Chair Townsend called the meeting to order at approximately 7:10 p.m. Those members attending included Rex Campbell, Matt Reichert, Martha John, David Townsend and Philip Clithero. Also attending were the City Clerk, Sheela Amin, Building Regulations Supervisor, Phil Teeple, and Assistant City Counselor, Rose Wibbenmeyer.

The minutes from the regular meeting of September 11, 2012 were approved as submitted on a motion by Mr. Campbell and a second by Ms. John.

The following cases, properly advertised, were considered. All persons testifying were duly sworn by the City Clerk.

Case Number 1847 was a request by Suzanne Sheldon, attorney for Lutheran Senior Services, for a variance to the building height requirement by allowing the proposed building to exceed the maximum height permitted on property located at 3750 Miller Drive (which is within the parcel commonly known as 3300 New Haven Road).

Chair Townsend opened the public hearing.

Suzanne Sheldon, Counsel for Lutheran Senior Services with offices at 1150 Hanley Industrial Court, St. Louis, Missouri, explained she was present on behalf of Lenoir Woods, a continuing care retirement community located within the City of Columbia, and they were seeking a variance for the height of a proposed building on the Lenoir Woods campus.

Mark Schoedel, Vice President of Construction for Lutheran Senior Services with offices at 1150 Hanley Industrial Court, St. Louis, Missouri, stated the reasons they wanted a taller building than allowed in a residential zoning district were because they were trying to keep the building within walking distance of amenities and because they were trying to minimize the impact to green space. He understood City ordinances allowed a maximum height of 35 feet, and they were requesting up to 58 feet.

Bill Howell, an architect for Rees Associates, Oklahoma City, Oklahoma, provided a handout and explained the proposed building would be located downhill and behind one of the larger buildings on the Lenoir Campus, the Maplewood Building.

Mr. Campbell asked for the difference in height of the two buildings. Mr. Howell replied the existing Maplewood Building was 37 feet 6 inches tall with the top of that building being at an elevation of 843.98 feet and the proposed building would be 58 feet tall, which was about 8 feet 9 inches taller than the mean elevation of the existing Maplewood Building. Mr. Campbell asked if it was fair to say the new building would not be seen from the highway or frontage street. Mr. Howell replied that was a fair statement, and pointed out the Master Plan included other buildings that would add to the foreground view and assist in hiding the proposed building. He noted this proposed building would be constructed on a non-wooded area with an existing parking lot. They would construct underground parking instead of creating another surface lot as it allowed for more density while still being convenient for residents. Mr. Campbell stated a construction trailer was
parked on the lot, and asked if that was the approximate location of the proposed building.

Kent Kirkwood, the Executive Director of Lenoir Woods with office at 3710 Lenoir Street, described the location of the proposed building using the aerial map.

Mr. Howell pointed out some of the trees in the wooded area would also be taller than the proposed building.

Mr. Campbell asked if there were plans to develop in the wooded area. Mr. Howell replied the current plan was to not develop in the wooded area as it was one the main amenities of the development and included walking trails.

There being no further comment, Chair Townsend closed the public hearing.

Mr. Teeple commented that there was a minor issue with the diagram as the average grade was figured ten feet away from the building.

Ms. Wibbenmeyer explained the standard was one of practical difficulty and factors the Board needed to consider were how substantial the variation was in relationship to the requirement, the effect of increased population density on available governmental facilities if the variance was approved, whether substantial change would impact the character of the neighborhood or substantial detriment to adjoining properties would be created, whether the difficulty could be eliminated or reduced by a feasible alternative, and whether the interest of justice would be served by allowing the variance.

Mr. Campbell commented that he was supportive of the variance due to the topography, the fact an existing building would help screen the proposed building and the existing buffer zone.

Mr. Campbell made a motion to approve the variance as requested. The motion was seconded by Mr. Clithero.

Mr. Clithero stated he felt this was an appropriate use for the area. Ms. John agreed and pointed out they would place the parking that needed to be replaced under the building.

Ms. Amin asked for clarification that the motion was to allow a building height of 58 feet. The Board Members stated that was correct.

CASE NO. 1847 VOTE RECORDED AS FOLLOWS: VOTING YES: CAMPBELL, REICHERT, JOHN, TOWNSEND, CLITHERO. VOTING NO: NO ONE. The variance was approved as requested.

Mr. Campbell pointed out Lenoir had been a very good citizen of the City of Columbia.

Case Number 1848 was a request by William Arnet, attorney for Saint Thomas More Newman Center, for a variance to the front yard setback requirement by allowing the proposed addition to encroach into the required front yard on property located at 602 Turner Avenue (formerly 701 Maryland Avenue and potentially 701 Tiger Avenue).
Ms. Amin pointed out a letter from a representative of Delta Upsilon had been provided to the Board indicating its support for the project.

Chair Townsend opened the public hearing.

William Arnet, 2205 Topaz Drive, explained he was an attorney and a member of Saint Thomas More Newman Center and described the location of the existing building.

Father Thomas Saucier, 905 Greenwood, stated he was the pastor of the Saint Thomas More Newman Center, which was the Catholic student center for the University of Missouri. The structure was erected in 1963 at 701 Maryland. In 1993, a new sanctuary was built on the west side, and at that time, the entrance was on Turner Avenue, but the address had not been officially changed until three years ago. It was changed because they were afraid emergency vehicles would come to the Maryland Avenue entrance, which was locked. If this variance was approved, the address would then change to 701 Tiger Avenue. He explained the reason for the expansion was due to an increase in the student population in addition to their service to the adult population. He pointed they had six sacraments at the Newman Center.

Kevin Murphy, an engineer with A Civil Group, 3401 West Broadway, described the proposed addition and explained it was curved to mirror other buildings in the area. He commented that they might have some side yard issues in addition to the front yard. He understood the public hearing notice did not include a side yard variance, so he was not certain if that could be addressed by the Board tonight. Chair Townsend stated a decision on the side yard could not be made tonight, but they could still make a determination on the variance for the front yard. Mr. Clithero suggested the Board rule on the front yard variance tonight.

Mr. Murphy noted the property was zoned R-3 and pointed out the Turner Avenue Garage, the University Alumni Center, etc. were within about ten feet of the property line. He explained they were also working with the University in terms of an architectural review of the proposed addition.

Chair Townsend asked if this was a front yard setback issue since the entrance had been moved to Turner. Mr. Teeple replied the Director of Community Development was allowed to determine the side of the front yard on corner lots. Typically, it was the narrow side of the lot, and in this case, it was determined the Tiger Avenue side would be the front yard.

Chair Townsend asked for the required side yard setback. Ms. John replied it was 15 feet.

Nick Peckham, 3151 W. Route K, commented that without the variance to the front yard setback, the addition would be too narrow to utilize and described the project. He noted the walkway between the Alumni Center and Cornell Hall exited on to Tiger Avenue close to where the sidewalk would be located along the Turner Avenue front of the Newman Center. He explained they had met with Gary Ward, the Director of Design and Construction for the University of Missouri, and although it was not a University building, they wanted it to fit nicely in the area. If the variance was approved, fundraising for the project would begin and they hoped to hold a groundbreaking in about a year.

Ms. John asked what determined the angle of the north line of the addition in relationship to the building. She wondered if it could be moved a foot one way or the other as it appeared they was a little less than 15 feet, and it would not create a problem if it was moved a foot inward. Mr.
Peckham stated they could look into that if needed.

Mr. Murphy stated they were at about 14.3 feet on the north side and the side yard requirement was 15 feet for a corner lot on R-3 zoned property. He understood the interior setback would be 10 feet and they were at about 8.3 feet. Ms. John thought those angles could be adjusted to accommodate the required side yards.

There being no further comment, Chair Townsend closed the public hearing.

Ms. Wibbenmeyer stated the standard was one of practical difficulty or unnecessary hardship to justify the granting of the variance.

Mr. Teeple asked for the Board to clarify the exact extent of the variance if they decided to grant the variance.

Ms. John made a motion to approve the variance by allowing a 10 foot front yard setback on the Tiger Avenue side. The motion was seconded by Mr. Clithero.

Mr. Campbell stated this Board had made a number of exceptions over the last few years due to the congestion in the Greektown area, and he thought there was good reason to support this one as well since it was tough to find space around there.

Chair Townsend agreed and noted the Turner Avenue Garage and many of the academic buildings were built to the sidewalk. As a result, this would not be out of character for the area.

Mr. Clithero stated the foot traffic on that street was heavy and a concern of his was sight lines in terms of traffic, but he understood it would not be an issue due to the design of the building. In addition, there was a three way stop at the intersection. He thought the variance was appropriate.

CASE NO. 1848 VOTERecorded ASFOLLOWs: VOTING YES: CAMPBELL, REICHERT, JOHN, TOWNSEND, CLITHERO. VOTING NO: NO ONE. The variance was approved.

There being no further business, the meeting adjourned at 7:48 p.m.

Respectfully Submitted,

Sheela Amin
City Clerk