia Imagined plan. Yes, we did do a traffic study on this. CDB out of St. Louis, our traffic engineers, performed a full-blown traffic study at this location. I think there were some comments about, well, we counted different -- a different number of cars. We had a higher volume. I'm not refuting what they said, I'm going off of what our professional traffic engineers measured. Now, when they measure that, they video it. So we have video footage of every hour that they counted at this location, so we can certainly go back to that. We're not -- I'm not refuting what they counted, I'm just saying that I don't believe the numbers that we counted are inaccurate. That's what we came up with. It is -- this development is compliant with the Gans Road Study completed by the City and county back in 2009. I think that's an important document. City and county jointly together looked at the -- looked at what Gans Road is going to be in the future, how big does it need to be, where is it -- where is it going to go, and how should development develop around that. And so we took that document and we incorporated it into our project, and I think that's very important. Our traffic study also found that starting the roadways will continue to operate at level service A. I think that's important. Many times, we come to you with a proposal and we have a lot of traffic that's being generated on roads that can't handle them, but our -- our traffic engineer said it's level service A, which is the best state level service that you can obtain. Also, that traffic study was also submitted to and approved by both the City and the county traffic engineers. And let me tell you how a traffic study kind of works. It's not a document that we prepare solely at our discretion. We have a scoping meeting with the City and the county before it ever takes place, and we ask the City -- or our traffic engineers ask the City and county what do you want us to look at? What projections do we look at? How long range do we look at? How far out do we go? What growth patterns should we look at? It's your decision, your call, you tell us what you want us to use, what variables you

want us to have in that traffic study, and we will do it. So that's what we did. So it's not a document that we just simply prepare, submit, and say -- cross our fingers and hope the City, you know, agrees with it. They give us the -- the variables, and we design around it. So I think that that is very important to think about on the traffic study. Utilities. Of course we talked about sewer. There's substantial -- substantial investment in the sanitary sewer. There is sanitary sewer available to this site. And all gravity flows back to the north, so there is capacity. There's capacity in the Clear Creek Pump Station because that was all accounted for. This whole area was accounted for when that pump station was designed. There was investment put into that pump station. Now, how does the City get that investment back? Well, that's where the connection fees come in -- into play. Those connection fees cover all the costs of the pump station, the maintenance, everything else that goes along with public infrastructure. That's for the sanitary sewer. So all those fees are covered. So there is no -- we're not asking the citizens to pick up anything on the sewer. The water, now we have to go down -- down Gans a little bit to get water to this site. There is a water -- a water district, Consolidated Water District, with a water line on the site that can serve it, however, the City has entered into a territorial agreement with Consolidated District #1 that the City will serve this property. If the City has no intention of really developing this property, or allowing it to be developed, why is the City entering into agreements with Consolidated District #1, so that they can't serve it, but the City can, when the water district actually has services that can serve the property now. It's because they intend for it to be developed. And, of course, electric is going to be served by Boone Electric. Now, storm water, and that's been a big topic tonight. A lot of folks have talked about storm water. And it is an important topic, absolutely, an important topic. I don't want to underestimate how important that it is. But we can address it appropriately. The site drains to three different locations, as has been mentioned by many speakers before you tonight. Forty-two percent goes to the north, 30 percent -- 32 percent goes to the west, and, of course, 26 goes directly to the south to the wildlife area. We're going to exceed all the storm-water regulations, and that goes without saying, right? Our plan is going to comply with the Bonne Femme Watershed Plan. I will note that the Bonne Femme Watershed Plan came about and was generated before the City's storm-water manual came about. Also as many Commissioners here may remember -- I certainly do -- the whole Phillips Lake Project, when it came through, and many speakers have talked about other developments in the area that's all zoned PD, but



they were zoned PD now, but they weren't. They were zoned PUD, and the reason for that was is because the City had no storm-water manual at the time. We didn't do retention, we didn't have any water quality. So in order for those projects to get approved, we had to come up with something different. Bearfield Meadows, yeah. It's a great example of he didn't -- we made him put in a detention basin out front, yes. That was a requirement because the City didn't have that requirement at the time. Phillips Lake had a complete set -- yeah. Phillips Lake had a complete separate list of storm-water regulations they had to abide by simply because the City didn't have a storm-water manual at the time. I'll tell you now that the City storm-water manual that's in existence today, that will be applied to this project, far exceeds any of the requirements that were put on any of those other developments. So if Bristol is good, and Bearfield Meadows is good, Canton is going to be better, okay? Again, here's just a little schematic showing the three locations of a -- of the drainage areas for the three sites we talked about.

Environmental protections, yes. We're going to create a 7.2 acre wooded buffer between the park to the south -- excuse me -- to the park to the south in this development. Seven-point-two acres, that's a substantial piece of property that we're using as a buffer, and that doesn't count the additional green space on the larger lots. That's just the simple common lot itself. Then, of course, another 1.6 acre buffer along Bearfield. That was at the request of some neighbors. We want to screen your development from Bearfield, so, yes, we gave that. The area that drains to the park would only contain about six or seven percent impervious surface, okay? We have eight lots that would drain to the park, eight large lots that would drain to the park. Everything else drains away. We're going to use a -- a complex system of BMPs to serve this development like we do in all our developments, whether it's extended wet, whether it's dry, whether it's B -- or, excuse me -- bioretention, we're going to handle the storm water and we're going to exceed all of the City of Columbia regulations. And, again, those regulations are going to exceed many of the other developments in the area that have been approved in the past and even recently.

Again, here's a little schematic showing the buffers to the south. I don't want to underestimate how big that buffer is. It's 7.2 acres, it's a large portion. Now I want to talk about environmental comparison a little bit. Now let's talk about runoff coefficients, okay -- or curve numbers, okay? And now that may not mean much to you, but I just want to -- this is for schematic purposes. A residential subdivision and a runoff -- runoff curve number is somewhere between 80 to 85, okay? The higher the number means represents

the more runoff that you get from this site. A pasture would have an 84 to an 89. A row crop would have a 91 to 94. So if this piece of property was farmed, we'd have more runoff than a residential subdivision. Now, keep in mind that 80 to 85 also doesn't include water quality and detention that we're going to provide on this property, as well. Impervious coverages, we're going to be around that 28 percent is my estimated amount of Canton Estates, okay? That's higher than the 15 percent, absolutely. But the area that drains to the wildlife area is going to be six to seven percent. Let's compare that to Bristol Lake that's at 30 percent. The commercial portion of Bristol, which is 30 to 85 percent. Keep in mind, all of these developments drain to Clear Creek, just like the majority of this development does. The Village at Bearfield is 31 percent, and Bristol Ridge is estimated at 30. All of them are in excess of what we have. Now, the Bearfield Subdivision that's in the county that most of the residents -- a lot of residents spoke on tonight that live in, they don't have any controls, okay? So that didn't -- I didn't want to use that one. I didn't put that one up there. Now, density calculations, again, Canton is at 1.7, the Village of Bearfield, which is to the north, is about 3.1. Bristol Lake is at a 2.2, and Bristol Ridge is 1.9. I think those -- those calculations, those density numbers reflect what Ms. Smith talked about earlier tonight or pretty close to it. Now, we want to go back and we talk about, well, is this property really going to be farmed, is it really going to be row crop, are we really going to do that? Well, I'm not -- I can't speak for the owner. My client doesn't own the property yet. It's still under the original owner, or the previous owner. But the idea, here's some historic photos of the site. That site has been cleared. That site has been farmed in the past, so it's certainly not native forest on that property. It has been a farm for many, many years. So in conclusion, I want to -- you know, the project meets the objectives of the Bonne Femme Watershed Plan, which again is an important document. The proposal meets the requirements of the UDC, and that's where we really -- we worked for this for years and years, and the City staff and the P & Z, and Council, we're working ourselves away from PD zonings, and we're working ourselves back into open zonings with a very complex Unified Development Code. And I think that that Unified Development Code, we always talk about we need to let it work, we need to give it a chance, we need to give it the opportunity. Well, here's the opportunity. I think it can certainly work and can certainly provide to protections this whole area has needed. You know, we're going to provide the buffers, we're going to have the proposal consistent with the goals and objections of Columbia Imagined, which I think is very important, and again comes to

you as recommendation of approval from the City staff. So in closing, I just want to go back here just a little bit. Some of the speakers, I just want to have some clarifications. I believe I talked a little bit with some of the -- some of the comments that they made. I believe that -- and the traffic numbers, we talked about. I believe that -- let me see. What else did we talk about? Oh. One of the comments was, well, all the stub streets to the neighboring properties, we're setting ourselves up for future development. We're hiding something. We're not being consistent. We're not telling the truth. That's the City requirement. We have to stub streets to the neighboring properties, plain and simple. I won't get City staff support if I don't abide by the regulations that says I have to stub those streets. That's how development gets done. We always talk about having connectivity in development, so that's why we're having stubbed streets, not because we have any intentions. I mean, we don't know what the future brings. We don't have any intentions, we don't have any contracts. We haven't had any layouts on adjacent properties. I don't know what they're going to do. The fact is, is we have to do that. Again, ag zoning only allows for two lots on the entire piece of property. And, you know, another comment was no development along Gans. We should not develop in along Gans Creek at all, zero development. I find it kind of ironic that the Conservation Department built in the Gans Creek Watershed adjacent to Gans Creek, closer than this development would be. Any home in this structure is going to be further away than what the Conservation Department did when they developed adjacent to Gans Creek. I find it kind of ironic that of all development, the Conservation Department is right there, as well. So with that, I'm happy -- I know it's late. I'm happy to answer any questions that the Commission may have.

MS. LOE: Any questions for Mr. Crockett? Mr. MacMann?

MR. MACMANN: Mr. Crockett?

MR. CROCKETT: Yes, sir.

MR. MACMANN: Good evening, by the way. You made quite the point saying that you guys are hitting all the -- the i's and the t's are there. Five thousand of your neighbors and several people up here feel that the need here is much higher. Does this meet the UDC? Do you have -- yes. Does it meet all the requirements? Yes. This property is viewed as certainly significantly more sensitive than most of the other properties you and I have ever discussed or you've discussed. Do you guys meet the requirements? Yep. How can we bridge that gap?

MR. CROCKETT: Well, Mr. MacMann, I'm going to go back to, again, the Phillips Lake development. We had the same arguments, I don't know how long ago, 15 or 20 years ago on the Phillips Lake, had the same arguments. We're in the Clear Creek Watershed. We're in the Clear -- we've got to protect it. We've got to protect it. And they developed a plan to protect it, and I think that plan is working. I think it's working really well. I was out there today, actually, and took some pictures of Clear Creek going underneath Bearfield Road.

MR. MACMANN: I was out there today; we just missed each other.

MR. CROCKETT: Yeah. And it was -- and it was -- and, honestly, with active developments going upstream, the water was clear. It lived up to its name at -- underneath Bearfield. I have pictures on my phone. Happy to share them with you. But the idea there is, is we had the same conversation 20 years ago. We've got to protect Clear Creek. We've got to do it. And everyone came out of the woodwork, same situation. I'm sure it's the same -- it's a lot of the same residents. I absolutely had the same concern. But we generated a plan that worked, and where we're at today that we weren't there -- weren't then was the fact that the City has the plan in place to make those protections. We have a UDC that will cover that protection. We already have a master plan.

MR. MACMANN: Let me ask -- let me ask you this question that -- this isn't necessarily on you.

MR. CROCKETT: Sure.

MR. MACMANN: But, number one, despite the concerns at Phillips, you're saying we're here now. Obviously, folks weren't convinced at Phillips; you know what I'm saying? If we have the same people coming out and being concerned, there's still a very serious and significant concern. Somebody sent us some pictures of Phillips, some of these other developments as they were going up. Where I'm going up with this is that -- where I'm going with this is, the most sensitive time, as I see it with this development, is when it goes in, okay? And then later when people have super green yards on those nice big southern lots and they've dumping chemicals all over them --

MR. CROCKETT: Sure.

MR. MACMANN: -- that -- that really concerns me. It concerns me, and that concerns these folks, too.

MR. CROCKETT: Oh. And my -- let me go somewhere.

MR. MACMANN: And one of the last speakers mentioned this is -- and Mr. Zenner, don't take this too personally, because it's not directed at you. The City is not great at controlling runoff during construction. They're not. Okay.

MR. CROCKETT: Okay.

MR. MACMANN: So you're on the line. Are you going to do this, or are you just doing the civil on this, or are you pinching this, or what's the story of this?

MR. CROCKETT: I'm just the -- I'm the civil engineer.

MR. MACMANN: Okay. There's a serious, serious concern. There's a trust issue.

MR. CROCKETT: Right. Absolutely. I understand there's a trust issue, absolutely. And my comment to that, Mr. MacMann, is, first of all, the most sensitive area that everyone is talking about is the area south of this development. As stated before, we're six, seven percent impervious surface. We're large tracts, large lots. Everything else going in, you know, a different location. So the most sensitive location, we're only at six or seven percent impervious surface, so I think that's a big key factor. The dirt is almost going to the north back into Clear Creek anyway. Now, again, very sensitive. We don't want to underestimate that. It's still a very sensitive situation, but, again, it's going to be addressed just like all the other developments out there have, with -- and then some, because the regulations have evolved so much over time. And when the regulations were created, it's created to handle -- handle everything. It's not created to fix the average development or the low-end development, they were created to handle all of the development.

MR. MACMANN: You remember I might have been a little bit involved with that.

MR. CROCKETT: Absolutely. And so -- and so when I say all development, this is part of all that development.

MR. MACMANN: It is part of all development, and I'm saying we're at the far end of what's safe.

MR. CROCKETT: Yes.

MR. MACMANN: Of that huge compromise document that we all put together, and everyone is going to be watching very closely, you know.

MR. CROCKETT: Absolutely.

MR. MACMANN: And this -- this -- the political pressure is going to continue.

MR. CROCKETT: I understand. We understand that completely, you know, and your comments, you know, especially, Mr. MacMann.

MR. MACMANN: Yeah.

MS. LOE: Any additional questions, Mr. MacMann?

MR. MACMANN: That's all the questions I have at this moment.

MS. LOE: All right. Any additional questions for Mr. Crockett? I'm going to go with Ms. Carroll first, and then Ms. Geuea Jones.

MS. CARROLL: I agree with you. You can't have more than two lots with the City's ag zoning. I understand that. I believe you can with the county's ag zoning, which is what you currently have, which is why I just have to ask you, why does it have to be City R-1?

MR. CROCKETT: Well, if we go county, we're going to onsite sewer systems, and I think that's going to be a big detriment to everyone in the area. Having onsite sewer systems on large acreage tracts, not being able to tie into the City sewer is going to be a detriment, and I think that that doesn't benefit anybody. And so we would like it, if at all possible, to extend the sewer. And if you develop ten-acre tracts in the county, you can't put a centralized sewer system in.

MS. CARROLL: Thank you.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: So I have a lot of questions, but I'm not going to ask them, one, because of the hour, and, two, and more importantly, because regardless of how you answer, even if you satisfy me tonight, there is nothing to hold you to that, which gets to what I think Commissioner MacMann was trying to say, which is the UDC should not be the ceiling of what we require. The reason we still have PD zoning is for unique properties. Do you not think that backing to this preserve makes your property unique? Do you think it's just the same as if you were, you know, up off Providence someplace?

MR. CROCKETT: No. I believe -- I believe it is unique, but I believe that there's protections embedded in the UDC and the storm-water manual to protect that. This is certainly a conversation that we've had with the Planning Department about should we go PD or do we want to go R-1.

MS. GEUEA JONES: Sure. But you're saying you're going to exceed because you understand Bonne Femme and, sorry, I just -- you're saying you're going to exceed the minimum standards in the

UDC. You're going to go above that. You're going to -- you know.

MR. CROCKETT: No. What I'm saying that I'm going to exceed the provisions in the Bonne Femme Watershed Plan. By default, by adhering to the UDC and the storm-water manual, by default, I exceed the requirements of the Bonne Femme Watershed Plan.

MS. GEUEA JONES: But some of that is, you know, you -- you lay out the plat, you say here's where I'm going to do the biome and all this stuff, but then you also leave open the door to, well, who knows which end of the house -- which end of these big deep lots the house is going to be built on. And, you know, we might want to do a PD up on the corner at some point and things like that. I think that's why -- I'm just wondering if this isn't -- I am 100 percent for open zoning. I like doing that. I don't like having to do a PD every other week. I just think this may be a super unique circumstance.

MR. CROCKETT: Right. I understand your concern, and I hear what you're saying. This was a conversation that Mr. Zenner and I had regarding this, and again it goes back to, you know, the UDC, letting the process work, and that's where we decided to go with it. I understand your concern and I appreciate your comment, and that's -- that's kind of where -- where we're at with it.

MS. GEUEA JONES: All right. Thank you.

MR. CROCKETT: Thank you.

MS. LOE: Any additional questions? I see none. Thank you, Mr. Crockett.

MR. CROCKETT: Thank you..

MS. LOE: I'm sorry. We can't have comment from the field right now. I'm sorry. Mr. -- you've come up to the podium. We can --

MR. STEWART: Well, my question is very simple.

MR. STANTON: You still have to state your name and address again, sir.

MS. LOE: Please?

MR. STEWART: Thomas Stewart, 5531 South Bearfield Road, Columbia, Missouri. My question is, my presentation wasn't quite as eloquent and I apologize, but it didn't cost a dime. Nobody paid me for what I said. I'd like to know what he got paid for what he said.

MS. RENNER: My name is Maria Renner; I live at 2720 Steppig Road, Columbia, Illinois 62236. And I do respectfully believe that the engineering thing is flawed. On one of the slides where it talked

about the runoff, where 26 percent is going south, 32 percent is going west, 32 percent going west is into my father's lake, which on the other side goes into the state park, okay? So -- so the numbers, it appears you say 32 are going directly to the park, there's a lot more going to the park than that slide showed. I also worry that the traffic studies did not include Bearfield Road and the traffic on Bearfield Road in the infrastructure there. I think it's flawed.

MS. LOE: Thank you. Ms. Renner, we've gotten different accounts of traffic studies. We've gotten different accounts of runoff. This is not a forum for rebuttal really. I mean, so we appreciate the comments that have been met, but we don't want to get into a give and take in this forum. So if you don't mind, we're not -- if -- if you have any new comments, that's fine, but we -- we -- we would prefer that you don't try to respond to information that was presented.

MS. RENNEN: I understand. And I'm sorry. Respectfully, I would like to bring up one new thing, is that there are no current traffic studies on Bearfield Road. And this is going to introduce incremental new volume on top of the current high-volume road that it can't support. Thank you for your time.

MS. LOE: Thank you. All right. We're going to close -- are you a new speaker? No. Okay. We are going to close public comment, because we still need to get to -- if anyone has not spoken -- not spoken at all. All right. No. No. No. We'll take new comments. I just --

MS. RICHARD: My name is Kristy Richard, and I live at 2700 Bristol Lake Drive. I didn't intend on speaking, so I'll be very brief. I just wanted to say, I'm not paid to speak here and I'm not really in support or against. However, my husband and I moved from Jefferson City almost four years ago, and we purposely kind of stalked the Bristol Lake neighborhood because we -- we love the area. And so I tend to agree with the last speaker. There's a whole other element of the public and people who -- who are in support of community development and who want to live in areas like this that, honestly, all of my neighbors that I spoke to thought this was a done deal, so they just didn't come. So I think it's -- there is a more coordinated effort when people have organizations to come in opposition to something, to come and speak out when you're opposed to it. But I can tell you I sit in my living room every day and watch deer very often through Bristol Lake, which is across Gans. We -- we have -- we feel like we live in the country. We love our roads, we love riding our bikes, we love Gans, we love the whole area. And so I do think there are ways that maybe in Columbia we can bridge the gap to continue to develop while we're



also protecting the areas and wildlife. I've seen it done. I didn't know this was -- like I said, I've only lived here almost four years. I didn't know this was a development that started 15 or 20 years ago, but I do think that there are -- are people like me and like a lot of my neighbors who -- who want to come to that area because we do feel like it is still not only a part of Columbia, but we enjoy a lot of the wildlife and the area, the connection to 63 and that area. So I do think there's a lot of other perspectives, it just may not have been, you know, neither coordinated or organized effort. So I think there's maybe a way to bridge the gap and do both, and maybe it's not the R-1 designation. It sounds like maybe there's some things that could change there to -- to have houses further apart, but I don't -- I don't necessarily think there's an easy answer. And I appreciate all your time and your presentation. I think Columbia is a great place to live, and I think there's ways that we can continue to protect that area and still make it great like it is today.

MS. LOE: Thank you. Any questions for this speaker?

MR. STANTON: Yes. This speaker --

MS. LOE: Mr. Stanton?

MR. STANTON: I'm not going to let you straddle the fence. Stand on the side. What would you do if this was your property and your money on the table, and our wildlife at stake, what would you do?

MS. RICHARD: I would responsibly develop it.

MR. STANTON: How?

MS. RICHARD: I -- I -- I mean, I -- if it was mine personally? I think that going above and beyond not only what's required in protecting the park is extremely important, so I think if the R-1 designation doesn't allow it to go above and beyond where you guys can ensure that happens, that's cause for concern. I would want to make sure that was going to happen. But I think developing it, I mean, change is hard, and I think probably 15 or 20 years ago before all of that development that was there at Discovery, people probably couldn't see that and didn't think it would be a good thing, but I think it's great thing, and I think a lot of people that live there think it's great thing. And I think a lot of people want to be in that area, and we're seeing it grow. And so I think that growth is hard, but it can be done in a responsible, protective way. And I think incorporating all of the concerns here would be the top priority, right? The people that live there that are the most invested in that whole area could be a part of that. I

know that creates a lot more work, but I don't think that the -- the property owner is wrong, and I don't think these people are wrong. I think that -- that there should be a way to join to work in the middle.

MS. LOE: Additional questions?

MR. STANTON: Thank you, ma'am.

MS. LOE: I see none. Thank you. Any additional speakers on this case? Seeing none, we're going to close public comments.

**PUBLIC HEARING CLOSED.**

MR. ZENNER: Ms. Chairman?

MS. LOE: Mr. Zenner?

MR. ZENNER: I think it may be time to take a break.

MS. LOE: Sure. We're going to take a ten-minute break. We'll reconvene at 11:10.

(A recess was taken.)

MS. LOE: All righty. We're going to reconvene the April 8th, 2021, Planning and Zoning meeting. We've just closed public discussion. We're on to Commission comments on Cases 90-2021 and 89-2021. Ms. Russell?

MS. RUSSELL: Well, I'm telling you there is so much information here, my head is spinning. I wonder if it stayed agricultural, what would happen if a hog farmer went in there. That wouldn't be a cool thing. I wonder if some of the groups that have spoken had thought, well, I want to go band together and buy this property. I think it needs to be part of Columbia, but I don't think R-1 is the right thing, so I'm still pondering this.

MS. LOE: I'm going to go to Ms. Burns.

MS. BURNS: Thank you to staff and to all the speakers who are here at this late hour. The emotion that I heard tonight I've never heard as much investment and emotion in a case as -- that I heard in this. And that -- that resonates with me because I saw group leaders from the Rock Quarry Neighborhood Association, the Friends of Rock Bridge State Park, the Audubon Society. These are people who are invested in Columbia. They're not invested in a piece of property next to them that might take down their property value or might impact their quality of life. They were here because it's impacting all of our quality of life, and I have to listen to that. And while I respect Mr. Crockett's opinion, I can't

argue with the 26 people, some who spoke multiple times, so I don't plan on supporting either of these cases.

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you. Thank you, Ms. Burns. Although this -- this project may meet the minimum requirements for R-1 and to be annexed in the City, this is a special piece of property, extremely special piece of property. And we would be deluding our -- deluding ourselves -- excuse me, it's late and I'm jumbling my words -- if we thought that runoff wasn't going to happen either of storm water. And one thing that concerns me over time, R-1, all those houses with Chemlawn, that's going right in the creek, either straight south or south and then west. In the calculus we have to do if we approve this is how much is acceptable. Now, will this project meet the requirements? I'm sure. Is that good enough for this property? For me, it's not.

MS. LOE: Ms. Carroll?

MS. CARROLL: I think the R-1 zoning request for this area is premature given the surrounding infrastructure and the land uses. There is quite a bit of development going on at the Discovery node. I'm -- I'm concerned about the sprawl of housing development, especially to the south of Gans Road. I'm concerned about sprawl moving south and west in this area. I think we need to keep a close eye on that. I also am thankful for the many people who came out to speak tonight. And I appreciate, Mr. Crockett, that you've followed all the requirements, and I see that you've done well. I just don't think that R-1 is appropriate in this area. Neither would I approve of PD. Actually, at this point, I think it needs to keep its current zoning. So I -- I don't plan to approve on that. Also, in terms of residential uses, I -- I agree. I grant you that this is not a dense development by any means. It is not dense development for an R-1 development. This is the least dense residential development, but it's quite a bit more dense than the county ag and the neighboring directly adjacent in a very sensitive area. I think that a lot of people have spoken out and this opinion matters. I do rest heavily on Columbia Imagined, which had a lot of public output, input, the public input tonight seems to have spoken very clearly.

MS. LOE: Thank you. Any additional comments? Mr. Toohey?

MR. TOOHEY: I plan to support it. Columbia desperately needs the housing. In every single price range in Columbia and actually Boone County, there is not nearly enough housing and there won't

be for a long time. So I plan to support this. The whole point of the Code -- of our development Code was to reduce planned development. This is what this does. It meets the Code probably better than almost any other development we've ever seen come through here since the UDO was passed by the Council, so I see no reason not support it.

MS. LOE: Mr. Stanton?

MR. STANTON: I do believe in development. I think in this case, in this situation, this should almost be a flagship case study on how to have low impact development, and I don't see that here. If it were that level of commitment to protecting Rock Bridge State Park and surrounding areas, I would be in full support, but this is not it from my perspective. And once you lose something, I mean, in my neighborhood, I lived in the -- I live in the Sharp End area. Once you lose something, no matter what promises are made, you can never get it back. My neighborhood will never go back to any time of formal glory it ever had; once you lose it, it's over. If we're wrong about the runoff at all, it's over. If we are wrong about any of this and the wildlife is gone and the -- we can't get it back, you know. It's done. This is way too much -- I mean, this -- this is way too much for that area. I would love to see it develop, but I would love to see it develop in a flagship, sustainable, I mean, hippy-loving way. I mean, it would have to be a really just like, oh, my gosh, Columbia has made a hell of a development that protects the environment. I mean, it -- that's the only way I can do -- and it would have to be like a quarter of this. It would have to be up close to, you know, up where the Phillips Tract is, up close to the road, you know. And I understand, I'm all about, you know, owners' rights and all of that. I support all of that, but there's no way you can ignore the unique characteristics of this land. There's just no way you can just ignore it, and if -- you know, I'm know we're trying to get away from PUDs. That would be the only -- this -- this, if you were going to use a PUD anywhere, it would be here, and that's not what's presented to us. It doesn't meet my standards of being exemplary, hippie establishment, tree-hugging hippie, environmental green, everything would have to be in place for me to support any kind of development here and that's -- that's not -- this is not it.

MS. LOE: Thank you, Mr. Stanton. Ms. Geuea Jones?

MS. GEUEA JONES: I will say again, I want to be able to use open zoning as much as possible, but the point of PD districts are areas that have unique challenges, and there is nothing more unique in

Boone County than the wild area. So I -- I don't see how this property, because of what Commissioner Stanton said, it doesn't matter what they promise today. Unless it's in the ordinance, they don't have to comply with it as long as it fits under the UDC. So I -- I would be happy to see this land developed in a responsible way. To me, the only way to do that would be PD, which is not what's in front of us.

MS. LOE: I would say that this parcel borders the only state recognized wild natural resource in the City, and it cannot be treated the same as we do every other parcel that's annexed into the City, nor can a blanket zoning be ruled across it. That doesn't make sense, which the proposed preliminary plat itself recognizes. So I cannot support a blanket zoning. Mr. MacMann?

MR. MACMANN: I have a question of staff. Mr. Zenner, do you need two motions or one?

MR. ZENNER: It would be best to have two motions. There are two separate regulatory processes here that Council will have to consider.

MR. MACMANN: Roger that. Do any other Commissioners have any more commentary at this time? If they do not, I plan to make a motion. I will make this motion in the affirmative. I will be voting against. Are you with me? In the case of Gans Creek Road permanent zoning and preliminary plat, Case Number -- what is that number, I'm --

MS. BACON: Ninety-one is the -- is the zoning.

MR. MACMANN: -- 91-2021. It's late; please forgive me. Move to approve the assignment of R-1 zoning upon annexation.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey. Voting No: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Ms. Burns.**  
**Motion is denied 7-1.**

MS. CARROLL: We have seven votes to deny, and one to approve.

MS. LOE: Mr. MacMann?

MR. MACMANN: If we have no other commentary at this time, I'd like to make a motion. In the matter of the preliminary plat for Canton Estates, 91 -- 89-2021, again I'm going to make this motion in the

positive. I'm going to vote no. I move to approve.

MR. STANTON: Second.

MS. LOE: Seconded by Mr. Stanton. We have a motion on the floor. Any discussion on this motion? Seeing none. Ms. Carroll, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.)**

**Voting Yes: Mr. Toohey. Voting No: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Ms. Burns. Motion is denied 7-1.**

MS. CARROLL: We have seven votes to deny, and one vote to approve.

MS. LOE: Recommendation for denial in both of these cases will be forwarded to City Council. That concludes our cases for the evening.

### **VIII. PUBLIC COMMENTS**

MS. LOE: Are there any additional public comments? Thank you all for showing up. We do appreciate public comments.

MR. TOOHEY: Actually, can I say something? Do you want to explain to them how this process works now?

MS. LOE: Oh. Mr. Zenner? We'll let Mr. Zenner cover this.

MR. ZENNER: All right. So this evening's vote actually is a recommendation to City Council. Both projects have been recommended for denial, which will automatically result in these items being placed under the Old Business category of the City Council's agenda. The matters will appear for introduction on the Council's agenda for the May 3rd Council meeting. Concurrently with that May 3rd introduction of the -- of the zoning -- of the permanent zoning request and actually the preliminary plat will be held back a cycle because it is a resolution. There will also be potentially a public hearing as it relates to the annexation of the property. And as we discussed earlier this evening, annexation is a policy decision of City Council. Pursuant to the statutory requirements for the State of Missouri, a public hearing must be conducted 15 days prior to a final vote being taken on the actual zoning matter. So that public hearing will be scheduled -- is tentatively going to be scheduled for May 3rd, as well. So it gets introduced or the hearing gets held the same time that the zoning is introduced. The zoning, however, is not discussed at that May 3rd meeting. The zoning will be discussed in a public session on the 17th of

May, and, at the same time, the preliminary plat will be introduced and will also be eligible for discussion since it will be under Old Business. So the dates that you really need to be aware of are really May 3rd, and that is the public hearing tentatively being scheduled for the annexation, Council's consideration of that, and then May 17th. So nobody is surprised, we will be presenting a resolution to the City Council to set that public hearing for May 3rd on their April 19th agenda. It's a procedural matter. If Council chooses to not set that public hearing, which is their prerogative, the item will be delayed indefinitely, and we do not know at this point what that outcome may be. You are more than welcome to contact Ms. Bacon or Ms. Smith or myself within the Community Development Department Planning and Zoning Division, and we can provide you a status update as it relates to action of the resolution on the 19th, sometime that week. We'll be more than happy to inform you at that point. There will be no further notices sent from the City's Planning and Development Department as it relates to this matter. The Council's agenda is available on City's website, and we advise that you look at that generally the Friday before the upcoming Council hearing, so that would then be on May -- April 30th, and then that would be for the May 3rd meeting, and the 14th of May for the May 17th meeting. Those are when those agendas will be posted and, again, these items will show up under Old Business.

MS. BACON: And if I may, I'm going to be out of town for a couple of much needed days off, so if you could maybe wait to get a response from me if you email me till Tuesday or Wednesday of next week, I would appreciate that. And folks who are looking into doing protest petition actions, you might feel a little bit differently after the vote this evening, but I do want to encourage you to talk directly to Sheila Amin, the City Clerk. She really is the one who handles all of the nitty-gritty bits and bolts for that process. I mean, I'm happy to talk to you about it, but I'm going to send you her way. So if you have any questions about that, please talk to Sheila Amin, the City Clerk.

MS. LOE: Mr. MacMann?

MR. MACMANN: Thank you. Folks, as long as this was, if you truly care about what you just helped accomplish, it's more important for you to show up at Council, if that's what -- where you guys are really at. So you just -- you need to know that. Thanks.

## **IX. STAFF COMMENTS**

MS. LOE: Back to Staff.

MR. ZENNER: So you do have a meeting. Hard to believe.

MS. LOE: More cases?

MR. ZENNER: Yes, more cases, but it will not occur until April 22nd. We will have a regular work session, as well as a regularly scheduled meeting that evening at 7:00 p.m., and it only includes three items, folks, and they're not all that complicated. So we do have two final plats, one which was tabled this evening down off of South Route KK, and then we have another final plat that will be off of Old Highway 63. Both of these are platting actions due to the fact that there are partial previously platted parcels and pieces that have never been platted before, so that is why they are coming to you. These straight-up final plats, no design adjustments associated with them, so these will be the simple garden variety that just require technical compliance. The one and only public hearing on that agenda has to deal with the annexation and the permanent zoning, subject to annexation, of the former Boone County Event Center, now under the City's jurisdiction and ownership. It is going to be proposed to be rezoned from county light manufacturing to our O district, which is standing for open space, for the park's usage and further development of additional open-space activities on that tract of land. So that is the upcoming items for our April 22nd meeting, and we do have maps, just so you all know where they are.

MS. BACON: And, Pat, may I jump in really quickly?

MR. ZENNER: Sure.

MS. BACON: Okay. So we had anticipated scheduling some zoning related Code amendments also on the 22nd. I had advertised for that and it was not within the wherewithal to pull it in time. We have decided to do additional public outreach, so we will actually have to table that item to allow for more public outreach because I just did not manage to pull the ad that I had placed, and I apologize for that. So we'll have to -- just officially be tabled, but we're working on public outreach and input, so that's why we need more time.

MR. ZENNER: Obviously, preparing for this evening's public hearing was a little bit time consuming, so -- these are your locator maps for our upcoming projects on the April 22nd agenda. Obviously, the property on the left is our Route KK property. Immediately to the right of that then is our Old 63 property, which is currently improved with a self-storage facility, and then vacant property to the south. And then the last slide is, of course, our Event Center property up on Oakland Gravel Road. That



is the Event Center property that we are looking at annexing into the City and permanently applying O zoning in the City to allow for future park usage. With that, that is all we have. We will have some more meaty items to talk about during work session on the 22nd, which I will be preparing some documentation for. So thank you very much for your attention. We appreciate the public and your patience with this evening's proceedings. We're signing off.

MS. LOE: Thank you, Mr. Zenner.

**X. COMMISSIONER COMMENTS**

MS. LOE: Mr. MacMann?

MR. MACMANN: Unless Ms. Russell has a comment --

MS. LOE: Let's let Ms. Russell have the honors.

MR. MACMANN: Shall we?

**XI. ADJOURNMENT**

MS. RUSSELL: I wouldn't want to miss this part. I move to adjourn.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton.

(The meeting adjourned at 11:35 p.m.)