

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 229-13

### AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the south side of Route K, approximately 2,000 feet south of the intersection of Providence Road, Route K and Old Plank Road; directing the City Clerk to give notice of the annexation; placing the property annexed in District PUD-2.0; approving the Preliminary Plat & PUD Plan of Parkside Estates; granting a variance from the Subdivision Regulations relating to sidewalk construction; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The City Council hereby finds that a verified petition was filed with the City on June 10, 2013, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. The petition was signed by Robert Hill, a member of Southside Trail Estates, LLC, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on August 19, 2013. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.\_\_\_\_ **[number to be assigned by the City Clerk]** of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.\_\_\_\_ **[number to be assigned by the City Clerk]**. September, 2013  
Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following  
land:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF  
SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY,  
MISSOURI AND BEING ALL OF THE LAND SHOWN IN THE SURVEYS  
RECORDED IN BOOK 2920, PAGE 90, AND BOOK 3080, PAGE 187 AND  
DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4045,  
PAGE 119 AND CONTAINING 35.84 ACRES.

SECTION 5. The City Clerk is hereby authorized and directed to cause three  
certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and  
three certified copies with the Assessor of Boone County, Missouri. The City Clerk is  
further authorized and directed to forward to the Missouri Department of Revenue, by  
registered or certified mail, a certified copy of this ordinance and a map of the City clearly  
showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Fifth Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of  
the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the  
property described in Section 4 will be zoned and become a part of District PUD-2.0  
(Planned Unit Development) with a development density not exceeding 2.0 dwelling units  
per acre. Hereafter the property may be used for single-family and two-family dwellings.

SECTION 8. The City Council hereby approves the terms and conditions contained  
in the statement of intent dated July 29, 2013, attached hereto as "Exhibit A" and made a  
part of this ordinance. The statement of intent shall be binding on the owners until such  
time as the Council shall release such limitations and conditions on the use of the property.

SECTION 9. The City Council hereby approves the Preliminary Plat & PUD Plan of  
Parkside Estates, dated June 2013, a major subdivision containing approximately 35.84  
acres, and hereby confers upon the subdivider the following rights for a period of seven  
years from the date of this approval:

- A. The terms and conditions under which the Preliminary Plat was given will not be  
changed.
- B. The subdivider may submit on or before the expiration date the whole or any part of  
the subdivision for final approval.

- C. The time for filing the final plat may be extended by the Council for a specified period on such terms and conditions as the Council may approve.

SECTION 10. Prior to approval of the Final Plat of this Subdivision, the subdivider shall have completed the improvements required by the Subdivision Regulations, or in lieu of completion of the work and installations referred to, present security to the City Council with surety and conditions satisfactory and acceptable to the City Council, providing for and securing the actual construction and installation of the improvements and utilities; or put the City Council in an assured position to do the work, obligating the developer to install the improvements indicated on the plat, provided that no occupancy permit will be issued to any person for occupancy of any structure on any street that is not completed in front of the property involved, or the utilities have not been installed to the satisfaction of the City.

SECTION 11. Subdivider is granted a variance from the requirements of Section 25-48.1 of the Subdivision Regulations so that sidewalks shall not be required along internal streets within the subdivision, subject to the condition that the maximum impervious surface ratio shall not exceed twenty-three percent (23%).

SECTION 12. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

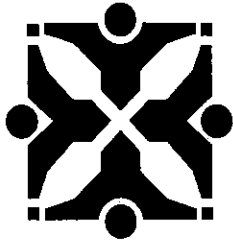
\_\_\_\_\_  
City Counselor

**Statement of Intent**  
**Parkside Estates**  
**July 29, 2013**

The following information is being presented as the Statement of Intent for the subject property.

1. The proposed uses for this property would include single-family and two-family dwellings.
2. This development shall be allowed to have single-family and two-family dwellings. The two-family dwellings shall only be allowed on Lots 1-8 of the proposed PUD Plan. The maximum number of units on the entire property shall be 69. The net density of the development shall not exceed 2.0 units per acre.
3. The maximum building height shall not exceed 35 feet.
4. The minimum percentage of the site to maintained in open space shall be 70%. This amount shall be further delineated as 15% existing vegetation and 55% landscaping.
5. The total number of parking spaces proposed for this development shall be in conformance with the current regulations for the City of Columbia for single-family and two-family dwellings.
6. Additional amenities may include a gazebo, walking trail, shelter houses, and picnic areas.
7. This project is a residential development with internal public streets. There is a portion of the development that would utilize a private street to access a maximum of 5 single-family residences. A small portion of the lots that abut Missouri Route K shall be allowed to have two-family dwellings constructed on them. Adequate screening shall be installed along Route K to screen these units.
8. A 75-foot parkside buffer shall be granted by the developer at the time of the final plat. The location of the buffer shall be along the southerly side of the property and more specifically as shown by the PUD Plan. No buildings shall be allowed within this buffer without consent of the Missouri State Parks.
9. Ninety percent (90%) of the existing trees (4" and larger measured at 2 feet above grade) within the parkside buffer shall remain in place once construction is complete.
10. The developer shall add to the protective covenants that all planted materials within the development shall be native species to this area (with the exception of the individual yards). The developer shall also generate an approved list of acceptable plantings with the assistance of the Missouri State Parks personnel. These items will be incorporated into the protective covenants and enforceable by the Home Owner's Association.
11. The developer shall add to the protective covenants that each lot shall have a minimum of 4 trees planted at the time of building construction and that 4 trees shall be maintained with each lot at all times. The trees planted shall be native species that are listed on the approved list of plantings.

12. The developer and/or Home Owner's Association shall facilitate an annual seminar with the residents of the development and the Missouri State Parks personnel. This seminar will enable park staff to educate the homeowners about the park as well as environmentally friendly practices in lawn care, pesticide use, and native species of plant materials.
13. Developer shall increase the Type II stream buffer, located on the easterly side of the development, from the standard 100 feet wide to 200 feet in width.
14. The maximum density on Lot 57 shall be 5 single-family residences.
15. The developer shall limit the total impervious area of development, not inclusive of the Missouri Route K right-of-way, to twenty four percent (24%). This impervious area shall include all impervious surfaces including houses, driveways, sidewalks, streets, patios, etc. The project engineer shall keep a running total of the impervious area of the site that shall be submitted with each building permit for any lot within the development.



Source: Community Development - Planning <sup>TT</sup>

Agenda Item No:

To: City Council  
From: City Manager and Staff <sup>MM</sup>

Council Meeting Date: Aug 19, 2013

**Re:** A request by Southside Trail Estates for annexation, permanent PUD 2.0 zoning, sidewalk variance, and approval of a preliminary plat of subdivision to be known as "Parkside Trail Estates" (case 13-100)

**EXECUTIVE SUMMARY:**

Southside Trail Estates, owner of the subject property, requests approval of annexation, permanent PUD 2.0 zoning, a preliminary plat of subdivision known as Parkside Trail Estates, and a sidewalk variance.

**DISCUSSION:**

The application is similar to a prior request to annex and zone the subject property R-1 and PUD that was withdrawn after an 8-0 vote of the Planning & Zoning Commission to recommend denial of the zoning. There are several significant changes in the new application, however: 1) The entire subject property is to be zoned PUD 2.0, establishing a density lower than would have been permitted as an R-1/PUD development; 2) The developer has imposed a cap on percentage of impervious cover (24 percent, modified by the Commission to 23 percent); 3) The developer has added a 75 foot wide buffer strip along the property line adjacent to Rock Bridge State Memorial Park, creating a 2.4-acre buffer/tree preservation area; 4) The developer has doubled the width of the required stream buffer; and 5) The developer has offered a number of restrictive covenants to address vegetation and storm water management within the subdivision.

The development plan consists of eight two-family dwelling lots along Route K and 48 single-family lots along interior streets. An additional five lots are identified on the east side of the intermittent stream that crosses the property, to be connected to the subdivision streets by a private street. Therefore the total number of dwelling units proposed is 69. A sidewalk variance is requested to require sidewalk only on one side of the public streets.

The Commission heard testimony from the applicant's engineer, attorney and geotechnical engineer. Numerous members of the audience spoke in favor or against the proposal. Those in favor of the proposal cited the developer's efforts to achieve a compromise with opponents of the project; the conformance of the proposal with the character of the area; and the desirability of home sites near the State Park. Persons objecting to the proposal cited detrimental impacts on water quality, wildlife, and vegetation in and around Rockbridge Memorial State Park; the fragility of the Little Bonne Femme Watershed, including the presence of losing streams and caves susceptible to collapse; traffic; and inconsistency with the larger lot residential development in the area.

Following the public hearing, the Commission discussed the conditions and restrictions with the developer and voted six in favor, none opposed, to approve a motion to recommend approval of the requested rezoning to PUD 2.0 and preliminary plat approval, subject to granting a sidewalk variance on both sides of public streets and lowering the maximum impervious surface ratio to 23 percent. In making the conditional approval, commissioners commented that they believed the greater good in this case was elimination of impervious surfaces.

**FISCAL IMPACT:**

The proposed subdivision ultimately will have both positive and negative impacts fiscal impacts on the City as additional property taxes, gross receipts taxes, user fees, and sales taxes paid by residents offset the costs of public safety services, infrastructure maintenance, and other city services. Infrastructure development costs will be borne by the developer.

**VISION IMPACT:**

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

5.4.9 Strategy: Ensure that as we grow we preserve our heritage and uniqueness.

**SUGGESTED COUNCIL ACTIONS:**

The Planning & Zoning Commission recommends, by a vote of 6-0, to approve the request for PUD 2.0 zoning, preliminary plat/PUD plan, and a sidewalk variance to waive sidewalks on both sides of the new public streets, subject to a decrease in the maximum impervious area from 24 percent to 23 percent.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	5.4.9
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
AUGUST 8, 2013**

**SUMMARY**

A request by Crockett Engineering, on behalf of Southside Trail Estates, for annexation, permanent zoning from County R-S (single-family residential) and A-1 (agriculture) to City PUD 2.0 (two units per acre), a PUD plan/preliminary plat to be known as "Parkside Estates," and a sidewalk variance. The 35.8-acre site is located on South Route K, approximately 2,000 feet south of the Providence, Route K, and Old Plank Road intersection. **(Case # 13-100)**

**DISCUSSION**

The applicant requests approval of a planned unit development to improve a 35.8-acre site with a density of two units per acre. Under the site's current County zoning designations, it could be used for one lot per 7,000 square feet of land area in the R-S portion along Route K (the same as the City's R-1 designation) and one lot per ten acres in the A-1 portion. A PUD plan constitutes a preliminary plat for a planned district. For this project the PUD plan and preliminary plat for the entire subdivision are shown on the same layout.

The plat/plan consists of 57 lots and one common lot. Eight of the lots would be permitted to accommodate villa-style single-family attached dwellings; the balance would only allow one-family construction, for a total of 65 dwelling units. Lot 57, to the east of the stream, has not been subdivided into individual home sites, though it would be restricted to a maximum of five, one-family lots. A 75-foot wide parkside buffer area at the site's southern boundary spans the entirety of the shared property line with Rock Bridge Memorial State Park.

The original 2012 submittal featured 76 lots and three common lots, for a total of 87 units (22 villa-style units in 11 buildings and 65 single-family homes). The previous proposal, modified before the Planning Commission hearing, contained 79 total dwelling units (22 villa units, 57 single-family homes including the potential five on the lot east of the stream).

Development was originally proposed for this site in October, 2012. At that time, the proposal included more two-family villa dwellings and more development east of the creek on the eastern one-third of the site. The project was withdrawn from consideration at the City Council and, after some time to reconfigure things and hold further discussions with state parks officials, the current proposal was brought to City staff and adjudged by Council to be dissimilar enough from the original proposal to be considered at present, rather than the applicant needing to wait until late October, 2013, to re-apply.



In the Planning and Zoning Commission's original 8-0 vote to deny the project's previous iteration, the main concern expressed by commissioners was development density in proximity to the park. Several felt the proposed density was too great, while another felt a PUD-4 or less intense was appropriate. It was noted that there is no guide for how densely such a property adjacent to the park may be developed. Stormwater was also mentioned, though multiple commissioners commended the engineer for his work in trying to minimize any potential runoff concerns. In light of these concerns, the developer reduced the total number of possible units to 69 (including the potential five east of the stream), ten fewer than the previous proposal considered by the Planning Commission. The stream buffer was also doubled in width to 200 feet as an additional water quality feature.

Numerous conditions are proposed for the site as part of the statement of intent. Seventy percent of the site is proposed for open space. The parkside buffer on the south side of the development would not permit any buildings unless authorized by Missouri State Parks. Staff recommends that no structures be permitted in the buffer. If parks officials consent, a plan amendment would be required to make such improvements. Ninety percent of the existing tree stock (four inches and larger, measured two feet above grade) is to be preserved after construction. Planted materials (trees, shrubs, grasses, and other plants) are to be native species on a list compiled by state parks staff. These items are to be memorialized in the development's covenants and enforced by the homeowners' association.

All lots, per covenant, are to have a minimum of four trees planted at construction and must maintain at least four trees per lot, according to the aforementioned native species list. Missouri State Parks staff will educate homeowners on environmentally friendly practices relating to lawn care and maintenance in a meeting organized by the developer or homeowners' association. The stream buffer along the creek is to be 200 feet wide, doubling the standard 100-foot wide buffer on a type II stream.

Finally, the maximum total impervious area is proposed to be no more than 24 percent of the entire site, excluding the Route K right-of-way. This has been a key point in the discussions between Missouri State Parks officials and the developer, as parks staff would like to see a further reduction in the impervious surface, generally no more than 20 percent of the site, or less if possible.

### **Permanent zoning**

The subject site consists of 35.8 acres, and is unimproved. The request for permanent zoning is associated with a concurrent annexation petition before City Council that would permit the subject property to connect to the City sewer system. The site is currently zoned County R-S and A-1. The site is surrounded by single-family zoning and land uses to the north, east and west. To the south is Rock Bridge Memorial State Park, which abuts the subject tract for approximately three-quarters of the southern property line's length. The annexation request has been introduced before Council and is pending a final vote at the August 19 meeting.

The requested permanent zoning is PUD-2 (two units per acre). The area aside from lots 1-8 would be restricted to single-family detached dwellings with a maximum height of 35 feet, the same height as standard R-1 zoning.

The villa-style structures, proposed for lots 1-8, are single-family attached dwellings that must meet specific design criteria specified in Section 29-10 of the Zoning Ordinance. The buildings will each be located on a separate, platted lot. The villa lots feature 25-foot front yard setbacks and six-foot side setbacks (zero between paired villa units).

The proposed PUD zoning would comply with a December, 1999 City Council policy resolution stating a "strong preference for planned development" within the Little Bonne Femme watershed above (north of) Rock Bridge Memorial State Park—though this particular site is not located within the area outlined in that ordinance. The increased 200-foot wide stream buffer and water quality/quantity measures required by the City's Chapter 12A stormwater regulations also help to meet multiple recommendations from the 2007 Bonne Femme Watershed Plan.

### **Preliminary Plat**

The preliminary plat proposes 57 residential lots (with a maximum of five lots on the current lot 57 that may be subdivided at a future date) and one common lot. The plat has been reviewed by City departments and external agencies and found to be compliant with the Subdivision Regulations, with the exception of the sidewalk variance discussed below. Neither MoDOT nor City traffic engineers have recommended changes to Route K. The entrances to the development have been studied for their location and suitability and found sufficient.

### **Variance Request**

The applicant has requested one variance for the property, relating to the requirement for sidewalks on both sides of any street as found in Section 25-48 (a) of the Subdivision Regulations, and to instead put a sidewalk on only one side of each street in the development. The applicant, as mentioned, wishes to minimize the amount of impervious surface on the site. This has been an important point in discussions with state parks officials, with the parks desiring the least amount of impervious surface on the subject site as possible (at most, 20 percent) and the applicant proposing 24 percent of the total area in impervious surfaces.

The proposal to reduce impervious surface by omitting sidewalks on one side of each street reflects a goal of the Bonne Femme Watershed Plan, "Maintain clean water without unnecessarily restricting property rights" through the recommendation to "Revise local governments' ordinances and design manuals to enable reductions in impervious surface by allowing flexibility in street width, sidewalks, etc." While the City's Subdivision Regulations have not been altered to accomplish this, the variance request has a similar effect for this particular site.

While staff finds the aim of reducing impervious surfaces a noble one in an effort to reduce possible runoff into the park (though Chapter 12A regulations should take care of this) and to come closer to the park's desire for a reduction in impervious area, staff is charged with upholding the standards of the zoning and subdivision regulations. It cannot, therefore, recommend approval of the sidewalk variance.

### **STAFF RECOMMENDATION**

Staff recommends approval of the requested permanent PUD-2 zoning.  
Staff recommends approval of the requested PUD plan/preliminary plat.  
Staff recommends denial of the requested sidewalk variance to Section 25-48(a)

### **SUPPORTING DOCUMENTATION**

Locator/Aerial maps  
PUD Statement of Intent  
PUD Plan/Preliminary Plat

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### **SITE CHARACTERISTICS**

<b>Area (acres)</b>	35.8
<b>Topography</b>	Varied with draws, generally sloping to the south
<b>Vegetation</b>	Wooded on south, east portions of site, grassy elsewhere
<b>Watershed</b>	Little Bonne Femme
<b>Existing structures</b>	None
<b>Existing zoning</b>	County A-2, R-S

### **PUD PARAMETERS**

<b>a. Proposed uses</b>	Single-family and two-family dwellings
<b>b. Types of dwelling units, &amp; accessory buildings</b>	Single-family and single-family attached dwellings (lots 1-8 only)
<b>c. Maximum number of dwelling units</b>	69 (8 villa-style structures of 2 units each, 48 one-family dwellings; up to 5 additional one-family dwellings on lot 57, pending a future subdivision request)
<b>d. Maximum building height</b>	35 feet
<b>e. Parking</b>	Total parking spaces: 2-4 per unit; half in garages Parking ratio (spaces/dwelling unit): 2-4/unit
<b>f. Minimum maintained open space</b>	% of total site in open space: 70% minimum
<b>g. Amenities</b>	Gazebo, walking trail, shelter houses, picnic areas may be included per statement of intent
<b>h. General project description</b>	Minimum setbacks from lot lines: 25' front; 6' sides; 25' rear; Zero setback between paired villa units

## **BACKGROUND**

<b>Annexation date/ward</b>	N/A
<b>Initial zoning</b>	County A-1
<b>Previous rezoning(s)</b>	None
<b>Metro 2020 Plan</b>	Neighborhoods

## **SURROUNDING LAND USES**

<b>Orientation from site</b>	<b>Zoning District</b>	<b>Land use</b>
North	County R-S	Residential dwellings
South	County R-S, A-1	Residential dwelling, open space
East	County A-2	Residential dwellings, open space
West	City R-1, County R-S	Residential dwellings

## **UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	None currently, City upon annexation
<b>Water</b>	Consolidated Water District #1
<b>Electric</b>	Boone Electric
<b>Fire Protection</b>	Boone County Fire Protection District (City upon annexation)

## **ACCESS**

<b>Route K</b>	West of site
<b>Major Roadway Plan classification</b>	Minor arterial
<b>Capital Improvement Program projects</b>	None
<b>Right-of-way needed</b>	50' half width; provided on plat

## **PARKS & RECREATION**

<b>Neighborhood Parks Plan</b>	None; in secondary parks acquisition area
<b>Trails Plan</b>	None
<b>Trail easement(s)</b>	None

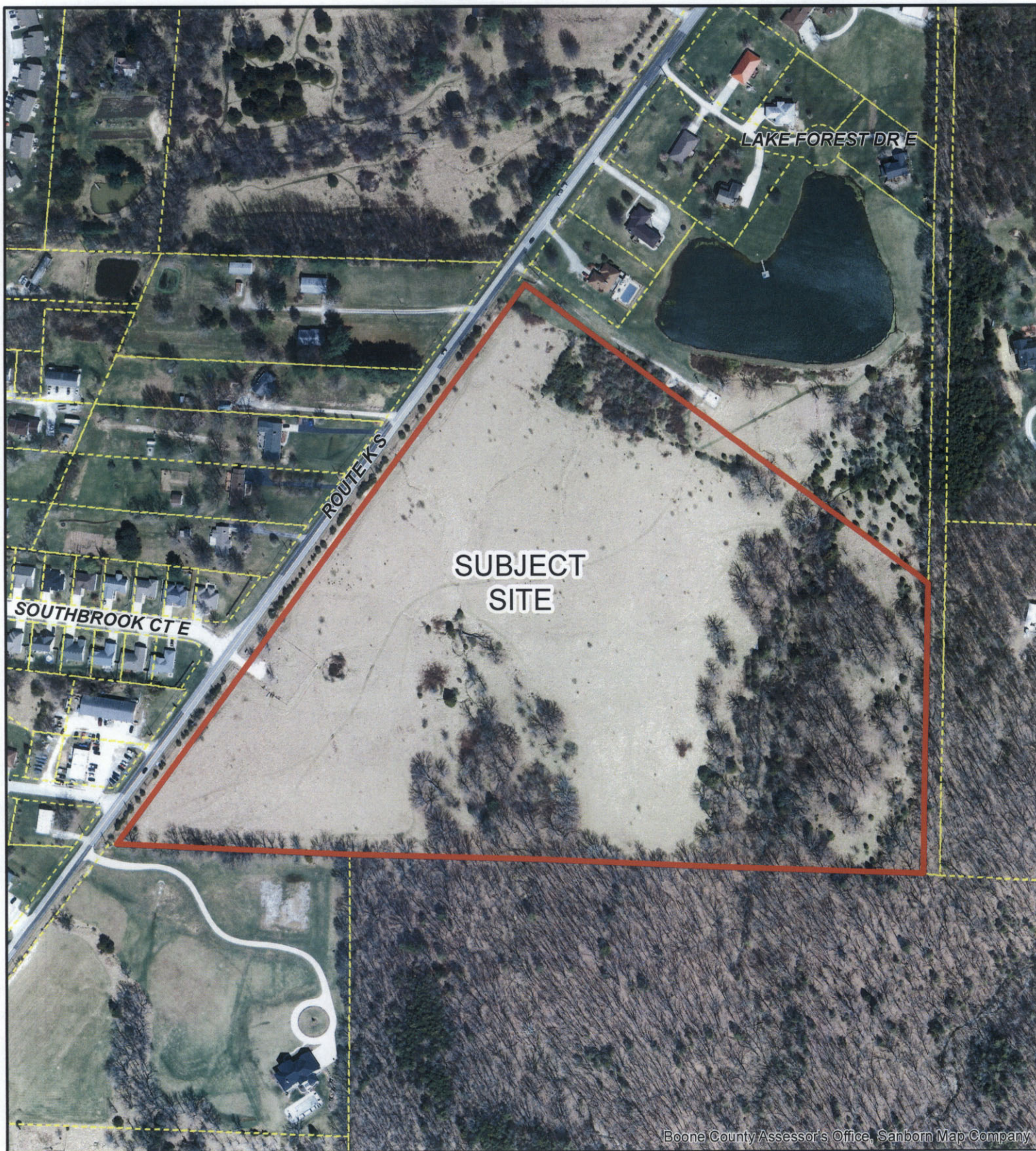
**PUBLIC NOTIFICATION**

All property owners within 185 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified by postcard of a public information meeting, which was held on July 8, 2013.

<b>Public information meeting recap</b>	Number of attendees: 3 (including the developer and his engineer) Comments/concerns: General inquiries on project, lot size, proposed housing types
<b>Neighborhood Association(s) notified</b>	N/A
<b>Correspondence received</b>	Inquiries on matters surrounding the project and its timeline through the hearing process; written correspondence attached

Report prepared by ML Approved by PRZ





Boone County Assessor's Office, Sanborn Map Company



Parcel Data and Aerial Photo  
Source: Boone County Assessor

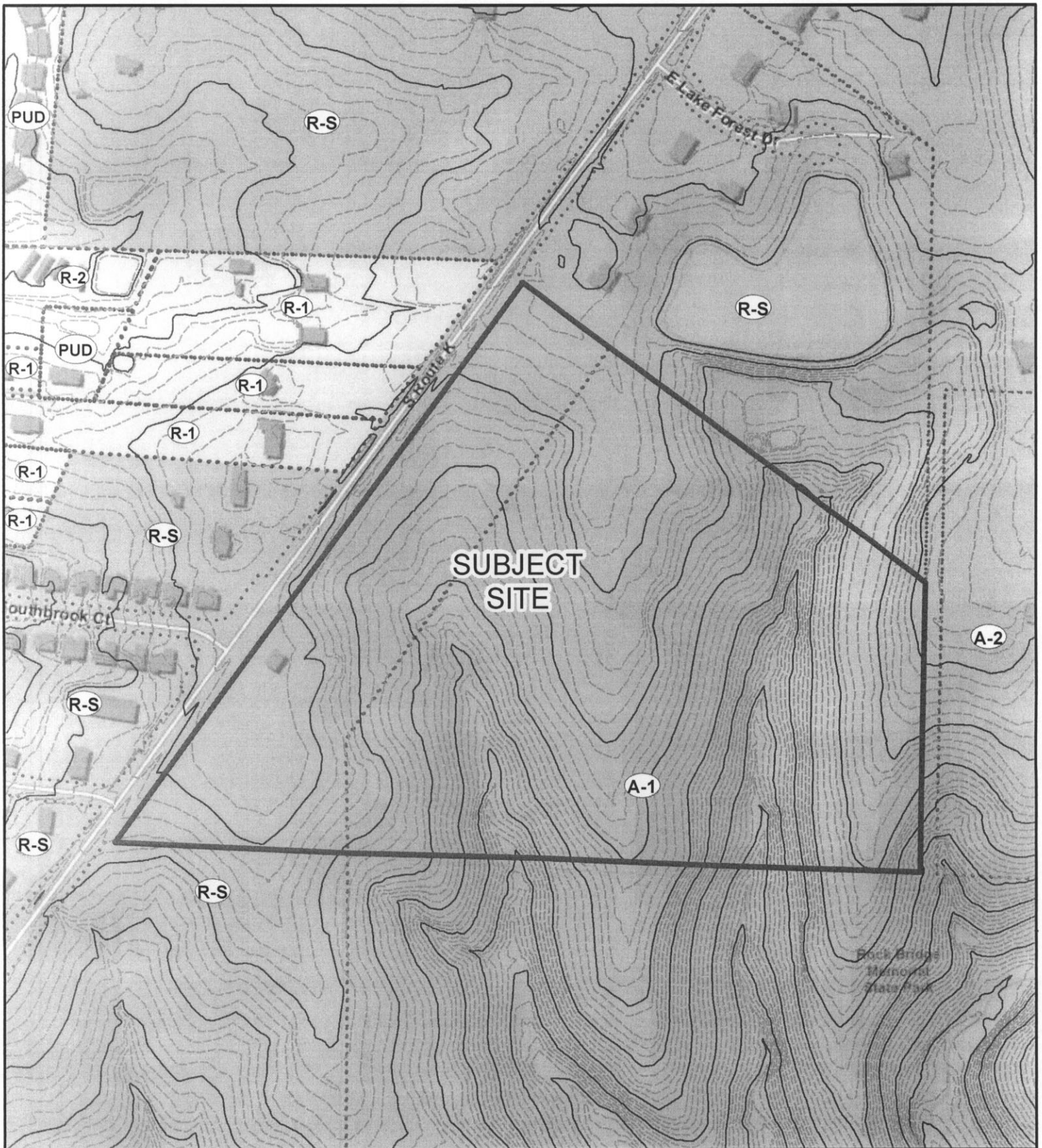
## Case 13-100: Parkside Estates PUD Development Plan

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Feet

1 inch = 300 feet







## Case 13-100: Parkside Estates PUD Development Plan



1 inch = 300 feet









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## Fwd: [Planning]: Parkside Development

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Patrick Zenner <przenner@gocolumbiamo.com>  
To: "Lepke, Matthew" <mjlepke@gocolumbiamo.com>

Thu, Jul 25, 2013 at 8:18 AM

Please attached to the staff report that will be prepared for the PZC.

Thanks

----- Forwarded message -----

From: **Katie Wear** <katiewear@gmail.com>  
Date: Wed, Jul 24, 2013 at 7:04 PM  
Subject: [Planning]: Parkside Development  
To: planning@gocolumbiamo.com, bill.bryan@dnr.mo.gov, sara.pauley@dnr.mo.gov, jeff.harris@mo.gov, mayor@gocolumbiamo.com, ward1@gocolumbiamo.com, ward2@gocolumbiamo.com, ward3@gocolumbiamo.com, ward4@gocolumbiamo.com, ward5@gocolumbiamo.com, ward6@gocolumbiamo.com

My name is Katie Wear. I live at 39 E. Hoedown Dr. This is about 5 lots away from the proposed Parkside Development. I am a yoga instructor and regularly escape in Rock Bridge State Park. I love walking Howie, my Golden Retriever on the trail. I usually drive to Rockbridge State Park entrance and begin my walk there.

Protecting RBSP is important to me. I am familiar with the many trails including the one that goes right by the proposed development. I have to say I love it that the developer gave a buffer to protect RBSP. I think that's a huge gift to RBSP. It also seems like the developer was generous in providing protection for the losing stream.

Those were my primary concerns and they have been adequately addressed.

The more I looked at this development, the more I liked. RBSP is protected, it is an infill development, and the developer is a neighbor with a vested interest. I fully support this development and hope you will too.

Sincerely,  
Katie Wear

—  
Patrick R. Zenner, Development Services Manager  
City of Columbia - Community Development Department  
701 East Broadway  
Columbia, MO 65201  
573-874-7246



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## Fwd: [Planning]: Parkside PUD

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Patrick Zenner <przenner@gocolumbiamo.com>  
To: "Lepke, Matthew" <mjllepke@gocolumbiamo.com>

Thu, Jul 25, 2013 at 12:01 PM

Please include with the PZC report for the project.

Thanks

----- Forwarded message -----

From: **Cathy Gerlette** <catty2181@yahoo.com>

Date: Thu, Jul 25, 2013 at 10:44 AM

Subject: [Planning]: Parkside PUD

To: "planning@gocolumbiamo.com" <planning@gocolumbiamo.com>, "mayor@GoColumbiaMo.com" <mayor@gocolumbiamo.com>, "[ward1@gocolumbiamo.com](mailto:ward1@gocolumbiamo.com)" <ward1@gocolumbiamo.com>, "[ward2@gocolumbiamo.com](mailto:ward2@gocolumbiamo.com)" <ward2@gocolumbiamo.com>, "[ward3@gocolumbiamo.com](mailto:ward3@gocolumbiamo.com)" <ward3@gocolumbiamo.com>, "[ward4@gocolumbiamo.com](mailto:ward4@gocolumbiamo.com)" <ward4@gocolumbiamo.com>, "[ward5@gocolumbiamo.com](mailto:ward5@gocolumbiamo.com)" <ward5@gocolumbiamo.com>, "[ward6@gocolumbiamo.com](mailto:ward6@gocolumbiamo.com)" <ward6@gocolumbiamo.com>, "bill.bryan@dnr.mo.gov" <bill.bryan@dnr.mo.gov>, "sara.pauley@dnr.mo.gov" <sara.pauley@dnr.mo.gov>, "jeff.harris@mo.gov" <jeff.harris@mo.gov>

To Whom it May Concern,

I wanted to congratulate the Hills and the State Parks for working out the issues with the Parkside PUD. It took a long time but I thought the State Parks got the Hills to give a lot to protect the park. Usually I think developers are only concerned about the money but not so in this case. You can tell the Hills care about the Parks too. As I look at it, the Hills seemed to do all the giving with a protective buffer around the park and saving all those trees by doubling the stream buffer. Either the State Parks have the best negotiator in the world or the Hills were generous. I guess they could just be really stupid too but that doesn't make sense as I've seen Sarah on TV for years. Anyway, its nice when two sides with different agendas can sit down and work out a good compromise. We need more of that. Please support everyone's efforts and approve the Parkside PUD.

Cathy Mendez Roca  
Third Ward Resident

-

Patrick R. Zenner, Development Services Manager  
City of Columbia - Community Development Department  
701 East Broadway  
Columbia, MO 65201  
573-874-7246



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## Fwd: [Planning]: Parkside Development

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Denise Clark <dlclark@gocolumbiamo.com>

Fri, Jul 26, 2013 at 8:09 AM

To: "Zenner, Patrick" <przenner@gocolumbiamo.com>, "Lepke, Matthew" <mjlepke@gocolumbiamo.com>, Steve MacIntyre <sjmacint@gocolumbiamo.com>, Dawna Mavel <dlmavel@gocolumbiamo.com>

For whomever's case this is.

Dawna - please be sure it is in Opti-view.

d

----- Forwarded message -----

From: **Julia Linn** <linnjulia@ymail.com>

Date: Thu, Jul 25, 2013 at 9:17 PM

Subject: [Planning]: Parkside Development

To: "bill.bryan@dnr.mo.gov" <bill.bryan@dnr.mo.gov>, "sara.pauley@dnr.mo.gov" <sara.pauley@dnr.mo.gov>, "jeff.harris@mo.gov" <jeff.harris@mo.gov>, "planning@gocolumbiamo.com" <planning@gocolumbiamo.com>, "ward1@gocolumbiamo.com" <ward1@gocolumbiamo.com>, "ward2@gocolumbiamo.com" <ward2@gocolumbiamo.com>, "ward3@gocolumbiamo.com" <ward3@gocolumbiamo.com>, "ward4@gocolumbiamo.com" <ward4@gocolumbiamo.com>, "ward5@gocolumbiamo.com" <ward5@gocolumbiamo.com>, "ward6@gocolumbiamo.com" <ward6@gocolumbiamo.com>, "mayor@GoColumbiaMo.com" <mayor@gocolumbiamo.com>

Greetings,

My husband and I recently met with our neighbor Rob Hill. He is trying to develop the land next to his house. My house is right across the street from his house and the proposed development. After looking at his plans and seeing what he gave the parks to protect the stream and user's experience, I'm on board. My husband and I have 3 kids and we go to Rock Bridge State Park a lot. I want to protect the parks and believe Mr. Hill's plan protects the park pretty well. It would be great for me if it has a trail access. That way I wouldn't have to load up the kids in the car to get to the park. We could bike or walk there. I would like you all to support Parkside. After all, the parks are protected and it's the neighbor developing the land. Who is going to care more about it than him?

Julia Linn

5791 South Route K

—

Denise Clark

Management Support Specialist

Community Development Department

573-874-7239



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## Fwd: [Planning]: Re: Parkside PUD

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**Patrick Zenner** <przenner@gocolumbiamo.com>  
To: "Lepke, Matthew" <mjlepke@gocolumbiamo.com>

Fri, Jul 26, 2013 at 8:11 AM

Please include in the PZC report. Not the fact that State Parks indicates that no compromise agreement has been reached.

Pat

----- Forwarded message -----

From: **Bryan, Bill** <bill.bryan@dnr.mo.gov>  
Date: Thu, Jul 25, 2013 at 8:53 PM  
Subject: [Planning]: Re: Parkside PUD  
To: Cathy Gerlette <catty2181@yahoo.com>  
Cc: "planning@gocolumbiamo.com" <planning@gocolumbiamo.com>, "mayor@GoColumbiaMo.com" <mayor@gocolumbiamo.com>, "ward1@gocolumbiamo.com" <ward1@gocolumbiamo.com>, "ward2@gocolumbiamo.com" <ward2@gocolumbiamo.com>, "ward3@gocolumbiamo.com" <ward3@gocolumbiamo.com>, "ward4@gocolumbiamo.com" <ward4@gocolumbiamo.com>, "ward5@gocolumbiamo.com" <ward5@gocolumbiamo.com>, "ward6@gocolumbiamo.com" <ward6@gocolumbiamo.com>, "Pauley, Sara" <Sara.Pauley@dnr.mo.gov>, "Harris, Jeff" <Jeff.Harris@mo.gov>

Ms. Gerlette:

Thank you for your e-mail and your support of Rock Bridge Memorial State Park. While we deeply appreciate the developer's sincere efforts to protect the park, I must clarify that no compromise agreement has been reached.

Bill Bryan  
Sent from my iPad

On Jul 25, 2013, at 10:44 AM, "Cathy Gerlette" <catty2181@yahoo.com> wrote:

To Whom it May Concern,

I wanted to congratulate the Hills and the State Parks for working out the issues with the Parkside PUD. It took a long time but I thought the State Parks got the Hills to give a lot to protect the park. Usually I think developers are only concerned about the money but not so in this case. You can tell the Hills care about the Parks too. As I look at it, the Hills seemed to do all the giving with a protective buffer around the park and saving all those trees by doubling the stream buffer. Either the State Parks have the best negotiator in the world or the Hills were generous. I guess they could just be really stupid too but that doesn't make sense as I've seen Sarah on TV for years. Anyway, its nice when two sides with different agendas can sit down and work out a good compromise. We need more of that. Please support everyone's efforts and approve the Parkside PUD.

Cathy Mendez Roca



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## Fwd: [Planning]: Parkside plan

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**Patrick Zenner** <przenner@gocolumbiamo.com>  
To: "Lepke, Matthew" <mjlepke@gocolumbiamo.com>

Fri, Jul 26, 2013 at 8:12 AM

Please include with the PZC report.

Thanks

----- Forwarded message -----

From: **heath ellingsworth** <bghngry29@gmail.com>

Date: Thu, Jul 25, 2013 at 7:26 PM

Subject: [Planning]: Parkside plan

To: bill.bryan@dnr.mo.gov, sara.pauley@dnr.mo.gov, jeff.harris@mo.gov, ward1@gocolumbiamo.com, ward2@gocolumbiamo.com, ward3@gocolumbiamo.com, ward4@gocolumbiamo.com, ward5@gocolumbiamo.com, ward6@gocolumbiamo.com, mayor@gocolumbiamo.com, planning@gocolumbiamo.com

I looked at the Parkside plan and it looks like this neighbor has met all of the parks demands. 75 foot buffer. Neighbor said yes. Treating water runoff throughout the entire site? Yes. Only native plants and trees planted. Yes. Would you please double the stream buffer for us to protect the losing stream? Sure. Do you really think a farmer is going to provide a 75 foot buffer to the park? Not approving this neighbor's request is a risky endeavor for the park. There are numerous scenarios that would be extremely detrimental to the park and agricultural zoning would permit those. The proposed PUD is enforceable and provides good protection for the park and its users. As a park user and a resident of the third ward, I would hope that my city council member as well as the others involved with this development would support the Parkside development.

Regards,  
Heath Ellingsworth  
2718 Northridge

—  
Patrick R. Zenner, Development Services Manager  
City of Columbia - Community Development Department  
701 East Broadway  
Columbia, MO 65201  
573-874-7246



## Parkside Development letter

sandy mccann <mccannsandy@yahoo.com>

Thu, Aug 1, 2013 at 10:39 AM

Reply-To: sandy mccann <mccannsandy@live.com>

To: matthew lepke <mjlepke@gocolumbiamo.com>, "SKAMIN@GoColumbiaMO.com"

<SKAMIN@gocolumbiamo.com>

I am opposed to the revised plan for the Parkside development because its density would have a negative impact on the surrounding residential neighborhood and Rock Bridge State Park.

The plan that was denied approval in January had 65 lots and one additional area that could be added later. The revised plan has 56 lots with the option of adding five lots later – a difference of only nine lots, including three fewer duplexes and six fewer single-family houses. Lots 43, 45, 46, 47, 48 and 49 are all smaller than 1/4 acre. Only one house has 1/2 acre.

This proposed density does not fit with the surrounding area, where most residents have 3/4 to 1 acre and some are 20 acres per house. The neighborhood is a single-family residential area, and the proposed change to allow multi-family development just does not fit with the character of the neighborhood. Therefore, I am against the change to multi-family housing.

While the developer has made changes to be more environmentally friendly, the proposed density is still too great to be next to a state park. A 75-foot border will not stop the light pollution, noise, and storm-water runoff from the neighboring houses. Furthermore, it is completely unrealistic to expect that classes for people who buy houses in the development will stop them from planting non-native trees and other plants that will invade the park.

The state parks department has asked for the impervious surface cover to be no more than 20 percent, and the developer's revised plan still does not meet that standard. This is the heart of the issue. If there were fewer houses and more green space so the impervious surface area were 20 percent, I would be able to support the plan.

Sandy McCann  
500 E. Lake Forest Dr.  
Columbia, MO 65203

August 1, 2013

City of Columbia Planning and Zoning Commission  
701 East Broadway  
Columbia, MO 65201

Dear Commissioners:

I am writing with regard to Case #13-100, a request for annexation and PUD zoning of property on South Route K for construction of a residential subdivision ("Parkside Estates").

As the co-owner of a single-family home near the proposed subdivision, I have an interest in the orderly growth of the surrounding vicinity, consistent with sound principles of urban planning. In my judgment, the proposed annexation should be denied because it would not comply with the state enabling statute, which limits voluntary annexation to land that is "contiguous and compact" to the existing corporate limits of the city (§71.012, RSMo).

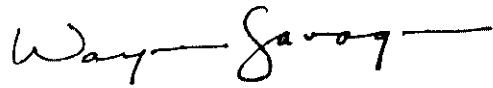
As even the most cursory glance reveals, Columbia's corporate boundary has evolved in recent years to become "jagged ... in many locations," as described by the city's draft comprehensive plan. This is seen quite clearly in the vicinity of the proposed Parkside Estates annexation, where city boundaries already have been severely gerrymandered to accommodate piecemeal annexations.

The only connection between the proposed Parkside Estates and Columbia's existing city boundary is where a narrow property, approximately 600 feet wide, juts into an unincorporated region of the county. Extending the city boundary from that point by leaping across Route K to annex the proposed subdivision would not make the city's boundaries more regular. Nor would the city and the annexed area comprise one compact, solid tract of land. Instead, the proposed annexation would exacerbate the gerrymandered appearance of the city boundary.

Just as the proposed annexation fails to comply with §71.012 because it is not compact, the proposed Parkside Estates subdivision is not properly characterized as "infill" development. To the contrary, it is highly suggestive of development sprawl.

For the foregoing reasons, I urge the commission to deny the application for annexation of the Parkside Estates tract.

Sincerely,

A handwritten signature in cursive script that reads "Wayne Savage". The signature is written in black ink and includes a long horizontal flourish at the end.

Wayne Savage





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## Fwd: [Planning]: Parkside Development support

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Steve MacIntyre <sjmacint@gocolumbiamo.com>

Mon, Aug 5, 2013 at 9:16 AM

To: Anthony Stanton <stanton.anthony.e@gmail.com>, "Clark, Denise" <dlclark@gocolumbiamo.com>, Dawna Mavel <dlmavel@gocolumbiamo.com>, "Lee, Andy" <alee573@hotmail.com>, "Peters, Ann" <pipetcal@gmail.com>, "Puri, Raman 'Ray'" <raman.puri@hilton.com>, "Reichlin, Steve" <sbpainting@centurytel.net>, Steve MacIntyre <sjmacint@gocolumbiamo.com>, "Strodtman, Rusty" <rusty.strodtman@ggp.com>, "Teddy, Timothy" <ttteddy@gocolumbiamo.com>, "Tillotson, Bill" <btillotson123@gmail.com>, "Tillotson, Bill" <btillotson@icloud.com>, "Vander Tuig, Matthew" <matt.vandertuig@bartwest.com>, "Wheeler, Doug" <doug@dougwheeler.com>, "Zenner, Patrick" <przenner@gocolumbiamo.com>

Commissioners,

Please find the below e-mail message from a nearby resident regarding the Parkside Estates development request (Case 13-100), which is scheduled for a public hearing on this Thursday's PZC agenda.

Steve MacIntyre, Planner  
City of Columbia - Community Development Dept.  
573-874-7682

----- Forwarded message -----

From: **Denise Clark** <dlclark@gocolumbiamo.com>  
Date: Mon, Aug 5, 2013 at 7:48 AM  
Subject: Fwd: [Planning]: Parkside Development support  
To: Steve MacIntyre <sjmacint@gocolumbiamo.com>, "Zenner, Patrick" <przenner@gocolumbiamo.com>, Dawna Mavel <dlmavel@gocolumbiamo.com>

----- Forwarded message -----

From: **Chais Blakemore** <chaisblakemore@yahoo.com>  
Date: Sun, Aug 4, 2013 at 5:24 PM  
Subject: [Planning]: Parkside Development support  
To: "planning@gocolumbiamo.com" <planning@gocolumbiamo.com>

I see where the Parkside Development is scheduled for Planning and Zoning on August 8. My wife and I live in and own our duplex at 116 Hoe Down, which is across the street from the proposed Parkside Development. I wasn't able to make it to the last meeting but hope I can make it to this meeting. If I can't make it, I want you all to know that my wife and I totally support this development.

We love the fact that a family neighborhood might be going in right across from us. Especially since we want to start our own family, it will have a variety of housing options to fit our future needs. Plus with a proposed trail connecting to Rock Bridge State Park, it would give this neighborhood a unique feature for families to enjoy.

After talking with the developer, we are comfortable with the amount of collaboration he's doing with the parks department. We feel that the donation of the land, and the agreement to replant native plants and trees, is showing us that the developer is doing what it takes to be respectful of the surrounding area.

Location wise it makes sense to put a development there. The fact that utilities are already on surrounding properties, would just make it easier for development to occur. Plus the proximity of Rock Bridge Elementary and High Schools, would make it convenient for families with children.

The south side of Columbia is rapidly growing. With multiple student housing complexes popping up, we would prefer a more family oriented area across from our current home.

We hope that you support this development.

Chais and Renee Blakemore

—

Denise Clark  
Management Support Specialist  
Community Development Department  
573-874-7239

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**AUGUST 8, 2013**

**13-100 A request by Southside Trail Estates for annexation, permanent PUD-2.0 (two units per acre) zoning, a preliminary plat/PUD plan to be known as "Parkside Estates," and a sidewalk variance. The 35.8-acre site is located on South Route K, approximately 2,000 feet south of the Providence, Route K, and Old Plank Road intersection.**

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

Staff report was given by Mr. Tim Teddy of the Planning and Development Department. Staff recommends approval of the requested permanent zoning. Staff recommends approval of the requested PUD plan/preliminary plat. Staff recommends denial of the requested sidewalk variance to Section 25-48(a).

MR. WHEELER: Are there any questions of Staff? All right. We'll open public hearing, but before we do, let me remind everyone what our rules of engagement are going to be tonight, because I think just about everybody that's here's probably here to speak about this one. So first speaker, proponent and the applicant, will get six minutes. The applicant contacted me and asked if they could combine their six minutes with their follow-up speaker of three minutes, and I have agreed to that. That's been our practice so we can get a good explanation up front as to what's going on. Organized opposition will get six minutes. I will also give you the same opportunity if you would like that opportunity. So the first speaker in opposition -- or the primary speaker in organized opposition will get six minutes, and if they would like to share that with the second speaker, then we will accommodate that request. With that -- and all subsequent speakers will get three minutes. There are a lot of folks here tonight and I will be watching that and give you a little flash of the read light here when you're getting close, say, 20 seconds out or something, so we'll ask you to wrap up at that time. So with that, we'll open the public hearing.

**PUBLIC HEARING OPENED**

MR. HOLLIS: Good evening. Robert Hollis with The Van Matre Law Firm, with offices at 1103 East Broadway. I've given you the handouts that are virtually the same as what'll be on the screen, plus some letters and correspondence that'll be referenced the next few minutes. Myself, Tim Crockett, Eric Lidholm, also with Crockett, will speak. Rob Hill's here in case he's needed, but otherwise doesn't plan on speaking. A lot to cover, so we're just going to hit the high points and then hopefully if you've got any questions about anything in general or what's on the handouts you can call us back up. One thing I wanted to point out -- although Mr. Teddy covered most all the details very well -- is that it's currently zoned RS and A-1 and would permit 42 units -- 42 units and/or 25 acres of agricultural uses. So sort of an alternative as to what we're proposing, which is PUD zoning and a PUD plan. And I don't have to tell you, but I do just want to point it out that -- you know, the

advantages of PUD as opposed to open zoning, permits many of the -- I'll call them attributes and good things that are taking place with this plan. Permits it to be a low-impact development, which it otherwise might not be but for the PUD designation. Originally it was 87 and I'm showing that it's down to 69, and that's with the assumption that the five -- we'll call them the estate lots on the east side would be developed. But Mr. Teddy was accurate with his number of lots, but the units would be a potential 69, and that matches the density of 1.9, which changes nothing. The upgrades are the result of getting a recommendation for denial and then working with the Parks Department for about eight months and also listening to Staff. So an enormous amount of work has gone into this plan and significant changes have been made, and we can't possibly touch on all of them. One of the things that I wanted to mention is the covenants, and it's at least important to me that the covenants will name the Parks as a third-party beneficiary. And what that means is it's not just private covenants. It's covenants that can be enforced by any of the property owners, but maybe more importantly could be enforced by the Parks. It's not in the statement of intent. To the extent that it's not there, we want to add that. Other items that would be in the covenants is maintenance of the buffer area, which is a 75-foot buffer area, organic lawn treatments would be required of all the property owners. We would also add that to the statement of intent as being required as part of the covenants. Rain barrels would be provided to each of the property owners. We'd also add that to the statement of intent as being required in the covenants. And then, the Parks Department would have the ability to offer annual seminars regarding development that's friendly and green, and that would also be added to the statement of intent as being required in the covenants. So slight modifications there, but all positive, I believe. Another thing to point out is that it's sort of a unique development in that there would be a diverse range of -- call them lot prices and home prices. You go from the villas that are adjacent to Providence Road to estate lots. So it's very beneficial in that a wide range of people would have immediate access to the park, so it's fairly rare. I want to point out that it is -- this is not sprawl. It is not on the fringe. It really is close to goods and service that would be utilized by those that live there. I'll show you a couple of depictions that hopefully make that a little clearer and just point out again, we've got Staff's recommendation for approval. We've got a list of property owners that have signed, basically, a petition saying that they either support or they're not opposed to the proposal. This just highlights where those people are. I should mention that George Montgomery is one of them that signed a list. If you don't know who that is, he was an engineer with the City that was key in putting together the stormwater regulations that currently exist for the City. Got the list of neighbors. This means something to me. Hopefully it does to you as well. Again, not sprawl, it's infill. Not what you normally would think of when you hear the word "infill," but it really is. It's surrounded by development. And we've got a shaded area on this depiction that shows public land, so it's not going to be developed. You should consider that as developed and that nothing's going to move that direction, so it really is bounded by either development or park land. So we're filling in a spot that's currently not in the city that belongs in the city, especially if it's being developed. Definitely

not going to read you all of this, but the -- again, over eight months of communicating and working with the State Parks, a lot has been accomplished. There is no agreement. I don't want to mislead you and say that we have an agreement, anything in writing, anything that we're bound to do by Parks and anything that they're bound to do as part of this request. However, reaching an agreement was -- if that was an expectation was unreasonable. It's not in the Parks purview, really, to engage in land use decisions. I put some quotes here just to -- so you can see that the parties really did get along and spent a lot of time together working on this, but didn't reach an official agreement. Now, specifically, you can look at the letters that are provided you in the e-mails and there are really specific things that Parks recommended and we did all of them but for one, and that's one lot in the estates area as opposed to five. So we think that's fairly minor. I've added some quotes that are listed for the purpose of showing you that we reached the end of the process. We did what we were asked to do and it's as far as we could go. I'll end and let Tim use the rest of the time. If you have any questions, I'll be happy to answer them.

MR. WHEELER: Thank you.

MR. CROCKETT: Mr. Chairman, members of the Commission, my name is Tim Crockett with Crockett Engineering Consultants, 2608 North Stadium. Before you there's the PUD and the preliminary plat. I'm going to go through the plan highlights pretty quick because I want to focus my attention tonight on the stormwater aspects of this site. I think that's the meat and potatoes, the very important part of our plan. We believe this is a low-impact development, meaning that we have less than two units per acre. Given that we're providing a substantial amount of stormwater BMPs on this site that far exceed City expectation, we believe that this is a low-impact development and we believe that it is in conformance with the Little Bonne Femme plan -- watershed plan. We believe that our original plan was and now we furthermore believe that this one is as well. Given our stormwater status, we are going to exceed the level of service of the City of Columbia by one. Now, what does that really mean? I'll talk about that in just a minute here. Our peak runoff, our pre and post peak runoff from the site, we're actually going to decrease. If we had a three-inch rain tonight, compare that to a three-inch rain that takes place once construction has taken place, the peak runoff's actually going to decrease a little bit. That's due to our stormwater BMPs. We're going to cleanse our water. We're going to do a tremendous amount of cleansing mechanisms and install our BMPs to make sure the water is as clean as possible before it leaves the property. And, of course, we're going to provide extra trees, rain barrels, and organic lawn treatments in the development. Now, I would like to note that all the additional trees that we're providing, the commitment to rain barrels, and the commitment to organic lawn care, all of those items are not included in the level of service. Meaning the City of Columbia basically says, You need to meet this certain level of service because we know you're going to not have rain barrels and we know you're not going to do organic lawn care and you know we're not going to add additional trees, so you need to account for all of that. Well, not only are we not doing that, we're providing a better solution, but our level of service doesn't allow us to

incorporate a better solution into that. So I would like to note that as well. Again, our stream buffer, it's doubling our stream buffer. It's twice as wide as required. We think that's very important. Now I want to talk about the stormwater BMPs that we're planning on doing. This is how we propose to protect this site. The majority, the vast majority of the site is going to be -- I shouldn't say vast. The majority of the site is going to be addressed by bioretention cells. That is a very effective, very good use of BMPs to protect water quality. Also, this site compared to the original development, we are tripling our native preservation, meaning we're leaving what's there, there. I think that's very important. We're tripling that amount. That is the best, the highest level of service that you can gain on a piece of property. Beyond that, we're using turf swales and other means to cleanse the water. Overall what I want to really enforce is that our level of service far exceeds the City of Columbia expectations which are required of us, which are required in the Little Bonne Femme watershed, and that -- illustrates on this. These two last slides basically show our pre and post peak runoff, how we're going to reduce it. And I know, Mr. Wheeler, I'm out of time and I'm hurrying up as fast as possible. And with that, I will turn over to Eric Lidholm.

MR. WHEELER: While you're here --

MR. CROCKETT: Yes, sir?

MR. WHEELER: Yeah. Let me ask you some questions because I know you wanted to get to this slide, but it's so small I can't read it.

MR. CROCKETT: I'll be happy to try to do my best.

MR. WHEELER: Part of that is getting old, but part of that is it's pretty small print.

MR. CROCKETT: Yes, sir.

MR. WHEELER: So that one right there, what's the blue shading?

MR. CROCKETT: The blue shading -- let's go through that a little bit. The green shading -- and I apologize that it's un -- not legible there. The green shading is the bioretention cells. The green area is what will discharge into a swale that will collect the water. It will have native vegetation in that basin, basically, and the water will percolate through the soils to an underdrain system. As it percolates through -- first of all, while it collects there, it will account for the detention aspect. Then as it percolates through, it's the cleansing mechanism. And then it discharges out -- in this case it will discharge out into another detention basin. So it's a treatment train effect. What's in blue, those areas are turf swales. Instead of just having free discharge off the back of the houses, a lot of folks like to take their roof drains, discharge them as close to the ditch as possible and, you know, let it go. In this case, the roof drains will flow across the yards into a turf swale which will run laterally with the stream before it gets discharged. So we don't have a lot of just, you know, roof drains dumping right into the yards, right into the creek. The turf swale gives us a certain level of service as well so that can be treated. Of course, the orange is a -- is native preservation area. That is the areas that we're going to leave untouched. We think that's very important. Now, keep in mind the native preservation gives us the highest level of service possible, and we think that's very important here. That's the

reason why the Parks Department asked and we conceded to doubling the stream buffer. We think that's very important. And, of course, then the yellow is landscaped yards that discharge either to bioretention, turf swales, or native vegetation.

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

MR. CROCKETT: Okay.

MR. STANTON: One questions. I'm sorry. I'm sorry. If you do not get the variance on the sidewalks, that will increase your pervious surface.

MR. CROCKETT: That is correct.

MR. STANTON: How do you plan to address that using low-impact development practices?

MR. CROCKETT: Well, given the fact that we're at -- that we're exceeding -- actually, the plan before you here tonight is slightly over a level of service one. I think in practical terms we can say it's a level of service one. If we do not get the variance for the sidewalks, that will increase the impervious surface of this site by roughly 1 percent. So what we would respectfully ask would be instead of a 24 percent limitation, if we could have a 25 percent limitation. Now, keep in mind we still fully understand that when you increase impervious surface, that doesn't mean that we don't increase the BMPs. When you do that, your level of service -- your required level of service creeps up. We're going to increase it by one, so our required level of service that we've committed to will also increase. So if we don't get the sidewalk variance, we would ask that we go to 25 percent, then we would have to add additional protection for the watershed to account for that.

MR. STANTON: Have you entertained the idea of using innovative paving techniques?

MR. CROCKETT: We have. We've actually looked at that a little bit. Public Works Department -- we actually looked at doing it for the streets, for the roadways themselves; however, Public Works isn't sold on them necessarily for public streets. They're very expensive, very costly to maintain. We've evaluated that situation. We've looked at that and it -- the technology, while is good, in this part of the country with the clay pan that we have, we just have a lot of maintenance issues with that. And so we have evaluated the situation, but we think that what the pervious pavement's going to do is -- also, again, it give you a detention aspect as well as a water quality aspect.

MR. STANTON: Right.

MR. CROCKETT: So we think it would be best if we take our money and apply it toward other BMPs. If we did that, we could scale down the BMPs that we're proposing, but at the end of the day, what's the goal? We want to be able to achieve a certain level of water quality that leaves the site and that's what we're trying to do. So while we have looked at that, we don't think it's cost benefit -- cost beneficial for the City or the developer in this case.

MR. STANTON: Thank you.

MR. WHEELER: Are there any other questions of this speaker? I have one more actually.

MR. CROCKETT: Yes, sir?

MR. WHEELER: On those back lots, I was asked a question and I'm curious, the answer, is there going to be some restriction as to how close the back of those -- the properties --

MR. CROCKETT: Absolutely. That's no --

MR. WHEELER: -- some setback?

MR. CROCKETT: That's no different than any other PUD, Mr. Wheeler. We are probably anticipating what we're looking for back there would be a private drive so that we can narrow it down. It would be five individual homes, kind of situated in smaller postage stamp areas with a lot of common area. We believe that there's a -- there's a lot of trees back there, beautiful groves of trees. And if you can kind of see the orange areas in between the structures, that's the area we're trying to protect. But given the setbacks, it's going to be in conformance with any other PUD setback, which is 25 feet along the perimeter lines, which we anticipate to probably exceed that even.

MR. WHEELER: So the back of those lots and the adjacent lots to the east --

MR. CROCKETT: Yes. Twenty-five feet would be the requirement in a PUD, city regulation.

MR. WHEELER: Thank you. Are there any other questions of this speaker or a previous speaker, while they're close? All right. We --

MR. STANTON: I have one more.

MR. CROCKETT: Yes, sir.

MR. STANTON: Did you -- did you use low-impact development methodology in setting up the layout of your lots?

MR. CROCKETT: Absolutely. Some of the -- some of the methodology that we used, obviously, is we want to ride the ridges, you know, so that the stormwater doesn't run, you know, through the -- (inaudible). It can come in several different locations, several different areas. And there's a couple of ridges through the property that you can kind of see that we're working with. Obviously, we're staying out of the low points. There's two different locations that we really want to stay out of. And I apologize, but the pointer doesn't really work on the screen. But it's this area in here, which we're going to put a lot of stormwater BMPs, and then, of course, this waterway on the east side is extremely important to us. It's highly vegetative with mature trees. It's a beautiful setting. That's the reason why we want to go double the stream buffer. And so by doing that -- you know, doing that allows us to lay the subdivision out while still adhering to LID practices.

MR. STANTON: Okay.

MR. WHEELER: All right.

MR. CROCKETT: Thank you.

MR. WHEELER: Thank you, sir.

MR. LIDHOLM: Hi. I'm Eric Lidholm; I run Crockett Geotechnical Testing Lab on 500 Big Bear Boulevard. And I want to talk about the property and the sinkhole concern that's on it. I have about almost 30 years experience in geotechnical engineering, which is a combination of geology and civil engineering. I've extensive experience with sinkholes. In a prior position that I had before Crockett



Geotechnical, I actually ran four offices here in Missouri with a national firm and we had offices in Columbia, Camdenton, Joplin, and Springfield, and they're all sinkhole areas, and Joplin also is a mined area, so we were dealing with sinkholes quite a bit. And we encounter them occasionally on a project. We deal with it. We engineer a fix and go on. I'm currently working on two sinkhole projects right now as we speak, not counting this one. One's out at Midway and one's about a mile south of here. And, you know, they do happen, but we -- once again, we can deal with it. As a matter of fact, I've worked on so many sinkhole projects -- I never thought I'd get to this point in my career, but I've actually got a presentation that I've developed on it, and it's called Karst Topography and its Impact on Construction, and it's a very popular presentation. I do it both universities, Rolla and Mizzou, about every three years when a new batch of students comes through, several professional societies, clients, and the like. The Parkside tract, about six years ago, different client, different study, I was asked to go ahead and do a site recognizance specifically to look for sinkholes in that tract. So I walked all over it, got a bunch of ticks and chiggers and all that stuff, and I didn't find any sinkholes. It was just coincidental that we had study. In areas with prevalent sinkholes -- and we've all been out by Pierpont -- there's an absence of streams and creeks, you know, because the sinkholes take care of all the drainage. This property has two wet weather swales, you know, that are on there, which is indicative to me that there aren't sinkholes on the site, which I determined with my site recognizance. I also did a literature review, just to see what I could find out about this site. I looked at some of the documents that the State Park gave us as well as USGS documents, DNR, State Geological Survey documents, and the karst features that are in the park that are adjacent to this property are typically what you find when you get to a fringe of a karst area, like the Rock Bridge State Park area. That's a very large concentration of sinkholes. But then you start to see some of these features that we see near this property. It's kind of indicative of you're getting to the edge. So based on the site recognizance, literature review, I think the concerns about sinkholes are unfounded on this particular property. I didn't find any evidence of sinkhole. And on the off chance that we encounter them, we can engineer a fix. We do it -- that's what I'm doing right now in two projects. And so with that, I'll just ask if there's any questions.

MR. WHEELER: Are there any questions of this speaker? Thank you. Next speaker, please. Next speaker, please.

MR. MIDKIFF: Is this opponents or proponents?

MR. WHEELER: Everybody. Are you my organized opposition?

MR. MIDKIFF: Disorganized.

MR. WHEELER: Oh, okay. Well, then I'm only going to give you three minutes if you're disorganized.

MR. MIDKIFF: I'm representing the Osage Group of the Sierra Club. And, Mr. Chairman, members of the Commission, my name is Ken Midkiff. I live here in Columbia at 1005 Bellview Court. And we are opposed to this site. There is, in fact, less impervious surface than the previous proposal,

but there is still, we think, way too much. The City rule is that there can be no increase in stormwater runoff, and as Tim told you -- Mr. Crockett told you, they have proposed some retention basins and cells and so forth. The problem is -- and I just talked to Mr. Shawver -- that currently that site is trees and grass, and there is no record of stormwater runoff. So while the proposal is admirable, the retention basins are in what is called a loosing stream, which means that the water goes somewhere. It may go down, and there's no guarantee that the clean water that Mr. Crockett talked about is going to be treated prior to it leaving that site. It may go underground. And we heard -- just heard a person talk about sinkholes. Well, sinkholes are primarily -- not totally, but primarily represent a collapse of a cave, which indicates that there might be caves under the area. And so we would ask that if this is approved -- which we don't support -- that a condition be that if an opening is encountered, that all dirt work be immediately halted and that a City Staff person be monitoring this site in order to ensure that that occurs. And there's a large sinkhole -- a collapsed cave -- just south across the road on Route K, just south of the Boone County fire station, if you know where that is, on South Route K before you get to the curve which leads back to McBaine. And that sinkhole indicates that there is a cavern under that site somewhere. And now, just because there's not a sinkhole on the site means absolutely nothing. It just means that the cave roof has not collapsed. And the presence of a sinkhole across the road indicates that there is, somewhere in that area, a cave. Now, it's not part of the Devil's Icebox recharge area and it could be a separate cave site. And those are our major concerns, the presence of sinkholes, a loosing stream, possibility of a cave on the site. Some of the other concerns, which can be easily addressed, I think, by Mr. Crockett is that -- and disorganized opposition -- that there will be lawns and perhaps landscaping, and we would ask that only native species be allowed on that area on that site. That no invasive species, such as grass, shrubs, bushes, trees, be allowed. And that's the -- and this is a major concern. While Mr. Hollis assured us that it was not sprawl, in fact it is sprawl. And no matter what you call it, it's not smart growth and it's not -- it is sprawl because the work areas would be miles away. And while the developers may ask that the bus system be out in that area, that has not been real sterling on such areas as the Hawthorne Estates and other places. And if there are any questions, I'd be happy to answer them.

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

MR. MIDKIFF: Thank you.

MR. WHEELER: Next speaker, please.

MR. BRYAN: Good evening. My name is Bill Bryan; I'm the director of Missouri State Parks. I live in Russellville, Missouri at 9323 Bluestem Way. Thank you for giving us the opportunity to share our comments with you tonight. I was asked by a group of your constituents to be the organized group speaker. I don't know if you -- how you want to do that. But our concerns remain with the development, and I'll put it real simply: You know, a park is forever and so is the development that you put in next to it. If we make the wrong choices today, we're stuck with them and the park's stuck with them and the people who live here and enjoy the park throughout Missouri are stuck with those

choices. And that's precisely why we've very cautiously reviewed the proposal and why we cannot support it. The developers made a sincere effort to resolve our concerns, but ultimately those concerns remain. Their proposed development will degrade water quality in the subsurface waters and streams flowing into the park; it's unavoidable. The density will present a host of impacts that range from noise and light pollution to free-ranging domestic animals and invasive plant species that will have direct impacts on visitor enjoyment and to the park's flora and fauna. Now, this proposal, this idea that the State Park will be a third-party beneficiary, well, that's a novel idea. I give Mr. Hollis credit. We have no experience at doing that. I think that such an experiment would be destined to fail. We're not equipped to police a subdivision. That's what the City does. That's not what we do. So as a neighbor we're ill equipped to have that third-party beneficiary status. I don't think that that addresses our concerns about the direct and indirect impacts from the things that I've just talked about. With any development a homeowner's association often is tasked with maintaining compliance with certain key elements of the development, and its success is not assured, as you-all know and as I know from my experience over the years. And this proposal places too much reliance on the homeowner's association to guarantee compliance with these terms, such as native plants only. And I think that it too is a novel idea, but it's not going to work. When we fast forward to the idea that this subdivision is going to be there forever and 20 years from now, where are we going to be, I don't think it'll work. Now, the primary sticking points in our discussions with the developer's team have been the percentage of impervious surface and the specific BMPs that would be employed to protect water quality. I've got to touch on real quickly what your Staff mentioned. You know, I would hope that if someone has a question about what we've said, they would call. No one called or asked us, but we did not agree. If there was an agreement, it would be in writing and the ink would be dry. There is no agreement as to what the impervious surface would be. We had conversations. We appreciate everything that the developer has done and the time that he and Mr. Crockett have given us to explore these possibilities, but there was and is no agreement whatsoever. The concept -- to agree in concept and to say polite things in a letter do not mean that you agree with the concepts being discussed or that there is an agreement at all. We had a general conceptual discussion that, yes, there's a sliding scale as impervious surface increases, you can do more on the BMP side. But we never saw those specific BMPs, so we've lost confidence that that balance would be adequate to meet what our real threshold is -- is really about 15 percent impervious is what we think is appropriate next to a state park. In addition, we never reached any agreement on directional lighting, mature tree conservation in the project area. The 90 percent was not clear. We thought that we had agreed on it, but it appears that there may be a difference in what we thought was under discussion with respect to mature trees and what the developer's commitment is. The soil retention practices and building density, those were areas that were discussed at some point, but that we never reached an agreement on. Finally, because the park and any adjacent development will be with us forever, we cannot support the Parkside proposal. Mr. Chairman, we took your charge the last time I

was here. We made the good faith effort and so did the Hills and Mr. Crockett, and we just weren't able to reach an agreement. Thank you. If you have any questions, I'd be happy to try and answer them.

MR. WHEELER: Are there any questions of this speaker? Mr. Stanton?

MR. STANTON: Two things I guess. Number one, there is no win/win with you and the developer. Is that what I'm hearing?

MR. BRYAN: You know, I will never say never, but I think it's -- where we're at right now, no, there's no win/win.

MR. STANTON: Okay. If I had that land and I wanted to farm it and I wanted to put soybeans there, would you have the same concern and could you restrict if I wanted to pump that land with a bunch of fertilizer and --

MR. BRYAN: There may be --

MR. STANTON: -- grow soybeans and alfalfa. I mean, is that --

MR. BRYAN: There may be a legal claim to do that, but we're not -- we haven't analyzed that. We haven't looked at that. But honestly, we've looked at this as a practical matter and tried to find common ground. If they want to farm it and that's the way it's zoned, then so be it. But I think that the -- my understanding of the investment here, that's not a practical alternative. But I appreciate your point, Mr. Stanton.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: Follow up on that just a little bit too. It is zoned, as Mr. Stanton says, and if you force the owners into having no place to go with the land or develop the land in any manner -- I mean, I think they've stepped outside the box. To me, they're setting a precedence. There's other properties along that state park that have zoning that don't have to worry a whole lot about what the State Park says. So they're setting a precedence to me for any future development along that park, in my opinion. But they could walk out there tomorrow and cut every tree down on that entire piece of property and put a bunch of hogs out there. The zoning -- if I'm correct, with the way it's zoned now. Nobody can stop it or say anything about it. Would they do that? Probably not, because he lives out there. But you've got to think -- when you talk about the future, you've got to think they're not going to be here forever. Someone else is going to own that land some day and somebody that doesn't care that it gets developed or has other intentions for it. And I think sometimes as Planning and Zoning we have to step back and look at something and say, Hey, is this the best solution? What is the best solution? What does everybody want to see? And we have to think about that just a little bit. And so -- but my concern is the zoning that it has now.

MR. WHEELER: Do you have a question for him?

MR. TILLOTSON: No, just a statement of fact.

MR. WHEELER: Are there any questions of this speaker? If I heard you correctly, it doesn't sound like there's any middle ground for your organization with development -- I guess, let me ask

this a little clearer. What would -- what in your opinion or in your organization's opinion would be an appropriate development in this location?

MR. BRYAN: And that's the same question I think you asked me the last time around.

MR. WHEELER: I believe it is, but I'm wondering if --

MR. BRYAN: I don't have any better answer. We've learned a lot about low-impact development and a lot about zoning in the intervening period of time. But we're really no closer. We thought we were getting pretty close to a resolution, but in the final analysis, when you take a look at the whole big picture, we reached the conclusion that this development is not right for Rock Bridge Memorial State Park. And how you would know when it is right, I don't know. There may not -- I'll concede that there may not be one that we would be able to agree to.

MR. WHEELER: So you're really not going to be able to help me. That's what you're saying.

MR. BRYAN: That's what I'm saying.

MR. WHEELER: Okay.

MR. BRYAN: I'm sorry if I --

MR. WHEELER: (Inaudible.) Mr. Stanton?

MR. STANTON: I was asking, what was your magic number for impervious surfaces?

MR. BRYAN: We started out thinking you needed to get to 15 percent, but it was apparent in our earliest discussions with the development team that that was not achievable. And so we began to target a 20 percent, and the idea that it appeared that that was not achievable either, but that 24 percent may be, Which I understand now is in jeopardy as well because of the sidewalk variance issue. But we thought that there were conceptually -- you might have a way that you could achieve the same result with other BMPs, but we never got that far. We never got to that point.

MR. WHEELER: All right. Any other --

MR. STANTON: I got one more. I'm sorry.

MR. BRYAN: That's all right.

MR. STANTON: I'm just thinking here. Does your organization have ways to help landowners and potentially developers with best practices? I think in my mind I'm thinking like Department of Agriculture. Okay. They don't want you to till up your land every year, so they help you find out techniques on how to use no tilling techniques or how to grow organically or something like that. Does your organization have something similar that can kind of help solve these things? Is there any --

MR. BRYAN: The Department of Natural Resources has some programs that help people obtain compliance or learn how to meet compliance standards. We also have the soil and water conservation program, which provides grants and instruction on a variety of land and soil conservation and water quality measures. But the specifics of how you do a development, I don't think we specifically have that. We certainly don't within State Parks.

MR. STANTON: Okay. So you don't think there's any way to think out of the box and maybe try to resolve this? I'm -- I see that we could -- the way of the world is that we're going to run into this problem more often than not. And someone that has at least the wherewithal to say, okay, let me -- let me try to work with the Parks, should be commended to some level. I'm not saying you should just lay down and say, Hey, you know, forget where I'm at. You know, if 15 percent is your -- is your goal, how do you get there? How can you help somebody get to that point and still be profitable? Because my think is all the paperwork and all the traffic I've seen, if it was me, man, I'd be like, Okay, well, let me get this -- let me get this plow out and I'm just going to -- I'm going to grow some soybeans, alfalfa, or I might throw some pigs or some cows out there. I mean -- and to me, I think that's worse than what we're talking about here, because, you know, you've got manure and you've got all these other things that you got to worry about. And, man, there's got -- there's no way we can work -- there's nothing in place that can help people in this position? I mean, this guy's got to have a lot of money on the table.

MR. BRYAN: Mr. Stanton, we've worked. We have put forth an effort. We just came up short. But I think we have tried something out of a box. We've never done this before.

MR. STANTON: Right.

MR. BRYAN: I emphasized when we were here last time that this is the first time this has come up. And it is going to come up again. You're right. And it's a challenge for us to learn how to do that. But just as Mr. Hill's job is to build a sustainable development --

MR. STANTON: Protect the park.

MR. BRYAN: -- and your job is to decide what the Planning and Zoning is for the City of Columbia, my job is to be the chief steward of our state's most priceless natural and cultural resources, and that's Rock Bridge Memorial State Park in this case. And as the chief steward of those natural resources, I think that this is not the right answer for Rock Bridge Memorial State Park. Thank you very much for your time.

MR. STANTON: Thank you. Thank you.

MR. WHEELER: Thank you. Next speaker, please. Come on down, folks. You can wait on the front line here.

MS. TILLEMAN: Sue Tillemann, 306 Westridge Drive. This is not my first time to testify on this land. I testified about 35 years ago when County Planning and Zoning went in. The park and the karst lands around it were so important that this was the major portion of this property now under consideration -- site under consideration was designated A-1, Agriculture 1, one dwelling per ten acres. My understanding is it is still county land and the reason they're trying to get it in the cit, is my understanding, is so they can get high development. And I have serious concerns about this. The major portion, as I said, was probably -- I'm estimating, maybe 25 acres of it, from things said tonight, are still in the A-1 zoned. In other words, under that designation there could be two houses only -- two dwellings only for the major portion of this site. I think trying to say, Oh, they did such a good job

from the plan from a year ago, this is still significantly different than what this area has been zoned for some time. And the reason -- and the recognition that this zoning was because of the fragile nature of the land, the potential negative impact on the underground streams flowing into the cave, and just in the karst area -- and it's a significant underground cave system -- and the surrounding karst and sinkhole lands. As we have been seeing on the maps and I studied of in the information that was in City's information, the topography of the 35 acres includes two significant drainage areas into the Rock Bridge Park, and both of them are currently in the -- if I read things correctly, are really in the current A-1 county zoning designation. The place -- the area that would allow the higher zoning under current zoning is right along Route K, and that is also where they are proposing the higher designation. The professional standards for karst lands are 15 percent, not 24, not 25. That is significant. I think the thing about trying to compare to city lands, that we don't have the same kind of issue of the karst, which allows -- it's not just that you may have a sinkhole. As I said, the sinkhole is a collapsing underground stream. But you have other where the water is not filtered. If it gets into a major stream underground and you get pollution in there, because there's not much oxygen there, it's going to take years to get that cleaned up. I'm just -- want to reiterate that I am opposed to the passage of Planning and Zoning supporting this development as so designed.

MR. WHEELER: Thank you, ma'am. Are there any questions of this speaker? I'm curious. Do you have a magic number that you think would be appropriate on this property?

MS. TILLEMAN: As far as a number of -- well, I -- I'm not sure that I would still say only three on that one, but I think trying to come up with 15 percent as compared to the 24, 25 that they have now -- I doubt that you could -- I would agree that the higher development should be along Route K, but I doubt that it should be more than maybe 10, 12 dwellings beyond that.

MR. WHEELER: Beyond the existing zoning?

MS. TILLEMAN: Beyond what would be along Route K.

MR. WHEELER: Under the existing zoning there's --

MS. TILLEMAN: I'm sorry. Under the -- there are two different parts of this property that are currently under county zoning. The part around -- along Route K permits higher dwellings. The current one is only -- is two for the rest -- for what's A-1. I would say that I would agree with the 15 percent --

MR. WHEELER: Impervious surface.

MS. TILLEMAN: Yeah, impervious. If you got to that, which would allow, I'm sure, more than two on that one point and I'm not sure how many would be allowed on that other, but my guess is it would -- might be only 20 -- 20 houses. It might be a little more, but I -- if you take 25 that you have to go down -- basically, have to go down at least two-fifths.

MR. WHEELER: Okay. Thank you, ma'am. Next speaker, please.

MR. IHLER: My name is Chris Ihler; I own EnergyLink here in Columbia. We are an auditing and retrofit company. We've audited more than 300 --

MR. WHEELER: Sir?

MR. IHLER: -- homes in the last --

MR. WHEELER: If you will, please give us your address, as it's required.

MR. IHLER: Sure. 501 Fay Street, Suite 106. We've audited and retrofitted more than 300 homes in the last three years, so obviously our goal is a lower impact on our community. So we have also been getting involved with new construction, homeowners trying to build their new home sustainable, low impact, things of these natures. They have had considerable difficulty at the appraisal process, getting these pushed through. So, Bill, you were talking about the precedent of what's going to happen with these communities -- or this community, this single development. The problem with the appraisal price is that the neighbors don't adopt the same principals. And one of the things I want to key on is the covenants that the developer is setting forth. He's pushing the rain barrels and he's pushing the organic fertilizer or compost -- however you want to look at that, depending on how you apply it. Those are very effective and they're overlooked, especially in our part of the nation where we take water for granted. And if an entire neighborhood is forced to adopt those principals, the houses will appraise for that added value. And I think you're setting a precedent that can go much further. So as this neighborhood looks like the zoning is overzoned and you've got to question whether or not you're going to allow that to impede on the park and you guys have -- the zoning is probably not the question. It's the planning should you allow it. I'm just going to let you guys think about the -- I want you to think about how the covenants can affect the future of other residential developments and how applying that principle may get the City to adopt the higher valued homes -- or place value on homes with these additions.

MR. WHEELER: All right. Any questions of this speaker?

MR. STANTON: What is the name of your company again?

MR. IHLER: EnergyLink.

MR. WHEELER: Any other questions of this speaker? Thank you, sir. Next speaker, please.

DR. HILLMAN: I'm Dr. Laura Hillman. I'm representing the Columbia Audubon Society. Columbia Audubon Society promotes the preservation of the natural world, its ecosystems, biological diversity, and habitat. These interests compel Columbia Audubon Society to speak in regards to the proposed Parkside Estate Development. The location of the proposed development and the geology and topography of the property all cause serious concerns that must be addressed if Rock Bridge Memorial State Park is to be protected. Rock Bridge is clearly a gem for the Columbia area in terms of the biodiversity it has, the animals, the birds, the native plants. It is a very fragile area and can be markedly hurt, as you've already heard Mr. Bryan tell you, by water that may not be clean, plants that are exotic, noise, pollution, inability to do things at the park that are necessary in terms of things like deer control, fire burning. This needs to be taken very, very seriously, and I really support all of Bill Bryan's work to try and protect the park and just urge you to really take his comments very, very seriously.



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

MR. STANTON: You have to excuse my ignorance. I'm the neophyte of the group, so I'm weighing both. I'm a strong supporter of the parks and, you know, preserving our natural resources. But I look at this land and I say, Somebody has paid a significant amount of money for it. So how do -- I mean, what can we do? If I had a \$100,000 car in the garage and you told me I couldn't drive it because it causes air pollution, what am I going to do with this car. And that's kind of what I'm weighing with. What -- what would make the Audubon Society happy that the owner of this property do with this, that it can be beneficial to both the environment and the owner? There's been money exchanged. There's financial situations here. What can we do? I have a \$100,000 car in the garage. What can I do with it?

DR. HILLMAN: This is not my area of expertise, but I just -- as a neophyte, one could start by putting a heck of a lot less houses on it. You can have visions that have, you know, five-acre lots. You don't have to squench two houses on every acre. There are many ways one could take. You'd have to charge an awful lot per lot more, but there are ways to potentially use that land in a better way. Again, somebody that really knew what they were doing would have to develop that and take into consideration and they would have to pay attention to every single thing that Mr. Bryan tried to address with these developers.

MR. WHEELER: Are there any other questions of this speaker? Thank you, ma'am. Next speaker, please.

MR. ROBERSON: Hi. I'm Kevin Roberson (ph.), 7355 South Bennett Drive, Columbia, Missouri -- it's actually out by Pierpont. And I'm the president of the executive board of the Friends of Rock Bridge State Park. And I'd like to -- I was asked to come speak in opposition to this. While I agree with Director Bryan that this is -- quite a few changes have been made to make this more positive, it's still not the 15 percent impervious that we would like to see. I think we could do a calculation -- I could do it in my head here. I don't believe you need to cut this in half to get to 15 percent impervious. And I wanted to ask, is it permissible to address questions and statements from the Commission or do I --

MR. WHEELER: You have three minutes, sir. You can do anything you want.

MR. ROBERSON: Okay. Mr. Stanton, you asked what should he have done. Well, first off, I don't think there's anything wrong with anything that the developer's done or wished. But what he did was make a bet that when he bought this that he could talk you into changing the zoning from what it was -- that's what he paid for was what it was zoned, not what it is. And I don't believe that it's the Zoning Commission -- Planning and Zoning Commission to make sure that no one's made a bad business deal. And if you bought a \$100,000 car and knew that it was against the regulations and you were hoping to talk somebody into changing the regulations so you could drive it, I say shame on you. So I appreciate all of the work that people have done to make this better and it's no doubt quite a bit better, but we're still opposed to it. And when you're in business, you make bets and you hope

for the best and work for the best. And I think everyone's trying to do that. The 15 percent impervious would still give a lot of development out there and it would look a lot different than it is, but I think that is working together to come up with something. It is best engineering practices and karst for 15 percent, and that's not even on the edge of a state park that is in the middle of the city practically that is enjoyed by every school child and every adult in the city almost. So I really appreciate the time to get up here and speak to you, and I respectfully thank you for your time and your listening.

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

DR. TARBOX: Good evening. I'm Bus Tarbox, 3501 Old Field Road here in Columbia. I am a user of the park. I enjoy the park. I run in the park. I've been lost up right around that same area running through the park before. And I'm encouraged by a developer to take the opportunity to do this, make this a proposal. I see high rise, multi-unit density places going up all over town. I see an opportunity here to protect the park in a way this development will do. And I think the -- what I've seen that the developer's done in complying with the State Park's wishes to come up with the wider buffer, to donate the easement back to the State -- didn't make the State buy it, is offering to donate that easement back to them -- and to develop this in a way that's friendly to the park, as opposed to, as you said -- one of you gentleman said, down the road someone comes in and all the sudden develops multi-unit places that just has no long-term value for the state park. I think the opportunity here exists to do something, step out of the box, step out of the normal ways of doing business, make an arrangement with the State Park and develop lands around the state park in a way that is really -- the director said he's never done it before in the state. What an opportunity for us to be that keystone development here to do that. I think this is a great opportunity for the City, for the state park. Again, I use the park. I love the park. I do not believe this development will cut into my enjoyment of the park. I think it'll only, for the long-term life of the park and for my kids' and their kids' enjoyment, I think it preserves the park, and so I'm in favor of this.

MR. WHEELER: Are there any questions of this speaker? Thank you, sir. Next speaker, please.

MR. BLAKEMORE: My name's Chase Blakemore; I live at 116 East Hoedown Drive. We actually live and own a duplex right across the street from this development. My wife and I drive by it every single day and we always wonder what's going to happen with it. Like a lot of citizens here, we are kind of afraid that student housing or something like that is going to go into it at some point. When the developer came to us and started talking to us about this development, me and my wife were incredibly excited and actually were waiting for the time for a development like this to go into -- right across from us. We like the fact that it's right outside the city, but also next to Rock Bridge Elementary, next to the high school. It's within walking distance. It just seems like a completely natural fit to be able to have, you know, the unique experience of being in a neighbor to where, you know, you could take your family and be able to be right there next to the park, be able to be living

with other people that do enjoy being in the family aspect of a neighborhood, but yet having Rock Bridge State Park. I think it is incredibly -- I just think that what I've heard tonight -- what I had written down on my sheet of paper was completely different than what I was going to say right now. I've heard two people say that, you know, we want to work together and one saying that, you know, it can't work. We think we're at a crossroads. Well, I mean, this is a completely unique idea. We have other trails that run along neighborhoods, run along, you know, parks that are here in Columbia, and it seems like we should be able to have some kind of solution to be able to make this work. And I just wanted to say that I am for this proposal and I hope they take as long as it needs to get finished. Thanks.

MR. WHEELER: Are there any questions of this speaker? Thank you. Next speaker, please.

MS. FLADER: Hello. I'm Susan Flader; I live at 917 Edgewood Avenue in Columbia. And I'm speaking for the Missouri Parks Association and organization -- state-wide organization of citizens dedicated to the protection and enhancement of Missouri state parks. When I moved to Columbia 40 years ago, one of the first places I went was Rock Bridge State Park and one of the first things I learned about it was the sensitivity of that karst area and the need for protection of it. And over the years, the last four decades that I've observed what's been happening, there's been a tremendous amount of investment by citizens and by officials of Columbia to try to protect that area. It started even earlier than that. It started with the private owners who protected the area and shared it with the public. And then the efforts of all of the 4-H clubs and the scout troops and the businessmen and private citizens who supported Lew and Dorothy Stoerker in their vision to collect enough money to buy a significant number of acres, and it was matched by one of the very first projects of the Land and Water Conservation Fund, when that became available in 1967. And more than 1,000 acres were able to be purchased at that time. But there was always a need to try to do more to protect that area. And the park itself has been able to acquire another more than 1,000 acres, and the City has been helping. The -- that long multi-year stakeholder process for the Bonne Femme Creek watershed, in which citizens from all different walks of life were participating to try to protect those watersheds in that karst area. The efforts of the City of Columbia, to set aside essentially the 300 acres south of the Phillips Lake area as a buffer for Gans Creek in order to protect that very, very delicate watershed. So what I'm saying is that we need to rise to the challenge of protecting this area and not think that there's simply a need to make good on somebody's investment. There's still, you know, some money that can be made from it, I suppose, but I don't think that there's any inherent right to expect a more dense level of development next to that park than was anticipated in the original zoning that the County applied to it. There's -- I'm involved right now in revisions of essays for every one of the state parks for our book on state parks and historic sites, and I really shudder to think that I might have to write about this park in my own backyard, that it -- that city officials and others have approved a development that will be the most dense development on the boundary of any park in the state of Missouri. I think of the old adage, The enemy of the best is not the worst, it's the good enough.

There's been a lot of improvement in the proposal that we've heard tonight. Is it good enough? I don't think that's what we should be aspiring to. This is Columbia. We can do better to protect Rock Bridge. Thank you.

MR. WHEELER: Thank you, ma'am. Are there any questions of this speaker? Next speaker, please.

MS. McCANN: Sandy Smith McCann, 500 East Lake Forest Drive. I'm an adjacent neighbor. I'm opposed to this revised plan because of the density. I really do feel it's going to have a negative effect on Rock Bridge State Park. The density does not fit the area. Most homeowners in that area have acres, of at least one acre up to 20 and 40 acres. It's a single-family residential area. It is not a multi-family area, and I'm opposed to the multi-family. Section 100-674, Policy Resolution 232-99A says, The City Council is expressing a strong preference for planned development in the areas of the Bonne Femme Creek -- I'm not going to read the entire resolution, but I'm going to give snippets of it -- whereas Little Bonne Femme Creek watershed is an extremely environmentally sensitive area, containing Rock Bridge State Park. It is necessary to control the density, the use of the land in order to protect damaging the environment. The City Council expresses strong preference for the planned development. The City Council urges landowners seeking zoning and rezoning of this land within this portion of the watershed to request planned zoning. The developer's plan goes against this policy to protect damaging of the state park, controlling the density. And it is not a low-impact development. There is only one lot for a house that is on a half an acre. Three duplexes are on half an acre. Most of all the houses are three to four houses per acre. There are six lots that are one quarter of an acre. This density is not what we need next to the Rock Bridge State Park. The damage that will be done with this kind of density will never ever be reversed, and I strongly oppose the density of this development. Thank you.

MR. WHEELER: Are there any questions of this speaker? Thank you, ma'am.

MR. ALVIS: Good evening. My name's Tim Alvis. My address is 1520 South Louisville Drive. I am a supporter of this development, actually, mainly because I want to live there. I spent my first 18 years of my life growing up on south Sinclair Road. And when I was younger, there was no Cascades. There was no Arrowhead Lake. I got to see all that develop. You know, as a kid my parents took me to Rock Bridge State Park. Both my wife and I grew up south of town, we went to Rock Bridge schools. We take our children -- my one is nine, his name's Aiden (ph.) and my daughter's name is Addison (ph.), she's seven -- they absolutely love Devil's Icebox. They really like the name actually. But, you know, it's a chance -- we walk the trail. I'm actually just an average guy that is looking, hoping to secure some affordable housing somewhere near Rock Bridge State Park. My guess is there's a lot of middle class families that actually would enjoy that same opportunity. I actually just hope that you guys support this very responsible plan. That's it.

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

MR. ALVIS: All right. Thank you.

MR. WHEELER: Next speaker, please.

MS. BRUBAKER: I'm Teresa Brubaker; I live at 5390 South Route K. I'm right down the road from this property. And I support it because I know what kind of -- it's zoned agriculture and I don't want hog farms or anything else on it. And he's gone to a great deal of work to cut down the density and work with the State Park, which obviously doesn't seem to want to work with him and I find that very sad. And he just -- he's reduced the concrete and saved 90 percent of the trees. And I think it's going to increase the neighborhood value of my land and everyone else's around us, so I am supporting it and I hope you do too. Thank you.

MR. WHEELER: Thank you. Are there any questions of this speaker? Thank you, ma'am. Next speaker, please.

MR. SMITH: Marty Smith, 5500 South Route K. I live about two doors away from the property on K. Nobody's really mentioned the traffic, but I live out there. I try to get on Route K in the mornings; it's hard to get on. It's hard to get off when you leave at five o'clock and things. It's just that bad. New school's going to try to get down there somewhere. The elementary school is looking down south. Nursery school -- that Nursery Lane down there has opened up where Thornbrook comes up Route K, but there's really no access for people to get out. They're all going in town because there's very few businesses south of town. But other than that, I mean, I live out there. The density's just a little too much for me, but, you know, that's just me. Any questions? I'm done.

MR. WHEELER: Are there any questions of this speaker? Thank you, sir. Next speaker, please.

MR. BAY: Don Bay, and I live at 7601 Chimney Ridge Road, which is about a mile from where the subdivision is. I live in Hill Creek Acres, where the residents -- there's 90 residents there -- we each have two-acre minimum lots. I think, from hearing the discussion and everything, it seems like to me that the 20 percent reduction in units that was from the first proposal to the second proposal is just a little bit of window dressing, but it certainly didn't address the concentration that we were concerned about at the first hearing. But 20 percent reduction in the number of units is certainly just a very minor one. You talk about numbers, you know, I think that there is a place, but it would be less than -- it would be a greater reduction in the number of units from what they're proposing. It's hard to call that a substantial change. I will tell you I worked in agriculture for 43 years, and there's lots of regulations on hog farms today, and with the stream nearby, they would not be a problem. They would not be there unless they had adequate sanitary facilities to take care of them.

MR. WHEELER: Are there any questions of this speaker? Thank you, sir. Next speaker, please.

MR. DARKOW: My name's Eric Darkow, 3101 Belinda Court. I'm a lifelong user of the park. I'll spare you the personal anecdotes, but, you know, use it throughout -- I went to Countryside Elementary School off of Fairview and Chapel Hill. I went and caught tadpoles up there when I was about five years old. But used it all through college, still use it today, you know, on a weekly basis.

And I think as we move forward through the development of Columbia, and you see southern expansion of Columbia -- and that's undeniable. As we move farther south, I mean, that land's going to get developed. One way or another it's going to get developed, and I think the protection of the park is -- should be foremost in our minds and should be a priority. So I think -- I'm in support of this because the developer has taken measures to address the concerns of the City, right, by putting in buffer zones, by putting in a conservation area in between the proposed neighborhood and the park. As I said, I think it's only a matter of time before it gets developed, and necessary measures have been taken.

MR. WHEELER: Are there any questions of this speaker? Thank you, sir. Next speaker, please.

MS. TROM: My name is Jenny Trom, and I live in southwest Columbia. And not to disrespect anyone that has spoken, but with the gentleman in regard to Route K traffic, I live in Millcreek Manor, which is west of Forum Boulevard off of Nifong. And southwest Columbia with the infrastructure that's there, I'm not sure can handle one more neighborhood. And the shape of Boone County being what it is, I agree with Mr. Darkow in that this area of town is going to be developed one way or another. And I kind of feel like the lady who said, you know, this area, 35 years ago this is not what it was intended. Columbia is not the same Columbia that it was 35 years ago. You know, we are expanding. There's a new healthcare facility on that end of town, State Farm is there. We have schools there. People want to live there, and this developer, I think, has gone above and beyond what's expected. Like you-all said, you know, however many years from now, it may be him. And, you know, the gentleman that said, you know, this guy took a gamble and bought this land hoping to make money off of it, and I disagree with that. Mr. Hill lives out there. He didn't buy that land to take a gamble. He wants to protect that land as much as anybody else. He doesn't want to ruin the integrity of the park. And I think that, you know, some of the people that are so concerned about the park need to realize that Columbia is not the same Columbia it was. And he's taken measures that are, I think, above and beyond and way outside the box. And we're a progressive community and, you know, I think that we can make this neighborhood an example of other neighborhoods to come in Columbia. And I'm fully in support of this. Thank you.

MR. WHEELER: Are there any questions of this speaker? Thank you, ma'am.

MR. MAGGARD: Good evening. My name's Bryan Maggard; I reside at 81 High Point Lane. Like many of the speakers before me, I too am a park user, more so in the form of the riding trails for bicycling. My family has spent time out there. We certainly enjoy and respect the park. I'll keep my comments brief, but I will say this: I believe that both development and/or change is imminent. That's been said before. I think members of the Council have alluded to this. And what's key is that it's done the right way. And, obviously, there's a challenge here on defining what the right way is. But I speak to you guys tonight to support this development. As a resident of Columbia, as an individual who lives in that part of the town, I applaud the efforts of the developer. I applaud the efforts of their

engineering firm, and just feel that they've gone to great lengths to try to do this the right way. And that's what's key, in my opinion, to developing, to do things the right way. And I don't know -- again, there's going to be difference of opinions and how you define "right," but I certainly support this effort. I applaud what concessions have been made. And I really do believe that this developer does have the best interest in doing this the right way, not only because he resides out in that area, but I think, again, he's someone who does things the right way. And, again I appreciate the efforts that both he and the engineering firm have made.

MR. WHEELER: Are there any questions of this speaker? Thank you, sir. Next speaker, please.

MR. SHORT: Good evening. Patrick Short, 3909 Deerfoot Way here Columbia. We've lived here about ten years. I'd like to real quick make two points to the Commission. First of all, first point, I think when we speak to density, if you look right across the road from Route K, you have Southbrook Court, 25 units, roughly six acres. That's a density of four. Okay. Just directly across the street. Same thing with Hoedown Street, 17 to 18 units, roughly three acres, about five and a half density. Okay? So I don't think this development is -- you know, obviously it's less than that. They're proposing a density of two, which I think is well within the neighborhood and just the general consensus there. My second point would be I'm kind of -- you know, I came here as a friend and user of Rock Bridge State Park and listened to everybody speak. I think everybody in the room's on the same page. I mean, I think we're here to protect the park. Everybody that's spoken is here to protect the park. So, you know, I think if you approve this development, that's what you're doing is protecting the park from agricultural use, some other use, or some other further developer down the line. That's really all my comments. You know, again, just leave you with I think that we're all here for the same purpose, protect the park.

MR. WHEELER: Thank you. Are there any questions of this speaker? Thank you, sir. Are there any additional speakers this evening? Going once -- all right.

#### **PUBLIC HEARING CLOSED**

MR. WHEELER: And we're going to take a brief break, because I promised the recorder we would, so we'll be back in five.

(Off the record.)

MR. WHEELER: All right. We'll come back to order here. I believe we had just entered the Commissioner's comments section. So who wants to lead off this evening? We're down to six and I still can't get a --

MR. TILLOTSON: I'll lead off. This came to us before. I didn't support it. I'm a big believer in the developer and the parties at hand really trying to work real hard to come to an agreement. I will have to say I've seen -- to me this developer has went above and beyond, trying to come in agreement with all the parties involved. It seems to me that the neighborhood, in general, in this area is pretty supportive. A lot of the nonsupport I'm hearing is coming from organizations or something

that's away from there, that doesn't live out there, and doesn't see what goes on out there. And I don't know that there would ever be a solution as far as the State Parks go with any development around a state park of any kind ever. But I do know that Planning and Zoning members come and go and City Council members come and go, and if this piece of land just sits here, I could see a student housing building go up on it some day. I could see a little mini mall going in there some day. I could see things like this happening with the changes in government down the road. And then, when you have a person who -- he actually lives there, and he's worked really hard to try to make this work for the neighborhood and for the park. He has really a vested concern himself because he is one of the biggest property owners that butts up to this subject site. So we could sit here all night about, well, what if we did this and what if we did that. I think we're past that. That's been tried to be -- I think that's been worked on with all parties concerned. I do like the Rock Bridge State Park. I do frequent it a lot. And I can see the young man who was up earlier and talked about wouldn't it be nice to kind of have an area you could live in that was close to the park. When I go to the park, I'm way out on East Broadway, so it's quite a little trip across town for me. And yet what's being proposed to be built is -- seems to me it'll have a -- be a bit more affordable to younger families that are starting out in our community. So with that said, I'm not going to try to beat up if we did this or if we did that or should we do this or what happens if we did this. I'm just going to -- I'm in support of it.

MR. WHEELER: Who wants to go next?

MR. STRODTMAN: I'll follow that one. I also, like Mr. Tillotson, I did not support it the first time, and the biggest factor that I had for not supporting it the first time was the parks. That still weighs heavily on me. But like Bill, I also agree that the developer has gone to some extents to meet that concern that I had: You know, with the stream buffer, the 200 feet; the 75-foot strip along the south side there that adjoins the park; the BMPs that were discussed by Mr. Crockett; you know, the 90 percent of the existing tree cover being left intact in that 75-foot strip; the 70 percent open space. You know, that percentage is a big one, that 14 to 24. You know, I -- that's hard for me. You know, I plan on supporting this project at this point. I think that the developer has met my concerns. I also plan on -- I think the variance for the sidewalk is in order. I don't think there's a need for more sidewalk concrete out there, so I plan on supporting the variance to that sidewalk. And my last comment is this, is we've heard this over and over tonight about this is not going to be the first time, it's not going to be the last time -- or this is the first time. It's not going to be the last time for a development around the state parks. And I would really, really hope that the State Parks can work with us and help us figure -- you know, if that 14 percent is that number, then we need to do something with all this land around the state park and get it into that 14 percent. Because if it's not, we're going to continue to be faced with this problem, day after day, with each development that comes forward to us with the same problems. And I think the State, if it's truly -- it should be very much more proactive than they are. And they should get out ahead of this and they should've been out in front of this years ago and be getting this type of land or making it set that this is a 15 percent



or 14 percent factor, and there should be no question about that. Where, to me, it seems like we're just now addressing this when we've known from day one that this is going to be something that we're going to have to deal with. I don't know why we're now -- the State is now just, you know, thinking that this is something that we should start doing and that they don't have the ability to police some of these subdivisions and things of that nature. I think if it's that important, that we're going to have to figure that out, because there are going to be developments around these state parks, not just here in Columbia and Boone County, but elsewhere in the state of Missouri. And I don't think that -- I think we need to figure it out now and quick before we get more developments. And I would look at the State Park system to lead that charge and help us figure this out and get out in front of this before -- if it truly is that big of a factor. So I do plan on supporting this.

MR. WHEELER: Mr. Lee?

MR. LEE: I also did not support this project the last time. I had two reasons. One was the concern for the park, and the other, I felt it was too dense. I think that the developer has gone above and beyond in this case to work with the Parks and the neighbors and everybody else in order to come up with a plan that seems to me to be very workable and a very good project. I am also struck by the fact that if this project is not allowed to go forward, Mr. Hill might decide to sell the property and at that point you have no idea what could happen to that property. And as Mr. Stanton said, it could turn into a hog farm. If somebody else owns the property, it could be a corn field with herbicides and pesticides and so on and so forth that goes along with all that. I would assume, without knowing, that from the first plan to the plan that Mr. Hill has now there's been a great deal of time, effort, and money spent in order to come up with the current plan he has, and I think that we need to recognize that. It seems to me that it is a very solid plan for that land and it could set an example for other developments in and around Columbia, especially in terms of environmental. A lot of the neighbors around it signed that petition supporting the project. And like them and like my two fellow commissioners who have spoken before, I intend to support the project, but I feel the same way about the variance for the sidewalk as Mr. Stodtman. I don't think they need to put another sidewalk, which should help in the runoff and all that. So I intend to support it.

MR. WHEELER: Mr. Stanton?

MR. STANTON: Yeah. This is my first look at it. Man, what a way to start my -- man. I'm a strong supporter of natural resources. I said all this before. 15 to 20 percent impervious surfaces -- The amount of brain power there is in this county, the amount of -- I feel there's got to be a way we can make this happen and make this at least a win/win as best we can. I think the owner has done far and beyond I think any other owner would do, and that's because he's a neighbor of this -- of this property. I'm kind of versed in the low-impact development techniques from a construction point of view. You could get that 15 percent, but I think what you would have to do is you would have to change kind of your -- just the site plan. You would probably have to make the dwellings a little closer, which would increase the density. You'd probably have a little less street. But to make

everybody happy, I think it -- it would probably go against what most people are complaining about, which is the density and the fewer houses. You would have to get them closer and you would probably gain in green space. But some of the low-impact developments I've seen are developed around cul-de-sacs and I could see maybe two roundabout cul-de-sacs off of the entrances you have. But then you lose that open country feel. So it's a give and take. Once speaker hit me -- hit me right in the chest, and I'm looking at the density and I'm -- and kind of my background on this project, I've lived all over the world, but mainly I'm a First Ward -- my family is in the First Ward here around Douglas school. This side of town is not even -- it's a dream. It's like Mars to my -- to my people, to my neighbors. And to have an opportunity to live in a house that's by the state park in natural spaces, open air, that's not even -- my neighbors, that's not even -- that's not even in their -- their vision. They're not even thinking about that. And what I've heard is less dense, and we're taking less -- we're taking less housing away. We're making it -- okay. Let's say we just put two or three houses there. There's no way that this owner can sell two or three houses and make them affordable. Not to -- not to a middle class guy like myself, or even upper middle class. So now we're making this an elitist unit, an elitist place where only the rich can live close to the state park? I'm not rich and I would love to live close -- I'm not opposed to rich people living out there. I'm not opposed to people having a lot of acres. I don't know what the average median income of those people surrounding that area are. But having an opportunity for upper middle class, middle class family to be able to live in that area has a deep impact on me personally. And I think this can be worked out. This is new ground. This is -- you know, Mr. Hill, I'm sorry you have to be that first explorer to get out there. It's usually the first ones that get -- take the bullet, but this is an opportunity for the Commission, the City, the Parks system, everybody to put their brain power together and figure out a way to make this work. Because it's not going to be the last time this happens and I don't think we should run from this opportunity. I think we need to see what we can do to make this a win/win for as many people involved as possible.

MR. WHEELER: Dr. Puri?

DR. PURI: Well, I think this whole project, I think the developer's made great efforts and strides towards trying to meet somewhere in the middle. I don't think there's ever going to be a good solution for these Missouri State Parks. If I were them, I wouldn't want a development next to it all the way around, but that's not really reality. Under the circumstances, I look at the fact that what we save here. We save 90 percent of the trees that are on that lot. We have a 200-foot wide stream buffer, which is double the minimum. They didn't have to do that. The 75-foot wide buffer from Rock Bridge State Park, they provided that. So I think they've made every effort in trying to make sure that they could do the best they could do and still make this development work. A lot of efforts are made, you know, in the fact that it needs to be green, it needs to be this, it needs to be that. All that costs money as well. But I think the things that they're giving up and the things they're trying to save so that future generations can see those 90 percent of the trees out there or have a stream buffer there so there's

no future deterioration of that area because something else might come in there. Across the street you have duplexes there. And this is 35.8 acres. You know, you have 58 lots. Myself, I think the sidewalk, I would do away with the sidewalk on both sides of the street. Really don't need a sidewalk in there. And I was telling that to Mr. Wheeler during break. I think this is a good development and I think it's the best solution under the circumstances. You cannot, you know, satisfy every single thing for both parties. They have made some efforts to come forward and give a plan which is addressing the main concerns. And I think you save the trees, you have a stream buffer, you have open space, you have a thought-out development, and this is the best solution under the circumstances. We are not in 1965 right now. We're in 2013. And the person that owns the particular lot has some right to develop that lot, as long as they're not a detriment to surrounding area. Under the circumstances, I think that the way the plan is presented, it's not a detriment to the surrounding area, and I think that it's well thought out. I will support it.

MR. WHEELER: All right. I'm going to try not to repeat what's been said, except to say that -- the first thing I want to say is what I said the last time we were here and discussed this and that is that the city of Columbia has expanded to the northern boundary of the park. This is a fact. And as such it behooves that the City of Columbia and all residents of Boone and everyone that enjoys the park to come up with a plan for the fringe of the park. Now, just briefly touching on it, so we as a community have to come together and figure out what we think is appropriate. Now, that said I'm going to say -- and just tagging onto something Mr. Stanton said -- you know, this isn't low income, folks. This is middle class at best, probably upper middle class in order to get in here. And I don't think it's appropriate for us to say that only the very rich among us can live next to the park. This could be a nice development for upper middle class families to live and enjoy the park. So another thing that was said tonight that I want to touch on was that P & Z doesn't fix bad business decisions, and we do not. We make, hopefully, the best decisions we can, given what is coming with a vision towards the future of what could happen and what would be most appropriate at this time, and is this a balance. Have we tried to bring the two parties as close together as we can? Now, the Parks system, understandably, would like to see nothing here, and that's understandable. In fact, there's a lot of people in the community that would like to see nothing here, and I'd say, That's great; buy it. Make it an entrance to the park. But to say you can't do that or we just want 12 lots there says to me that only the very rich are going to get to live on this boundary of the park, and that doesn't seem appropriate. It meets the Bonne Femme watershed agreement -- plan. The stormwater plan for the City of Columbia, actually exceeds it. It's -- you know, low impact can mean all kinds of things. Usually around here when we say low impact we're talking about density. But low impact also means environmental impact. It means a lot of things. One of the things that didn't get mentioned tonight that I'd like the City of Columbia to address -- and I think this is certainly within the power of City Council -- would be let's change the lighting. I mean, you know, everybody else has to do full cutoff fixtures, but the City of Columbia decides that on street lighting we don't want to do that, and it's

because it's more expensive. Of course they don't want to do it. But this is the appropriate place to be reasonable about what our lighting impact is going to be on the park. That came up the last time we were here and I just wanted to bring it up. It's a big deal to me. I would like to see something on the eastern boundary. We've done something on the northern boundary, a berm is my understanding, to lessen the impact against that. I'd like to see what we can do on the eastern boundary. I like the idea of the covenants restrictions, but I think they're unenforceable. As a real estate, I've seen covenants restrictions are sort of a joke. If you don't get on it right from the beginning, you have a precedence set. And so having the Parks system as a third party, they don't have the ability to really be there. I don't think it's appropriate. I think some of the ideas you came up with would be appropriate to be in the covenants restrictions, however I don't see any way to enforce them. And so I'm looking more at the BMPs -- best management practices -- than anything. So that said, I'm in support of this. I think they've done a nice job of creating a layout and giving concessions where they could and still have something that's workable and allows an opportunity for some folks within -- as the gentleman came up and he'd like to live there. I know a lot of people that would like to live next to the park and I know, you know, my -- a portion of our wedding pictures are in the park. I love this park. All Columbians love the park. So I think we've -- you know, this is a good balance and I plan to support it. And frankly, you know, the sidewalk thing, I agree with Dr. Puri. I don't -- you know, there isn't a connection in this subdivision that goes anywhere. I mean, no one can drive out of this subdivision. You've got to go to K to get out, so I don't see any reason why the people couldn't walk on the street, but that's a little pet peeve of mine. So, you know, I will support the variance. I would support not having sidewalks in there at all to reduce the impervious surface. But, anyway, I rattle on. Someone want to try to make a motion?

MR. LEE: Make a motion to approve --

DR. PURI: Can Mr. Crockett -- can you come to the podium?

MR. CROCKETT: Yes, sir?

DR. PURI: That sidewalk, you know, that the City wants added and that may have impact on the impervious area, do you have any idea what impact does one side have?

MR. CROCKETT: The additional side is 1 additional percent. So the side that we're asking for the variance on, if we were not to get the variance, then that would be 1 additional percent.

DR. PURI: If we deleted the other side --

MR. CROCKETT: If you deleted the other side, it is roughly the same percentage. Maybe it's just a little bit more or a little bit less.

DR. PURI: 23 percent.

MR. CROCKETT: Pardon me?

DR. PURI: It'll be 23 percent.

MR. CROCKETT: Correct. Correct.

DR. PURI: Are you amenable to deleting the other side?

MR. CROCKETT: I'd have to talk with the developer, but I don't see there's any reason if we deleted the sidewalks in the entire development and reduce the total impervious surface. I don't see where that would be, you know, adverse to our development.

DR. PURI: Is he okay with that?

MR. CROCKETT: Yeah. We're fine with that. If that's what the Commission would like to recommend, we'd be fine with that.

DR. PURI: Thank you.

MR. CROCKETT: Thank you.

MR. TILLOTSON: Just to --

MR. WHEELER: Go ahead.

MR. TILLOTSON: -- discuss that a little bit more. It makes sense to me, but my -- just my concern from looking at this, we have three cul-de-sacs and we're going to have homes that are going to have children. So are we telling the children they have to play in the streets or if we have a sidewalk on one side that they are constantly going -- crossing the street to get to the sidewalk. I'm looking at more of a safety aspect than anything else, and so I don't -- I hope we're not being too hasty as far as the sidewalk issue.

MR. WHEELER: I'd like to chime in on this because --

DR. PURI: Go ahead. You go first.

MR. WHEELER: Well, I'm just going to say that there's no way that's going to get by City Council, and so it's actually -- you know, it's almost pointless. Although I agree totally, I think it's almost pointless for us to discuss it because I'm betting the City Council's not even going to let it get by with just one side. And so -- and as long as I'm on that point, if we're going to have sidewalks on both sides, I think it is appropriate to increase it to 25 percent, but that's my personal opinion.

DR. PURI: I think it's a bet that City Council will decide, but I think it's stupid to have one side sidewalk. You have to cross the other side and get on the sidewalk, so might as well delete them on both sides. Let City Council put them on both sides. That way we decrease the impervious area from this body and they can increase the impervious area from their body.

MR. WHEELER: You want to make that motion?

DR. PURI: I will do it. I make a motion to approve this case, No. 13-100, request by Southside Trail Estates for annexation, permanent PUD-2.0, two units per acre, zoning, a preliminary plat/PUD plan with the following requirements: A tree preservation plan will be required, 90 percent of tree preservation, the sidewalk variances will be deleted sidewalks on both sides of the street. Is there anything else I missed?

MR. WHEELER: Do you want to make some limitation on that impervious surface?

DR. PURI: Impervious surface to be 23 percent.

MR. STRODTMAN: Second.

MR. WHEELER: Okay. Motion has been made and seconded. Any discussion on the motion?

**Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Mr. Lee, Dr. Puri, Mr. Stanton, Mr. Strodman, Mr. Tillotson, Mr. Wheeler. Motion carries 6-0.**

MR. WHEELER: Let's take 30 second here and let everybody clear out.